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Foreword

Sexuality and Rights: Pushing Boundaries?

Sexual rights are an important emerging issue, although relatively underdeveloped from a conceptual, operational and policy perspective in Bangladesh. This is a major challenge and as part of on-going efforts to build awareness, capacity and advocacy, the James P Grant School of Public Health, BRAC University in Dhaka city, held a one-day small interactive workshop on Sexuality and Rights in early January 2007. The workshop aimed to primarily learn from one another on programs and research on Sexuality and Rights in the country, and push forward this issue into the mainstream development arena. This first workshop was attended by at least 25 persons from a variety of backgrounds - academics, researchers, students, NGO staff and human rights activists and donors.

But where did this push for Sexuality and Rights workshop come from? As the Coordinator of the Realising Rights Programme Consortium in Bangladesh, I was invited to participate in a workshop hosted by the Institute of Development Studies, UK on Sexuality and Development in 2005. This workshop was a turning point for me and sparked much critical reflection, as it addressed a theme long neglected in the development agenda in many countries - sex and sexuality and rights! The workshop highlighted why sexuality matters, with a presentation on diverse accounts of sexual rights and concepts, mobilization and implementation. An initial conceptual framework was also developed in 2005 with the partners, and I was motivated to return to Dhaka and organize a smaller participatory workshop to explore and learn what work/activities was going on in Dhaka on Sexuality and Rights. After the successful completion of our first small workshop in Dhaka and cries for more capacity building, the School, supported by its partner Institute of Development Studies, UK hosted a second International workshop on Gender and Sexuality in Dhaka. This workshop was much larger and the aim was to also generate awareness, but also challenge preconceived notions and inspire people to rethink and push boundaries. The idea was to allow people to build alliances, share resources, information and create an enabling environment for participants to do further work in this area. We had speakers from Turkey, India, Pakistan, USA, and United Kingdom, and Kenya and Bangladesh Participants contributed papers. There were over 100 participants from many different fields. Both workshops in Bangladesh were undertaken under the auspices of the Research Programme Consortium (RPC) on Realising Rights: Improving Sexual and Reproductive Health For Poor and Vulnerable Populations (Funded by DFFD 2005-2010).

Since our workshop in 2007, we have had many activities to continue building our platform for open discussion on sexuality and rights. We have had several research projects, and conducted training workshops on gender, sexuality and rights. The Centre's efforts were made possible by the contributions of many partners and alliances with academics, activists, lawyers, students, researchers, media-persons, journalists, artists, public health and development practitioners. A CD resource pack based on the workshop came out in 2007. We are very excited to now publish its book version in this report. We hope this report will encourage more discussions, research and advocacy in sexuality in the country.

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Construction of an “Obedient” Female Sexuality: A Historical Materialist Explanation of Religious Roots

Tahira S. Khan (Ph.D.)

Introduction

What is being discussed?

This paper attempts to identify the religio-social roots of historical construction of images and perceptions of “obedient” women, which still persist in our societies. For an academic explanation of “obedience” and “disobedience” here, A Historical Materialist approach that focuses on the implicit and explicit role of existing material conditions and economic systems in shaping and reshaping the religio-social systems through which moral and sexual lives of the people are regulated. I argue here that whether in modern, secular and developed societies or in traditional and religious/conservative communities, the material conditions and economic forces have shaped and changed the religio-social systems, which still continue to create gendered perceptions of male and female moral/sexual conducts. Before I begin a detailed discussion of the religio-social historical roots, it is important here to shed light on the theoretical assumptions of Historical Materialism. Since its promulgation by Karl Marx (1818-1883) and Friedrich Engels (1820-1895) during the mid 19th century, hundreds of volumes have been published regarding its applicability to the actual contexts. Here I will try to provide an overview of the basic argument of Historical Materialism, which I find useful for understanding the main theme of this paper and this workshop.

What is Historical Materialism?

It is an interesting point to know that Karl Marx did not use the term *Historical Materialism* in his philosophical writings during his lifetime. It was drawn by other philosophers and analysts from his writings on the subjects of economics, politics and history. His friend Engels explained Marx’s philosophy on history in his writings after the death of Marx. What is historical materialism and how does it explain the phenomenon of construction of obedient female sexuality and the consequences for the disobedience? The crux of the historical materialist argument is that production of material value provides the foundation for the existence of society and it further provides the prime conditions for development of religious, legal, political and social institutions. As an explanatory tool in social science research, historical materialism has been studied, defined, and expanded by thousands of scholars around the globe during the past one and half century. In simple words, the basic propositions of historical materialism can be mentioned here as; (a) the way human work on nature to produce their means of subsistence provides basis for human society; (b) in social classes and relations of production, there is a division of labor which is based on

property ownership where some people live on the labor of others; (c) mode of production determines the nature of class division and (d) when the dominant class is displaced by a new emerging class, human society moves from one stage to another stage.

In other words, historical materialism identifies the causes for developments and changes in human societies by looking at the processes through which humans collectively make their means of living. This way, through an analysis of material conditions and economic systems, historical materialism explains everything that co-exists, i.e. religious beliefs, legal and political structures and social classes. The most significant explanation of the materialist conception of history was made by Marx in his 1859 Preface to his book, *A Contribution to the Critique of Political Economy*.

In the social production of their existence, men inevitably enter into definite relations, which are independent of their will, namely relations of production appropriate to a given stage in the development of their material forces of production. The totality of these relations of production constitutes the economic structure of society, the real foundation, on which arises a legal and political superstructure and to which correspond definite forms of social consciousness. The mode of production of material life conditions the general process of social, political and intellectual life. It is not the consciousness of men that determines their existence, but their social existence that determines their consciousness. (1)

What kind of significance does historical materialism hold for women/gender studies researchers and scholars? Marx in fact did not write specifically on women's situation but he developed a concrete method for analyzing the origin and dynamics of oppression in human society in which women constitute 50 percent. According to Diane Coole:

A general applicability of Marxist approach to women is at once apparent. In offering a 'scientific' account of oppression rooted in material processes, Marxism suggested that subjugation and its forms are social, historical and alterable rather than natural, trans-historical and immutable. (2)

Through his materialist explanation of human history, Marx thus, gave a new approach for understanding of socio-cultural institutions such as family, marriage, manners, morals and religious beliefs. Marx and Engels strongly challenged the idealist explanation of history. Marx argued that socio-economic conditions of life determined the consciousness of people and not vice versa. Engels explained Marx's historical materialist explanation.

