

CARE Bangladesh

Political Culture, Shalish, and Gender Relations in Dinajpur, Sunamganj and Tangail ¹

A Context Analysis for CARE Bangladesh: Cost of Violence Against Women

Summary

1 An Overview of the Study

CARE Bangladesh's COVAW (Cost of Violence Against Women) project, now in its inception phase, will work to prevent violence against women by contributing to behavior change related to gender norms, practices and behaviors regarding marriage. To better understand the larger political and socio-cultural context, within which the project will operate in Dinajpur, Sunamganj and Tangail, COVAW initiated this study. The analysis process was also designed to work up methods with and build capacity of staff working in COVAW and other gender equity projects, such as ARSHI and Protirodh. ²

As originally conceived, the study was to analyze social relations and gender dynamics at various levels: the union, the hamlet and the household. In each of COVAW's three working areas, the study teams explored power structures within one union to gain a nuanced picture of the governance environments in which the project plans to work. In light of the role of formal (elected) and informal actors at the union level in adjudicating disputes, including cases involving gender-based violence, the study provides insights into the processes that shape the formation and dynamics of *shalish* (informal dispute arbitration) / gram *adalat* (village court) and sheds light on the ability – or lack – of women to access justice at the local level. Through 'critical incidents' analysis and interviews with elected men and women members, informal elites, and community members who were parties to *shalish*, the study sheds light on the political interests of powerful actors at the union and *upazilla* level and their influence over the forms of justice. A key aspect of the union level analysis was to explore the role of women members and the ways in which they perform their roles as elected members and in *shalish*, so as to understand their ability to 'represent' and advocate on behalf of women. A focus on women members, who generally operate at the 'margins' of the governance institutions, allows for insights around local government practices of exclusion and thereby elucidates the larger processes that operate.

Having established the context, the work then focused on the key objective of analyzing hamlet and household level gender relations. Hamlet (*para / hati*) selection was based on resource mapping exercises in each union, in which local government and union residents, mapped the resources and key actors of the each community to assist the teams to determine, which community was generally left out from the development process. In line with CARE's emphasis

¹ Brigitta Bode with Murad Bin Aziz. November 2009

² The study team consisted on average of 15 CARE/ PNGO staff.

on working in the poorest communities, the team selected those with the least resources and an absence of powerful actors. In Dinajpur and Sunamganj, the researchers studied one Hindu and one Muslim community each, whereas in Tangail, with no significant Hindu population, two Muslim hamlets were selected. In each community, the teams then conducted social mapping to identify all households and a well being analysis to create a list of households that represent all classes. This list was used for sampling to ensure that the subsequent interviews would include all socio-economic groups. Through participatory exercises, the study teams explored changes in gender norms and values to gain a sense of people's own interpretations around the transformation of gender relations during the past few decades. The teams also engaged women and men (from all classes) in in-depth interviews to gain a sense of their own views and experiences of power and powerlessness, their roles within and beyond the household, as well as women's access to and control over income and material assets, decision making processes, mobility and participation in the public sphere, early marriage, dowry and polygamy, as well as gender-based violence.

2 Political Culture and *Shalish* in Dinajpur, Sunamganj and Tangail

The study of Chirianagar (Dinajpur), Jalagari (Sunamganj) and Hossainpur (Tangail) unions highlight considerable variations in the governance environment. In Dinajpur formal political power has shifted away from landed elites to a chairman who is a service holder (principal of a college) and most of the members own relatively small land parcels. Several of the former chairmen, however, most of whom come from powerful landed families, continue to contest elections and therefore feature prominently in the political process to ensure future votes. The present chairman plays a significant role in *shalish*, particularly if a high profile case involves an area which he considers crucial to his vote bank. He avoids allowing cases to go to court at the *upazilla* level, and if needed, adjudicates rape and murder, managing the *upazilla* level police through networks that he has established over time. Similarly, cases that the chairman does not handle himself, are dealt with by elected members and informal elites with decisions often influenced by considerations regarding alliances and securing future votes, rather than the circumstances of a given case. The union is 40 percent Hindu, who reside in pockets, and minority politics feature prominently. The Hindus of the union are divided and avoid bringing disputes to the attention of the chairman or elected members, in fear of Muslims intervening in what are perceived to be internal issues as well as the reality that judgments can be purchased.