Just as Darwin discovered the law of development of organic nature, so Marx discovered the law of development of human history: the simple fact, hitherto concealed by an overgrowth of ideology, that mankind must first of eat, drink, have shelter and clothing, before it can pursue politics, science, art, religion, etc. (3)

Two decades after the death of Marx, Engels redefined Marx's method of historical analysis which helped to explain women's oppression and subjugation historically. In his

seminal work, *Origin of Family, Private Property and State* (1884), Engels actually offered a more comprehensive account of the history of women's oppression. Coole thinks that the usefulness of the materialist approach is that it invites the oppressed to discover the material nature of their subordination and roots of oppression. Further, in Coole's opinion, the significance of the approach is that it helps to identify and locate the roots and cause of women's oppression. "More specifically, if causes of female oppression could be located, this would suggest the most appropriate strategies and priorities for overturning it." (4)

Gerda Lerner, a feminist historian highlights a few strengths of Engels's approach for understanding women's position in history. Lerner writes in her seminal work *The Creation of Patriarchy* (1986):

(1) He pointed to the connection between structural changes in kinship relations and changes in the division of labor on the one hand and women's position in society on the other. (2) He showed a connection between the establishment of private property and monogamous marriage and prostitution. (3) He showed the connection between economic and political dominance by men and their control over female sexuality. (4) By locating 'the world historical defeat of the female's sex' in the period of the formation of archaic states, based on the dominance of propertied elites, he gave the event historicity. (5)

Egyptian scholar Nawal El Saadawi finds a historical materialist approach useful to explain women's sexual and social oppression in Egypt and elsewhere:

The life of people and their essential needs are dependent on economics and not on religion. Throughout human history the standards and values of religion have themselves been shaped by the economy. The oppression of women in any society is in its turn a statement of an economic structure built on land ownership, system of inheritance and parenthood and the patriarchal family as an in built social unit.(6)

After explaining my logical choice to use Historical Materialism as a tool of analysis for identifying the religio-social roots of construction of an "obedient" woman, I draw some examples from the religious texts and early teachings.

Religious Construction of an "Obedient and Subservient" Woman.

Judaic-Christian Teachings and Interpretations

Here I mainly focus on the scriptures and early teachings of three monotheistic religions, i.e. Judaism, Christianity and Islam. I emphasize that a Historical Materialist approach can be equally useful to explain such phenomenon in any other religion of the world whether polytheistic or monotheistic. An obedient and submissive woman's images were constructed within the parameters of family and marriage institutions. This is an interesting point to note that today a clear distinction is drawn between the general approach of the Western religion/philosophy toward female sexuality and matrimonial rights and those of

Islamic and Muslim cultures around the globe. First of all, I summarize few points to highlight the commonalities/differences among three mainstream religions and proceed to specific explanations.

- The ancient Judaic-biblical scriptures and teachings tell us that female sexuality had been considered weak, passive and thus abhorrent and thus responsible for social evils.
- On the contrary, in Islam, female sexuality has been considered very strong, active and lovable but under male domination and control.
- The issue of determination of paternity, woman's fidelity, purity and chastity has been very important in the ancient civilizations and pre-Islamic monotheistic religions, Judaism and Christianity.
- Islam not only endorsed many of the preceding religions' sexual images but also created more rigid methods to control female sexuality to curb the social evil of premarital and extramarital relationships.
- Marriage as an approved act of sexual interaction between men and women was emphasized strongly from the very beginning in all the three religions.
- The implicit and explicit purpose was to ensure the definite paternity of every child born in each family.
- For the assurance of paternity, every religion needed an obedient and subservient woman.
- The religiously sanctioned penal codes were evolved to prevent, check and curb acts of fornication and adultery.

Agonito writes about the Judaic-biblical account of the origin of family and image of an obedient woman.

Consistent with well-entrenched Hebrew patriarchal culture, it originally provided the etiological prop for a tradition in which the father was the undisputed head of the household and the women lived rigidly circumscribed lives, in Biblical times, a Jewish wife, who was sometimes one of many, could be put away at the wish of her husband. (7)

There exists a general agreement among historians that early Christian views on sex, marriage and family structure had been, in large part, a continuation of views found in ancient Jewish society. In Hebrew society, the institution of family reflected deep influence of social conditions of the neighboring society of Mesopotamia where the Code of Hammurabi was implemented. Hebrew men had complete sexual freedom within and outside the marriage while women were supposed to be obedient and subservient to the family men's authority. Lerner observes that the concept of virginity was highly placed and every bride was expected to be virgin at the time of her wedding. After marriage, every wife owed absolute fidelity to her husband. The general setup of Jewish society was highly patriarchal and under Mosaic Law, in the beginning, divorce was permissible through a bill of divorcement, but only the husband could make it out. (8) According to Khan, "It is a

very important point to note that a part of the clash between Jewish society and the early Christian doctrine was related to the Christian religious philosophers' advocacy of the abolishment of divorce." (9) If we analyze St. Paul's teachings, we can say that this might be one of the main reasons that he advocated lifelong marriage and connected it with his views on women's subservience to man. St. Paul's teachings made a very deep impact on the formation of Christian theological thought which constructed images of obedient/subservient woman in the centuries to come. Agonito quotes St. Paul:

Let your women keep silence in the churches: for it is not permitted unto them to speak: but they are commanded to be under obedience, as also saith the law. And if they will learn anything, let them ask their husbands at home; for it is a shame for women to speak in the church....10

The main feature of St. Paul's thought regarding women's status was that women were inferior to men because they carried the burden of the 'fall from grace,' (Biblical Story of Adam and Eve) and they could not be trusted. Coole quotes from Ephesians: "Wives submit yourselves unto your own husbands, as unto the Lord. For the husband is the head of the wife, even as Christ is the head of the church; and he is savior of the body." (11) Regarding the proper dress code for obedient women, Coole mentions St. Paul's emphasis on 'modesty, shamefacedness and sobriety' and women's hair and head cover when she goes to church. Paulian ideas regarding women's inferiority and subservience were carried on through the centuries in the Western Christian religious traditions. Post-Paulian theologians and thinkers such as Augustine (AD 354-430), Thomas Aquinas (AD 1225-1274) and Martin Luther (AD 1483-1546) have provided the basis for the construction and persistence of images of subservient woman. A summary of the Christian religious teachings and dictates idealized the Christian society where the ideal moral features were: *sexual interaction only after marriage; monogamous marriage for life; condemnation of promiscuity and fornication; and the idea that women's proper place was in the home to rear children.*