In Sunamganj, and to a lesser extent in Tangail, the analysis has elucidated a political culture of violence with frequent struggles over valuable resources (water bodies in Sunamganj and land in Tangail).³ In Sunamganj, the present and formerly elected chairmen have been directly or indirectly involved in murder cases and have been actively engaged in fueling violent conflicts over natural resources. Here, the dominance of a powerful landed (former *zamindari*) family and its efforts to maintain control over natural resources (*hoars* and *bheels*) that yield considerable income, have contributed to factional alliances and counter-alliances that over-shadow development concerns. The involvement of the sitting Member of Parliament to ensure his 'cut' from profitable fisheries projects and his support to the faction that best serves his interests contributes to the culture of violence, as he is likely, through his connections, to ensure exemption from the legal repercussions of capital crimes. Informal leaders, who are organized into *panchayats*, exercise considerable influence over various governance processes, in particular, the adjudication of conflict. Elected members, unless they hail from powerful families, are either marginalized or, if backed by elites, influenced by larger factional politics.

³ To protect the anonymity of the actors involved, we have changed the names of places and persons.

Hossainpur union of Tangail is also characterized by struggles over resources between powerful clans. The present chairmanship hails from an old landed family, who has dominated the political process of the union of and on for considerable periods of time. Unlike Sunamganj, however, the present chairman, is apparently not involved in criminal activities, but his role as chairman appears to be limited, as he does not reside in the union and has handed over the adjudication of disputes to a powerful *upazilla* level AL member, who has never been elected. Many cases are settled through the gram adalat system, though the process that is followed is closer to *shalish*, involving informal elites. The *upazilla* level AL operative, who resides in Hossainpur union, is considered to be a 'king maker' as the candidates he backs obtain the support of the *upazilla* level AL, with a considerable likelihood of winning the election. For example, during the 1998 election, the 'king maker' supported a well known dacoit, who won the election.

The similarities of the three unions lie around the intersection of formal and informal power, as well as the role of elected members. Elected members generally have to contend with and negotiate with 'informal' elites, who are likely to have supported them during their election campaigns. In turn, elected members strengthen informal leaders through their involvement in the distribution of entitlement / safety net schemes and their involvement in dispute arbitration. Informal elites are the 'traditional leaders' who, through their roles multiple roles heads of clan groups, employers, dispute arbitrators, have authority to set boundaries, determine norms and practices. Their authority stems from the hierarchical nature of family structures (patrilineal and patriarchal) and their roles in allocating resources and disputes, but also their economic power. In all three unions, women members are generally marginalized from the political process. They are not informed of meetings and, even if, they attend *shalish*, nobody listens to their views. The few women members who have tried to be active (in *shalish* or other governance affairs) are either actively excluded or face other difficulties. For example, in Sunamganj, powerful actors filed cases against the women member and her husband for backing the 'wrong' party in the gender-based *shalish* case. In all unions studied, the outcomes of high profile cases are directly related to which *gushti* one belongs to and the alliances *gushti* leaders have with the elected members / informal elites or the *panchayat* leaders (Sunamganj). The exception to this is if one of the parties is able to 'pay for a verdict', or take a case to court, or, involve powerful individuals outside the union.

In Chirianagar, Dinajpur and Hossainpur, Tangail, the majority of gram *adalat* or *shalish* cases involve the poor – 90 percent in Dinajpur and 60 percent in Tangail (though 90 percent of gender-related cases involve the poor), who are unable to 'bribe for a verdict, take a case to court or approach powerful actors. Essentially, poor women and men involved in disputes / crimes / domestic violence, who seek adjudication or whose cases are brought to the union/ ward level, face the likelihood of becoming 'pawns' in the local power structure, with little consideration for their well being or notions of justice. Unless the *gushti* leaders/ *shaliskar* at the hamlet level are 'positive minded' and concerned about finding solutions that are fair, there is little recourse for women and men from poorer households to obtain verdicts that have been arrived at through deliberative processes that consider the various sides and positions of the parties. In Sunamganj, domestic violence or gender-based cases do not come before *shalish*, but are resolved by the family elders or *gushti* leaders.

3 Gender Relations at the Community level

In the six communities, where the study was concentrated, there was considerable variation in terms of the larger environment in which gender relations are embedded. As mentioned earlier, all study hamlets were relatively poor and characterized by an absence of powerful leaders and no elected members. Of the six communities studied, the two communities studied in Chirianagar, Dinajpur, have relatively enabling environments: women have considerable mobility, a large number of women have been active in the agricultural labor force for nearly two decades, elites are generally progressive minded, and gender projects, such as CARE's PHL and Protirodh have operated for several years to raise awareness and transform *shalish*. In the Muslim community, which is somewhat more prosperous than the Hindu community, girls are attending primary and secondary schools, whereas in the Hindu community, poverty and lack of access, as well as an attitude of women's pre-dominant role in the reproductive sphere, were cited as key reasons for not sending girls to secondary school. Both communities had local leaders (*shaliskar*), who encouraged education of girls and women's access to services. In the Hindu community, however, one of the *shaliskar* (dispute arbitrators) of the Hindu community in Dinajpur had, along with his brother, been sexually abusing a woman from an extreme poor household, whose husband was often away. The family had been helped by the local elite on numerous occasions and the woman's husband was unwilling to even listen to her concerns, and other community members, who appeared to be aware of the situation, ignored it.