Islamic Texts and Interpretations

History books, religious writings, poetry, fiction and text books, all components of modern/traditional Muslim societies, present a picture of good/ideal Muslim women as "modest, conforming and obedient" creatures. How have images and perceptions of such women been created religiously and practiced socially? Because here in this paper I am focusing mainly on the issue of the construction of a morally and sexually obedient and modest Muslim woman, I will discuss the code of sexual ethics in Meccan society before and after Islam. At the advent of Islam, Meccan society was lax for both males and females as Mernissi observes. (12) It was a polytheistic society in which different tribes had different socio-sexual norms for men and women. The society in general was pluralistic in the Arabian Peninsula where various beliefs, norms and traditions coexisted such as monotheism, polytheism, matriliney, patriliney, polygyny as well as polyandry, exogamy as well as endogamy etc. In the tribal polytheistic Mecca, women did have a substantial level

of religio-sexual freedom which they lost at the advent of Islam. As Khan observes, "Within a couple of decades of the advent of Islam, socio-economic relations and dynamics of male-female interaction at the micro and macro level changed. Monotheism stayed and polytheism left. Patriliney eliminated matriliney. Polyandry was banned in favor of polygyny. The image of God wiped out female images of deities." (13) Regarding the changes in moral/sexual code, Mernissi observes:

In order to end the sexual licentiousness and promiscuity that existed in pre-Islamic Arabia and in an effort to control paternity, Islam condemned all sexual relations outside marriage or ownership as Zina (adultery), encouraging women and men to marry and labeling celibacy as the open door to temptations of all kinds. It gave men the right to have several wives and to divorce them easily and replace them by others, provided that it was all within the framework of Muslim marriage. (14)

At this point, I take a quick textual glance to identify the roots of the construction of socially and sexually obedient Muslim woman by mentioning the Quranic verses and some hadiths (sayings of the Prophet). These fundamental teachings directly and indirectly govern the morality of Muslim women's lives in both negative and positive ways (depending upon their interpretations through the centuries). Interestingly, these quotations are invoked to grant women some sexual, political and economic rights but many times they are used to suppress and coerce them sexually, socially and economically. I am beginning with the primary text, the Quran and some of the opinions expressed by some scholars on gender issues. If we examine the structure of duties, rights and responsibilities determined in the Quran for Muslim men and women, we find that there is a visible difference between the duties and rights for both genders within the family unit. But there is equality in their duties and a singular origin of both sexes are revealed in some of the verses of the Quran. 'And their Lord hath accepted of them, and answered them: 'Never will I suffer to be lost the work of any of you, be he male or female ye are members, one of another': (Q 3:195). (15) And further, 'Mankind fear your Lord, who created you off a single soul, and from it created its mate.' (Q 4:1) The question here is that while the Quran holds the works of both genders equal and acknowledges the equality of their creation and existence, are they regarded as having equal sexual and social worth as people? Some of the verses of the Quran show that men are a step above women and superior to them in some matters of daily live within the family and community. 'And women shall have rights similar to the rights against them, according to what is equitable; but men have a degree (of advantage) over them' (Q 2:228). Further, it is said that 'Men are protectors and maintainers of women, because Allah has given the one more (strength) than the other, and because they support them from their means.'" (Q 4:34).

After the completion of the Quran, from the very beginning, Muslim male scholars and interpreters started emphasizing on the unequal and inferior sexual and social status of woman by saying that God established the superiority of man over woman in the Quran (Q 4:34), that the Quran prevents the equation of both genders and that man is superior because of his ability to administer and spend on women. This belief of woman's

economic, social and intellectual inferiority derived from the Quran has been accepted by Muslim male scholars through the last fourteen centuries until today. They further make argument that due to her intellectual deficiencies, a woman's testimony is half the testimony of the man with regard to financial matters. '...and get two witnesses, out of your own men, and if there are not two men, the a man and two women such as y choose, four witnesses, that if one of them errs, the other can remind her' (Q 2:282). Regarding the restrictions on women's physical mobility and segregation, Hadith is quoted. 'the woman is 'awrah'. When she goes outside (the house), the devil welcomes her.'(16) And futher, it says, 'A woman is close to God's face, if she is found in the core of her house, and the prayer of the woman in the house is better than her prayer in the mosque.' (17). For the purpose of physical segregation and protection, the Quran asked Muslim women to cover themselves while going in public. The idea of veiling was given in the following verses. 'O Prophet! Tell your wives and your daughters and the women of the believers to draw their cloaks veils all over their bodies that are most convenient that they should be known (as such) and not molested: and Allah is Off-Forgiving Most Merciful.' (Surah Al-Ahzaab, Verse 59) And in other verses it was said, 'And Say to the believing women to lower their gaze (from looking at forbidden things), and protect their private parts (from illegal sexual acts) and not to show off their adornment except only that which is apparent and to draw their veils all over Juyubihinna (i.e. their bodies, faces, necks and bosoms) (Surah An-Nur, Verses 30-31). For the punishment of "disobedient" woman, the Quran is quoted:

There, the righteous women are devoutly obedient, and guard in (the husband's) absence what Allah would have them guard, As to those women on whose part ye fear disloyalty and ill-conduct, admonish them (firs); (next), refuse to share their beds (and last) chastise them (lightly); but if they return to obedience, seek not against them means of (annoyance). (Q 4:34)

Islam also shows deep concerns like Judaism and Christianity regarding the assurance of the paternity of children. Prohibition of pre-marital sexual interaction, woman's monogamous marriage, demand of chastity and fidelity from wives within the marriage relationship, and institution of *idda* (a waiting period for a divorced or widowed woman to determine chances of pregnancy), all are Islamic devices to identify the father of the fetus in the woman's womb. The valorization of virginity in the Quran and Hadith has also been part of the paternity assurance schema through control of female sexuality. The praise for *virgin houris* can be found in various verses in the Quran. (Q 56: 12-23) (Q 56: 35-36).

Conclusion

Construction of various religio-social boundaries and allocation of separate spaces for women in Judaic-Christian cultures during the early days were based on the image of the "weak and abhorrent" female sexuality and in Islam as a "powerful and uncontrollable" female sexuality which, if not disciplined, would create social disorder (*fitna*) in public life and disobedience (*mushuz*) in private/married life. In both cases, whether, considered weak or uncontrollable, women's sexuality needed to be controlled and coerced, and fit in the

mould of *obedience*. I have attempted to trace the historical roots of the creation of this mould of obedience through early religious texts, later teachings and interpretations. It is interesting to note here that the beginning of all the three monotheistic religions was similar regarding construction of an obedient woman but through the wake of time and especially during the last two centuries, these religions have parted their ways regarding socio-sexual interaction and gender perceptions. Today, Judeo-Christian democratic systems have become champions of women's equality and freedom. On the contrary, Muslim countries' constitutions and the Sharia-based legal systems still seem to endorse Muslim women's subservience and unequal socio-sexual status. Islam emerges as the "only" religion which demands obedience from Muslim women despite the fact that every mainstream religion (Hinduism, Buddhism are not exceptions) had its share in the construction of an obedient women. Why? To answer this question, here I draw from historical materialist approach which invites for an in-depth analysis of material conditions, production relations and economic pressures which have taken different course through the centuries and decades in Judeo-Christian and Muslim societies.