The two communities in Jalagari, Sunamganj differed considerably. Whilst women from poor and extreme poor families sell labor in both communities, in the Muslim community, women noted that they are stigmatized for doing so, making it difficult for their families to find suitable husbands for their daughters. Whilst the women of the Muslim community are positive towards education of their daughters, men noted that the elders do not see the value in girl's education as they will not be engaged in income earning activities. In fact, the participatory exercises and individual interviews in the Muslim community of Sunamganj highlighted that the hamlet's *gushti* leaders are powerful gatekeepers, who significantly circumscribe women's and girl's ability to move freely within the union, limiting women's access to health and family planning services and girl's access to education. In the Hindu community, on the other hand, the obstacles to reducing gender inequalities appear to be firstly and foremostly shaped by economic realities, as the attitudes of men appear to be relatively positive in terms of education and women's mobility. The respondents told that irregularity of the education stipend distribution, lack of funds to purchase school materials and clothing, and lack of transportation, were the main reasons for the lack of girl's education. In principle, neither men nor women were opposed to girl's education. This is quite different from the Muslim community, where men appear to adhere to the norms set by the elders. The discussions with women and men from the Hindu community also highlighted that women of the community have access to health services, though the rich can avail better services than the poor, there seems to be no question that women should be able to go to a medical facility, if they felt it was needed.

In Tangail, the situation is different from Dinajpur and Sunamganj, largely because women have not yet entered the agricultural labor force. Here, the local labor market remains highly segmented with men dominating agricultural work and women being largely relegated to low paying tasks such as processing jute and collecting nuts. Women, however, are able to access services and avail contraception, visit hospitals and NGO offices, though accompanied by other women or their husbands. Poverty and poor communication (access to schools) appear to be the main reasons that prevent people from sending their girls (and boys) to school. Whilst enrollment of girls has increased, the individual interviews highlight that women and men fear for the daughters' reputation travelling large distances to reach secondary schools or gossip

from within the communities. The communities in Tangail are at the cusp of change, with NGOs, the state (through media and extension agents) and positive minded elites, having significantly improved the attitudes of men (and women) towards education, reproductive health, access to services and women's mobility.

The practice of early marriage, as well as the prevalence of high dowry rates, are concerns in all communities. Poverty and poor communication, alongside the fear of harassment (leading to increased dowry costs), also appear to be a major factor for early marriages of girls in Tangail, where the average age of girls at marriage lies between 14-16 in one community and in the other between 12-13, according to men, and 16-18, according to women. The unstable environment – frequent floods and the need to relocate homes relatively often – was also cited in one of the communities as a major reason for marrying girls relatively early, as the chaos during floods provides opportunities for sexual assault on girls. In most communities, women and men, regardless of class, cited social pressures (particularly gossip about unmarried girls) by neighbors as one of the factors that lead people to marry their daughters at a younger age, as otherwise their reputations will be ruined. In several communities, the respondents noted that elders want to avoid scandals and thereby put pressure on parents to marry their daughters. In all communities polygamy appears to have decreased because of government laws, poverty (fear of land divisions and the inability to support multiple wives), as well as NGOs awareness raising. The exception to this is the Muslim community in Sunamganj, the men noted that polygamy had increased (with six cases in the community), whereas the women noted that it had decreased.

4 Gender Relations at the Household level

The various exercises (groups discussions around changes in norms and behavior, individual interviews) have pointed to key events – lean season, NGO installment dates, unfinished household work, and women 'speaking out' – that trigger violence against women. Men from various classes noted that the combination of women earning and being involved with NGO activities has contributed to women's outspokenness ('talking back'). Men see this as a challenge to their 'dominant position' and a justification for beatings. Men from the poorer households noted that women now have less time (work load has increased, as they sell labor), leading to women's inability to finish their chores on time, angering husbands and leading to violence. Women's strategies to avoid violence from their husbands is to complete their chores in time and remain silent during husbands' fits of anger. At the same time, the discussions around gender roles, highlighted that men from all classes in all communities only assist women in domestic chores, if women are ill and unable to work.