Due to the space and time constraint, here I highlight main points regarding the socio-economic differences which have occurred in these religions.

- Driven by changes in the material resources and conditions and mode of production, from slavery, feudalism and agrarian economies to industrialization, urbanization and capitalism, the nature and shapes of societal superstructures (sexual, political, cultural norm and religious beliefs) also underwent extensive change mainly in the Western Judeo-Christian societies.
- Changing economic pressures and necessities through industrialization created demand for cheap labor and brought women into public economic activities by the mid 19th century Europe.
- Women's entry into public labor force cracked and weakened the wall of the public/private divide.
- Women's transition from private (family) to public (labor force) paved the way to eliminate physical segregation and started the inter-mixing of both sexes.
- Such economically driven change impacted social and political systems and resulted in the demand for women's right to vote, education and legal equality.
- In turn, it changed the shape of the family and minimized the authority of male relatives over women's lives.
- Due to the changed economic system, extended/joint family disappeared and the nuclear biological family emerged.
- Women's economic independence and involvement in public life changed the institution of marriage. It resulted in loss of paternal authority over women's marital decisions.
- Due to the changing economic systems, the church lost authority over political and social institutions such as the state, family, marriage etc.
- Due to the social interaction of both sexes in public life, romantic love emerged as a powerful determinant for a couple's marital decision.

- Social interaction of both sexes undermined the importance of virginity in the culture of marriage and men no longer demanded pure, untouched women for marriage.
- Anonymity of paternity was de-stigmatized and it weakened the monopoly of paternal right. Out of wedlock children were also de-stigmatized and the right of mothers was legally recognized.
- Romantic love had the power to demolish the wall of caste, class, race and creed across society.
- Heavy religio-social marital demands and duties were rejected and romantic love developed the institution of co-habitation.
- And by the mid 20th century, women in the Western Judeo-Christian societies started emerging as "independent, autonomous and strong" individuals.

In the West, the deconstruction of a subservient and obedient woman did not occur in an economic, political and religious vacuum. Every dimension of development and change mentioned above has been a result of the change in material conditions and economic systems, not a consequence of new holy revelations or innovative re-interpretations of the original religious texts by the church or synagogues. In contrast, material conditions, economic systems and political structures have not changed much in the Muslim countries.

In the end I argue that the construction of the 'obedient and subservient' woman was an obvious need, demand and consequence of the ancient material systems in which these religions emerged. De-construction of 'obedient and subservient' woman is an obvious need and demand for today. Economically determined changes are already occurring in political and social systems of Muslim countries. The de-construction of images and perceptions is an economically determined process and it cannot be stopped.

Endnotes

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Construction of Middle Class Female Sexuality in Contemporary Popular Bengali Literature: A study of Humayun Ahmed's Fiction

Nadia Afroza Zaman

People play different roles in the society as well as in literature we come across. Among the various genres of literature, fiction is probably the most significant and popular one. It is significant because the characters are given lives that sometimes seem to be our next-door neighbour, and sometimes they resemble us. And why do we call it popular literature? Because this is considered as the literature read, liked, enjoyed and supported usually by the largest number of readers. They are best-selling books and are able to fulfill the emotional demands of the mass public.

Humayun Ahmed (b.1948) is unquestionably the most famous fiction writer in Bangladesh. This prolific writer and director is well-known for his contribution to the various genres of literature such as the novel, short story, poetry, science fiction, juvenile literature and mainstream film industry. He tells the stories of our middle class society who are happy or sad, which effects the readers' sentiment through his lucidity and simplicity of language and his skill of portraying unusual and funny characters. He is also famous for creating two popular characters Misir Ali and Himu, on whom he has series of books. To give an example of his popularity I must mention that one of his popular characters Baker Bhai (an idealistic gang leader) was wrongly convicted and executed in his drama serial *Kothao Keu Nei* (1985). He became such a sensation that before airing the last episode, people brought out processions protesting his death. Public prayer and death anniversary have been carried out for this fictional character. His readers are deeply influenced by those characters despite the fact that there is merely any connection between those idiosyncratic characters and the real life people around us. Most of them, especially the women characters, put up with repression which is supported by our society and instigated by the author. An intensive study of his fictions and a survey on his readers, who are mainly teenage girls, reveal the fact that they have a negative impact on the construction of female sexuality amid this reader group. This particular group is very much prone to be captivated by his lexicon, the way he portrays his characters-both men and women and the roles they play in relationships. This is my personal understanding on how these gender-biased texts might hinder one's sense of sexual and social autonomy.

My study is based on 51 of his 232 books. I did purposive sampling to analyze the female representation and construction of female sexuality in Humayun Ahmed's writing. Rather than looking from Formalist or New Critical approaches, I have analyzed these texts from reader-response criticism. A very brief description of reader-response criticism from *A Handbook of Critical Approaches to Literature* is given below to begin my argument:

"Two distinguishing features characterize reader-response criticism. One is the effect of the literary work on the reader, hence the moral-philosophical-psychological-rhetorical

emphases in reader-response analysis: how does the work affect the reader, and what strategies or devices have come into play in the production of those effects?"

There are several writings or criticism of Humayun Ahmed's fiction. Nevertheless, none but Rubaiyat Hassain's *Bad Girls and Middle-class Morality* (March 2007, Forum) focuses on the disturbing constructions of Bangladeshi middle class females and their sexuality. Here, she discusses how this writer makes his women characters feel guilty and become subjugated by the males just for having the natural desire to touch their beloveds. I would like to proceed further to show his female characters through his language, characterization, their roles and implications and finally their effect on the readers.

We will first look at the language he uses. The statements I found from his different books depict only the shortcomings of women. The examples are given below:

-“Boys should not cry like this, girls are cry-baby. Are you a girl?”-Apala is saying to her baby nephew. (*Dure Kothay*, 1987)

-“It is totally girlish to envy. Men don't envy anyone”-Monika is told by Nabi. (*Dure Kothay*, 1987)

-“Women always lose their temper when they are nervous”-Zahir is talking about his aunt. (*Diner Sheshe*, 1990)

-“You will not get such spirit in a woman”- Babu is talking about Shahana. (*Eka Eka*, 1990)

-“You cannot get the right information about one woman from another woman”.-Babu's aunt. (*Eka Eka*, 1990)

-“Women are born with extraordinary power to be ruthless.”-The protagonist. (*Pakhi Amar Ekla Pakhi*, 1992)

-“You may find quite a few men who are not greedy but no woman can be found without greed”.-Mr. Faisal to his son Mr.Osman. (*Dure Kothay*, 1987)

-“Sobahan tried to guess the gender of the speaker who is talking to the receptionist over the phone. It must be a girl 'cause boys can't talk so much.”-Sobahan is thinking. (*Aranya*, 1985)

There are hundreds of dialogues that show the gender-bias of the writer. For example, why can't a boy cry if something hurts him badly? It is because it will make him weak and feeble like a girl; girls are allowed to do this. On the contrary when a woman is unable to shed her tears, she is considered as 'dry' and 'ruthless' as this boy's mother appears to be for being strong in this novel. Strength and women do not go together.

If we go through more statements taken from his various novels we find them extremely chauvinist. Only women envy, lose their temper during nervousness, lack spirit, deliver misinformation about other women, show cruelty, greed, appear as chatterboxes, etc. You can get thousands of words in his writing that give negative impressions on women and can be defined as coming from a sexist point of view although you cannot get many adjectives to identify men as such. I quote from *Rajani* (1989),

“Short, fair-complexioned girls are ok, but it’s terrible to see short but dark-complexioned girls. Short, dark-complexioned girls must have long hair.” Or “I don’t like to see a beautiful woman crying. She must look horrible” (*Dure Kothay*). Or if I quote from *Aranya* (1985),

-“The receptionist girl came down, frowned and said,

-‘You are still here!’

-‘Yes, I’ve been waiting for you.’

-‘Why? Why are you waiting for me?’

-‘You offered me tea with such caring. How could I be off without telling you?’

-‘What do you mean? Anyone who comes here and waits is offered tea!’

Sobahan was surprised and asked, ‘Why are you getting angry?’

The girl didn’t reply. Beautiful girls get cross for nothing. Only if this girl was black, skinny and if she had a scarred face, she would be glad for Sobahan’s presence. This is supposed to be like that.”

These statements from the male protagonist show how the girls are supposed to act according to men’s wish.

Then if we switch to the characterization we find women playing different roles as mother, daughter, beloved, wife etc. But whoever they are, their world is spinning around the men. As if they do not have lives of their own or for themselves. In our society, especially in the middle class society of Bangladesh, sexuality is not something that we can discuss publicly. And it has been instigated more by this author. We cannot find any single description of any sexual desire or act in any of his books. Sexual desire is only limited to holding hands. Love between mother and father, beloved and lover, wife and husband is expressed simply through compassion.

Almost none of his women characters seem to have any ambition at all regarding their career and education. First of all they are not bothered about their studies or social position; rather these seem to be their pastime. For example, Aru, Mrinmoyee and Runki from his novels *Diner Sheshe* (1990), *Mrinmoyee* (2001), *Sobai Gekhhe Bonye* give up their studies and careers just to get married. They tend to confine themselves within the family boundaries. The only exception is Muna from *Kothao Keu Nei* but as she does not conform to the social norms she is later seen living in solitary confinement.

Humayun Ahmed's female characters in general are whimsical while the men are not. Women's eccentricity and abnormality have been shown as the outcome of their sexual repression, unhappiness and protest. For example Rebu in *Hartan Ishkapon* (2003) is sexually repressed and becomes a murderer. Farida in *Aj Chitrar Biye* (2001) is shown as a pathological liar, eccentric, abnormal and later commits suicide. She was utterly unhappy in her marital life. On the other hand, the writer does not give any explanation of men's eccentricity. Most of his central male characters are asexual, philosophical and men of wisdom. They seldom lose their minds. Their eccentricity is glorified whereas the eccentric women are questioned and judged.

Now if we look at the reality of the women in his fictions, we will see that he depicts mostly middle class women. But do we find any similarity between those women and the struggling middle class women around us? No. His women do not tend to work. The real life struggles of women in our country is almost absent in those fictions. Nevertheless, *Pencil Anka Pori* and *Kothao Keu Nei* (1985) should be mentioned here as exceptions but then again the struggling central women characters are alone without anyone beside them. Does it not imply that if you stand on your feet against the social norms and family hierarchy, you will end up living as a loner? In his novels we find some girls quite intelligent too but they finish up openhanded regarding their study and career for marriage rather than doing any single constructive thing.

In his writings, the relationships are overtly dominated by men. The women are represented as the way men want them to be, not as the way they are. Now let us have a look on this statement made by the central female character of *Dure Kothay*. She says, "It looks awkward if a man comes to a *divorced* woman over and over again", referring to Alam, her suitor. The point is that she is the one who leaves her husband. In that case, she can easily call herself *divorcee*-which is what she actually is, but can she call herself *divorced*? There is a big difference between *divorcee* and *divorced* but as the word *divorcee* clearly defines her sense of autonomy, it is overlooked and neglected by the author as it is always uncared for by our society.

So, after everything we have seen so far, how are women really portrayed through his eyes? Well, women are incomplete without men; they cannot have any close bonding with any other woman like mothers, sisters, grandmothers or friends. They do not need much from their lives. They live for the men of their lives. Sexual autonomy as well as social autonomy are alien words for these women. In this context I would like to quote from one of his autobiographical novels, *Hotel Mayflower* (1991). He clearly expressed his homophobia while writing, "We don't have such dangerous disease named Homosexuality in our country as in America. At least we are in a better position than they are in".

Of course we cannot expect everyone including the writers to understand that homosexuality is not 'dangerous', or to accept this as a fact. But at least we can expect them to have a little more insight rather than infiltrating readers with the idea of having a natural hatred and disgust regarding this issue.

Now I want to share my personal feelings about the representation of women in his fictions. I must admit that I was a fan of Humayun Ahmed like many others when I was a teenager. However, as I grew up, I found it completely difficult to cope with his female characters. He may have an instinct to understand and describe a teenage girl quite well but we rarely find any mature woman who is aware of her rights, her position and can live for herself and not just for a suitor. I believe this writer surely has the power to penetrate ideas among the readers as I personally saw some girls acting and talking in a way Humayun Ahmed's characters do. Having sexual desire is like carrying a disease. Every time the woman fantasizes any man or even her beloved, the author makes her have a guilt trip, and makes her confess to herself or others. Even if she wants to hold a man's hand or if she likes to lie down naked alone or be all by herself, later we find her feeling blameworthy, wrong and dreadful. But these young girls will grow up one day and will soon learn that life is not all about being naïve, romantic, asexual and dreamy.