With few exceptions, men, regardless of class, rarely assist women with household chores, although most men noted that when women are ill or unavailable, they assist with the children and fetching water or fuel. The attitude that household tasks are women's work is widespread, with the exceptions being men who enjoy cooking or looking after their children. Men from extended or joint families, saw even less reasons to assist their wives, noting that the presence of other wives or young women alleviates the pressures on wives. The discussions around decision-making highlighted greater variation. Women who had access to income, through selling labor, obtaining micro-credit loans, or selling products from home (vegetables, eggs) appear to have slightly more leeway to spend money and purchase small items from local vendors. Few men consult with their wives about major decisions. In Tangail, where women have very few opportunities to earn incomes, decision making was highly limited, as was the case in the Muslim community in Sunamganj, where women told that they needed permission to

purchase even small items from vendors, as they fear being beaten, if they do not ask. The men noted that *gushti* leaders do not consider women making significant contributions to household income, whilst women told that men think women cannot make 'good choices'. In terms of changes over time, the women from the Muslim community in Sunamganj told that the only change that has occurred is that they may be able to exchange some fish or rice for stationary. They pointed to a lack of freedom in terms of making decisions around family planning, as well as the education and marriages of their children.

Domestic violence is widespread within the communities studied. It needs to be noted, however, that it is difficult to ascertain the extent of violence that takes place or particular patterns based on class. Neither men nor women were open to discuss violence within the household, though in most cases men made it clear that it is their prerogative to 'slap their wives once in a while'. To address the difficulties in discussing domestic violence in the communities, workshops with women from the lower socio-economic groups (extreme poor and poor households) outside of the community explored gender-based violence. The findings from these discussions and individual interviews pointed to the endemic levels of violence. Food shortages (in the lean season), arguments over micro-credit loan installments, and uncompleted chores on the part of women, as well as insufficient dowry payment, were among the major triggers that women noted. In almost all of the communities studied, men noted that NGOs or women's organization, were responsible for 'women talking back, being less obedient than before, and arguing with their husbands' leading to episodes of violence. These statements point to the male anger (individual or collective) in losing control and power and their determination to defend their male privileges. The Muslim community in Sunamganj is the only community in which men openly discussed the levels and extent of violence against women. This is itself an important indicator that 'brutality against women' is accepted and the norm and women's interviews in which they discuss the beatings, often with a stick, confirmed this. In such situations, women's coping strategies are largely limited to remain silent and not to aggravate the situation any further.

5 Program Implications

A Note on Context and Selection of Working Areas

In Sunamganj and Tangail, COVAW has situated its activities to work side by side with other CARE projects to address the multiple underlying causes of poverty – poor governance, lack of access to land and water bodies as well as poor or limited livelihood opportunities, poor social development (education, sanitation and access to services), discrimination based on gender, class and religion. For this reasons, the choice of locations for COVAW to work are limited in the sense that it has to locate its activities in other CARE working areas, particularly Shouhardo, a livelihoods program. In some unions, there is the added advantage of other projects such as Sharique, working on governance, and ARSHI, working on adolescent girls' reproductive health. CARE is committed to move beyond individual time bound projects to work through a program approach. For instance, a project working on governance, could, among other activities, work to improve local dispute arbitration through capacity building of elected elites and *shaliskar*, and greater involvement of women members, to improve the working of *shalish / gram adalat*. However, such work should be undertaken in unions in which the 'criminalization of politics' is absent. Otherwise, investments in 'good governance' are likely to have little impact. In fact, in a political climate where murder and killings perpetrated or inspired by elected chairman, as is the case in Jalagari union of Sunamganj, governance initiatives are likely to be a waste of resources. It is important for COVAW to consider if the project should work in such localities, as the project's activities are likely to involve dispute arbitration or assisting women with cases at a

higher level. It is difficult to imagine, how, in the context of Jalagari union, this would be possible.

Having said this, it is important for the COVAW senior management team as well implementing staff to recognize the differences in terms of the localities and the differences within localities. Strategies should be carefully tailored, taking into account the differences – more conducive context / more conservative/ difficult context. This work has highlighted that at the hamlet level, the types of elites that influence and shape gender norms and behaviors are key. The project should be sure to explore the context in all of its working unions and carefully determine which communities it plans to work in. In half of the communities studied, we found relatively 'positive-minded' elites, who are likely to embrace and support COVAW's work; whereas some of the communities, particularly the Muslim community in Sunamganj, will be extremely difficult to work in. The project's objective are challenging and it would be wise to select communities in which the context is conducive in order to gain experience and devise strategies. More difficult communities should be addressed later on, when staff have sufficient understanding and strategies and tactics have been tested and proven to work.