While thinking about writing on his women characters, I was told by some people that as his readers read his books willingly and as they just love them there is no use criticizing him. But the following statement and my own observation stimulated me to do so.

“Literary works can and should of course be criticized for having selected and shaped their fictional universe according to oppressive and objectionable ideological assumptions” (Toril Moi)

All my points and logics that have been stated above might raise questions among Bangladeshi people as they apparently look like western issues. In our culture, ‘autonomy’, ‘rights’, and ‘gender-equity’ are not issues that are discussed very often. Before Humayun Ahmed we also had Sharatchandra Chattopadhyay (1876-1938) whose novels still exist as best-selling books both in Kolkata and Bangladesh. In his novels, values of Bengali culture, social norms, and female characterizations are all explicitly and intricately depicted and popular among the mass people for almost 80 years. But we have to keep in our mind that the world as well as our society is evolving everyday. So, even if Humayun Ahmed claims that he writes what he sees—we can ask, doesn't he see the changes that have been occurring for the last 10 or 20 years? It is his freedom to write whatever he wants and perceives but it is also his duty to show the changes of the society, societal norms, men, women and their sexual autonomy.

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I Smell Corpses in the Air

Virgin mothers stiffen with the shame of putrid birth,
Swadhinota-are you a wasted birth?
Are you the shame of a bastard child's mother?

The national flag today is clutched by ancient vultures.

My eyes don't fall asleep-
half awake I hear the screams of the raped ones,
I see corpses floating in the river,
young girl's headless body rotten and eaten by dogs.
My eyes still remember it all,
and my eyes don't fall asleep,

Wrapped in a sheet of blood are the corpses of my brother, my mother,
my darling father-eaten by dogs, preyed on by vultures.
Swadhinota-I have gained you after losing all my near ones,
Swadhinota-I have bought you-a priceless crop-paid off with blood,
Sari of my raped sister, is my bloody national flag.

--Rudro Muhammad Shahidullah
(Translated by: Rubaiyat Hossain)

Women-Nation-Izzat: Sexuality and Gendered Nationalism in Bangladesh

Rubaiyat Hossain

We have gained our sovereignty in exchange of losing three million lives and *izzat* of our mothers and sisters.¹

Introduction:

Bangladesh became a sovereign nation on December 16, 1971. The national rhetoric is our sovereignty or *swadhinota* has cost us thirty million lives and two hundred thousand women's '*izzat*.'²

When I interviewed Dr. Muntasir Mamoon, a history professor at Dhaka University on December 16, 2005 he said, "there is no need to 'dig out' the narratives of rape from 1971 because the phrase, 'two hundred thousand mothers and sisters lost their *izzat*' has become a part of our diction" (Hossain, interview, 2005). The Liberation War Museum in Dhaka documents the mass rape of women during the war. The *sari* of the raped woman is regarded as the national flag by poet-activist Rudra Muhammad Shahidullah.

If one looks at the national history of Bangladesh in a gender neutral way it will seem that the raped women of 1971 are not forgotten because they appear in national history text books, popular literature, and even in the museum. However, if one looks through a gender specific lens then the overall ambiguity around the representation of the raped women becomes far more problematic. First of all, since 1971, there has been a systematic effort to wipe out the raped women from the highest official state records and state sanctioned national history. Secondly, in the overall representation these women are drained off their individuality as they always appear in relation to others, most commonly as mothers and sisters. Finally, the national narrative rape is conveniently summarized as the loss of *izzat*, which redeems rape during war time as unimportant and re-emphasizes *izzat* or chastity as one of the founding pillars of Bengali national imagination.

The war of 1971 not only left a materially ravaged country, but also a morally defeated nation with the consequences of thousands of war babies and pregnant women. This created a large impact in the public memory because these women still appear in contemporary remembrance of 1971. However, this remembrance is problematic because it is always limited to the unofficial sphere of national history, and is based on an overall

¹ Sarkar, Belal. *Uccho Madhomiik Itibash*. Dhaka: Hasan Books, 1998, 198.

² Dictionary meaning: *Izzat* n. prestige, dignity, honor, chastity. *Izzat noshto kara* (Violating one's *izzat*)-to spoil or lose one's prestige, to dishonor or to lose honor, to violate one's chastity or to have one's chastity violated.

template of imagining the nation as the mother, and regarding chastity or *izzat* as the most important element of Bengali femininity upholding the national morale.

Successful management of the war baby scenario and pregnant women after 1971 became a challenge for newly formed Bangladesh. The nation had failed to protect its women, and the failure had to be rendered unproblematic by destroying historical records about the raped women, and locating them in the national imagination as the bearers of *izzat*. Literary connections have been drawn between rape in 1971, and the contemporary failure of the nation-state to deliver its promises of democracy and secularism. As Bangladesh went through martial law (Ziaur Rahman 1975-1981), autocracy (Hussain Muhammad Ershad 1982-1990), and the threat of militant religious nationalism (1991-), the failure of the nation-state was paralleled with “virgin mother’s shame of a putrid birth” (Shahidullah 1994, 10) in Rudra Muhammad Shahidullah’s poetry. As the state failed to deliver the promises of the freedom movement in 1971, the poet asked, “*Swadhinota*-are you a wasted birth? Are you the shame of a bastard child’s mother?” (Shahidullah 1994,10). Literary critic and poet Ashim Saha points out in the introduction to the complete works of Shahidullah, “Rudra loved the soul of this country. It was beyond patriotism, in fact, it could be regarded as *matree-prem* or love for mother” (Saha 1994, 4). As love for the mother is paralleled with love for the nation, and the failure of the nation state is linked with the shamed memory of rape, women once again are located in the realms of national imagination, symbolism and ideology. Thus, this paper charts the ambiguity that arises from such representation, which denies women’s individual experiences of rape to exist in the glorious national narrative of the nation.

*Birangona*³: Heroic Woman or the Shamed One?

The title ‘*Birangona*’ or ‘Heroic Woman’ was bestowed upon the rape survivors after the war in 1971 to normalize the tension around the issue of mass rape. There was an effort to claim at least a minimum level of respectability for these women. However, the first and foremost concern of state run rehabilitation program was abortion. The second goal was to blend the raped women into the society by destroying official records from the rehabilitation center, and merging raped women’s rehabilitation programs into the overall rehabilitation of war affected women. The government even took initiatives to marry these women off by offering lucrative dowries, “the demands of the men have ranged from the latest model of Japanese car painted red, to the publication of unpublished poems” (Brownmiller 1975, 83). On the whole, coining of the term ‘*Birangona*’ did not gain the raped women any respectability, rather it denoted their identities as women who lost their *izzat*; thus, the term ‘*Birangona*’ or ‘Heroic Woman’ became equivalent to the ‘shamed one.’

Birangona is homonym of the word *Barangona*, meaning prostitute, and has further labeled them as fallen women. As Faustina Pereira points out, the cost of claiming oneself as a

³ Dictionary meaning: *Birangona* n. a heroic woman, a hero’s wife. Sheikh Mujibur Rahman declared the sexually violated women war victims as *Birangonas* or War Heroines with the intention of gaining back their social respectability, and acknowledging their contribution in Bangladesh’s liberation movement.

Birangona is too high. The title *Birangona* in itself offers a limited and stigmatized privilege. In this context, claiming oneself as a *Birangona* means, “focusing on the scar of the rape victim, thus forcing her to risk social death” (Pereira 2002, 62). Under this framework, even women who willingly give interviews for oral testimonies shy away from accepting *Birangona* as their identity. This further complicates the template of representation, as rape once again is blurred with other forms of torture. Even Ferdousi Priyobhashini, the only middle class woman to have disclosed her memory of rape does not prefer the term *Birangona*, “I thought it was a low profile word, I did not think of it as glorious” (Hossain, interview, 2005).

As I will argue, *Birangona's* loss of *izzat* labels her as the fallen woman, and the only option left for her in the national history is to observe silence, while she is represented as the heroic mother or sister who gave up her most valuable asset-her *izzat* for the sake of the nation. In this framework of representation, once again women's individual trauma and experiences of rape are pushed to the corner, and women's unlimited ability to sacrifice for the national cause is glorified. *Birangonas* are not completely wiped out from the national history and public memory, rather they have been systematically pushed into the corners of the less official historical documents. Their experiences of rape have been wiped out and replaced with the saga of women's unlimited capacity to endure and sacrifice. However, it is necessary to highlight the relationship between nation and women, and locate chastity or *izzat* in the template of Bengali national imagination in order to understand the inclination of the official national history to push the raped women of 1971 out of the center of historical recordkeeping.

Women-Nation-Izzat: Selective Historical Record Keeping:

In the recent years, feminist scholars have drawn lines of complexity between women and the nation (Vickers 1990; Yuval-Davis 1997; Yuval-Davis-Werbner 1999).⁴ In the South Asian context, a culture specific construction of femininity has been noted as an integral part of imagining the nation (Chatterjee 1993; Chakrabarty 2000). Gendered symbolization of the nation (women as nation)⁵, and women's role as the signifier of the nation's cultural identity (nation as women)⁶ creates a framework where women “as bodies and cultural repositories” (Peterson 1998, 44) transform into the battle ground of national

⁴ Yuval-Davis, N., *Gender and Nation*, London: Sage Publications, 1997, Werbner, P, 'Political Motherhood and Feminisation of Citizenship: Women's Activisms and Transformation of Public Sphere,' in N. Yuval-Davis and P. Werbner (eds), *Women, Citizenship and Difference*, London: Zed Books, 1999.

⁵ By 'Women as Nation' I refer to the national imagination, which imposes the attributes of women to the nation. For example-Ravi Verma's painting *Bharat Mata* imposes a woman's physical attribute in visualizing the map of India. This could be understood as a spatial attribute where women's bodies literally become the territorial landmarks of the country.

⁶ By 'Nation as Woman' I refer to the national imagination, which imposes the attributes of the nation on women. Partha Chatterjee in 'The Nation and Its Women' discusses the national positioning of women in the *private-spiritual-ahistoric-timeless* domain of nationalism. This domain was considered superior to the West based on a spiritual-material dichotomy where East was superior to the West due to the spiritual nature of its inner domain of sovereignty. In this imagination women were drained of their individual freedom and locked into a timeless zone of nationalism to uphold cultural symbolism of spiritual superiority over the West.

⁷ Similar example could be found in the case of Bosnia-Herzegovina and Rwanda.

struggle. Women's bodies signified as the territorial landmass become targeted to mutilation and rape; the womb, thereby, becomes a tool for ethnic cleansing.⁷ Rape also works as a weapon to morally defeat the enemy by invading their "inner domain of sovereignty" (Chatterjee 1992, 242), thus, creating a long lasting rupture in the core of national imagination.

The iconification of 'women as the nation' creates a framework of imagination where women's bodies appear literally as the map of the country. The spatial connection drawn between the female body and the territorial landmass symbolizes women as the nation. Rabindranath Tagore's famous song, '*Amar Shonar Bangla*' or 'My Golden Bengal' [the national anthem of Bangladesh] uses this template of representation as the landscape of Bengal transforms into different parts of the female body. The mother's face, her smile, the ends of her sari all become diffused in the visualization of the nation as the female entity assumes a maternal role,

"Oh mother, in autumn, I have seen your sweet smile in the harvesting fields, Alas! What I behold, your sweet smile, my golden Bengal, I love you...what a sight, what a shade, what gentle love, what attachment you have spread with the ends of you sari..."⁸

As the ends of the mother's sari become the umbrella of national solidarity, motherhood is politicized and "stereotypically situated" (Mookherjee 2003, 157) at the breaking down point between the public/private dichotomy.⁹ The iconification of 'women as nation', on the other hand, imposes the qualities of the nation on to women. Nineteenth century Bengali nationalism sought its unique, spiritually superior, and private domain of nationalism by locating unique national attributes in women. Women, thus, became the ground upon which nationalism flourished and modernity was authored. For example, the nineteenth century Bengali nationalist interpretation of the word 'freedom' differed from the Western notion. It was argued that in the West, 'freedom' meant *jathecchachar*, to do as one wished, and the agency to self indulge, in India, however, 'freedom' meant freedom from one's ego, the capability to sacrifice, and serve willingly. Imagining 'nation as women,' thus, operate with the logic of imposing national cultural attributes on women, resulting in the deliverance of a fractured notion of individuality to the modern Bengali woman.¹⁰

Women's bodies with its reproductive capacity, symbolic significance, and socially prescribed feminine attributes become an integral part of the national imagination of cultural identity and political solidarity. The national "battle over the cradle" (Peterson 1998, 42), thereby, appropriates its authority over women's reproductive activities. In this

⁸ Tagore, Rabindranath, *Swarabitan*, 46, 1905, this song was banned from Pakistan Radio, which gave rise to patriotic emotion of Bengali nationalism. Thus, this song later became the national anthem when Bangladesh was formed as an independent state.