Addressing Gender Inequalities

This research has pointed to the unequal power relations within the household. The key is to work through approaches that transform these power relations and work to break down the patriarchal mindset that characterizes local male culture. With this view, it is important to remember that patriarchy is rooted in the family structure that has evolved to support the socio-biological reproduction of human kind. This is not say that initiatives should work to dismantle the family as an institution, but they must attempt to work towards sharing domestic work and parenting and build economic partnerships between husbands and wives. This will require changing the roles of women and men within families and beyond. Women's participation in the work force and fair remuneration for their work (and that of their husbands), recognition of their non-paid contributions in the reproductive realm, increased decision making within the household and the community, and control over their bodies through the ability to make choices about the timing of children are key in achieving this. This research has highlighted that to a great extent men justify their domination in relation to their role as main providers. Unless this reality changes, it will be difficult to transform the unequal relations in the households.

In the Dinajpur area, unfortunately, COVAW is working in relative isolation, with no other CARE projects present. Here, however, women have been part of the agricultural work force for decades (since the arrival of high yielding varieties) and, in light of the extreme forms of poverty, there should be an initiative to work on increasing the wages of women and men. SETU, which has considerable experiences in this work, and operates relatively nearby, could work on wages. Such an initiative would not bring material benefits for families in that it reduces / abolishes the lean periods (which in all communities studied were cited as triggers for violence), but also builds solidarity between women and men in terms of struggling side by side to address the unfair wage practices (advanced wages and poor rates) that extreme poor, poor and lower middle households face. In both Dinajpur and Sunamganj, where women migrate with men to earn income, it is important to work with women and men to raise awareness of women's contributions to the households.

Activities that attempt to involve women in income earning activities, whether wage work or home based production, however, have to be careful to consider that when women are engaged in wage work, this generally means that they work several shifts per day (cooking, cleaning,

gardening, getting the children ready for school, bed, dinner, as well as wage work). A simple 'daily time use' exercise that asks women and men to bring the various implements that they use, attributing these to specific times of the day that they are used for the purpose of 'running a household' contributing to the well being (food, clean clothes, clean environment, water to drink, and so on) of the family, followed by a well-guided discussion, can highlight the unequal work load between women and men. This can be an important 'eye-opener' for men in terms of the little amount of time that they spend 'working' during the agricultural off season and confront both women and men with the reality that husbands are taking advantage of their wives. A cost benefit analysis with *gushti* leaders, as well as men and women from the community, about the impact of women's income on household well being and subsequent discussions around gender norms may provide useful.

In Tangail, it would be useful to work with communities to consider the benefits of women earning more income by engaging in agricultural work or other non-agricultural activities. In communities such as the Muslim community in Sunamganj, which is likely to be the norm in the area, it is important to work with the *gushti* leaders who are a major obstacle to women's mobility (their ability to work in the locality without gossip, or their ability to avail health services, or for girls to attend school). Based on discussions with staff from the Sunamganj area, it is likely that Muslim communities in this region are similar to the one studied and COVAW needs to consider a strategy to work in such a challenging environment. A start would be to identify the most progressive Muslim community and try to understand why things are different here by interviewing the *gushti* leaders, local *imams*, *madrassah* teachers, as well as women and men from different classes. It is also important to entertain discussions with the *gushti* leaders from 'conservative' communities and understand their reasoning and thinking around enforcing strict *pardah* and controlling women's ability to move about.

It is important to work with men and raise their awareness of the benefits for their families and their communities when women contribute income, are more educated, and have greater control over their own lives. Equally important, is the issue of building women's solidarity. Whilst all women experience the negative impact of unequal gender relations and there is a need to work with women from different classes and unite them in their struggle to reduce the patriarchal systems that characterize all aspects of their life spheres, it is also important to recognize that women are divided by class. The various analyses around gender relations indicate that better off women have access to better health services, have food security throughout the year and a better diet, do not sell labor power and thus do not face the gossip around mobility that poorer women face. Further, better off women generally live in situations in which some of the triggers of violence – food shortages in the lean season, micro-credit installments – are absent. It is important to keep in mind that women from poor and extreme poor families sell labor to the better off and there exist dependency and exploitative relations between rich/ middle and the poorer strata of society. It should not be presumed that gender issues naturally unite women. Women from the poorer strata may not feel comfortable discussing their personal lives, including gender inequalities, in front of women from better off households, as part of their poverty reality is shaped by the exploitative practices of the better off and their gender reality (norms) is shaped by women from better off households who can afford to practice *pardah*. Whilst all women face violence, it is important for COVAW staff to create spaces for women from the poorer classes to interact, free from the fear that what they discuss may be reported to the *gushti* / informal leaders.