⁹ Werbner, P, 'Political Motherhood and Feminisation of Citizenship: Women's Activisms and Transformation of Public Sphere,' in N. Yuval-Davis and P. Werbner (eds), *Women, Citizenship and Difference*, London: Zed Books, 1999.

¹⁰ Chakrabarty, Dipesh. *Provincializing Europe*. New Jersey: Princeton University Press, 2000.

context, raped women, even though they were impregnated involuntarily, falls in the category of having stepped out of the national mold of women as subvert, and chaste cultural symbols. The loss of women's chastity results in the visibility of women's sexual and reproductive activities outside the kinship of family network unauthorized by patriarchal nationalism. Being raped and carrying a war baby brings out the individualistic expression of the female sexuality into the uncomfortable zone of the public, thus, the appearance of these women calls into question the ambiguity of Bengali modernism, which fails to deliver individualism to its women, "[It] is this double helix of the posturings of modernity of the progressive middle class's resistive politics along with hypocritical value judgment and moral positions that place the raped woman in a place of taboo and transgression" (Mookherjee 2003, 159). As Nayanika Mookherjee argues in her article 'The Body-Politic of Raped Women and Nation in Bangladesh', the appropriation of *Birangonas* is then made possible by the "aestheticization of rape" and the "mothering of the raped woman."¹¹ However, the literary and visual representation of the raped women does not only limit itself to the feminization of nature and mothering of raped women, but engages in a multilayered literary approach towards neutralizing evidence of women's sexual and reproductive activities outside the socially sanctioned marital affinity.¹²

As women's 'chastity,' the central element of Bengali nationalist imagination is lost and "the conquered status of masculine impotence" (Brownmiller 1975, 38) is confronted with the real, at-hand problem of war babies, the rape of Bangladeshi women during the nine months of the *Muktijuddho* poses a great threat to the national imagination of women upholding the superior-sacred-inner-private-cultural domain of national sovereignty.

I will argue that, the *Birangonas'* threat to the national imagination is not only rendered unproblematic, but also made to appear in coherence with the belief that women's 'chastity' is the upholder of the nation's sacred-inner-private-cultural domain of identity by a two fold process of, a. selective official recordkeeping on one hand, and b. mainstream literary solutions on the other. *Birangonas'* individual voices are wiped out in the mainstream literary representation as they always appear in relation to others, to be more specific as 'mothers' and 'sisters', and secondly, the totality of their loss-the mental and psychical violence inflicted on them during the nine months of war is conveniently

¹¹ Mookherjee, Nayanika, *The Body-Politic of Raped Women and Nation in Bangladesh*, in *South Asian Women in the Diaspora* ed. Puar, Nirmal, Raburam, Parvati, New York, Oxford, 2003.

¹² The literary solutions offered to the *Birangona* problem tackled the crisis from several different angles. First of all, these women never appear as individuals, but always as someone's mother, daughter, and sister, however, never as wives. Secondly, these women always appear as peripheral characters and never as main subjects. Often a line of respectability is drawn between the author and the rape victims where chastity yet is represented as women's most valuable possession, a loss of which is incomprehensible to the author as he/she laments for 'others' who have lost it. Bulk of literature on 1971 and special volumes on women's contribution to the freedom movement represents women as mothers in which context she is completely stripped out of her sexuality and represented as the eternal icon of love, sacrifice, endurance, and service for the patriarchal nation. It is this mother's spiritual high ground that is glorified in the larger literary template of rendering rape or the loss of chastity in coherence with national morality. However, there are very few literary pieces that speak directly about victims of rape and the social after math of it. It is most fascinating to notice that, even when these women appear as subjects they are represented within such literary and visual templates that, the figure of the sexually violated *Birangona* is ultimately annihilated.

summarized in the loss of their one single glorious possession, namely their chastity or *izzat*. In this template of representation, the loss of chastity or *izzat* is harped upon with the spirit of women's sacrifice, thereby, rape in itself becomes insignificant, and the importance of chastity or *izzat* is reaffirmed in the national imagination.

In the realms of state apparatus, information about *Birangonas* is carefully removed from the highest official historic archives, such as the Ministry of Liberation War Affairs, national history text books, and the state run rehabilitation programs. *Birangonas* thereby, find a place in the 'less' official historic archives such as the *Banglapedia*¹³, *Bangladesher Shadhinota Juddho Dolil Potro or Bangladesh Liberation War documents*,¹⁴ Liberation War Research Center¹⁵ and Liberation War Museum.¹⁶

The marginalized status of *Birangonas* in the official narrative of Bangladesh's national history is further accentuated by the fact that, women's individual experiences of rape, its verbal expression in the form of women's speeches are only tolerated in women's oral testimonies published by NGOs, and fictional literature, even in which context the topic of 'rape' is uncomfortably dealt with. The oral testimonies often speak indirectly about 'rape.' It is implied, hinted towards, even blurred with non-sexual modes of violence during the nine months of the *Muktijuddho*. Thus, women's experiences of rape and emotional expressions of it become further marginalized even in the realm of 'less' official historic recordkeeping. These voices remain locked in the realm of fiction writing, far fetched from the grasp of official history writing procedure. As a result, rape as a war crime is rendered irrelevant, and the visibility of rape in the over all history of the *Muktijuddho* is reduced to its minimum visibility.

Multiplicity of Historical Record Keeping: Systematic Marginalization of Birangonas

The marginalized space assigned to *Birangonas* in the overall history of *Muktijuddho* has to be understood within the context of multiple lines of historiography that exist in Bangladesh. Whereas, the Ministry of Liberation War Affairs, state rehabilitation programs, and national text books could be regarded as the official documents sanctioned and approved by the state-ventures like *Banglapedia* published by the Asiatic Society of Bangladesh falls under the category of academic writing holding no influence over the

¹³ *Banglapedia* or the encyclopedia of Bangladesh was published by the Asiatic Society of Bangladesh in 2003. *Birangonas*, in this particular text, appear as a footnote to war-babies.

¹⁴ *Bangladesh Shadhinota Juddho Dolil Potro* or Bangladesh Liberation War Documents is a fifteen volume documents of *Muktijuddho*. This document was compiled and published under *Muktijuddher Itiha Lekhon O Mudron Prokalpo* or Liberation War History Writing and Printing Project under the Ministry of Information between 1977 and 1987. Possession of this document is currently vested to the Ministry of Liberation War Affairs. In the total of 227 oral testimonies recorded in the eighth volume, 23 are of women, 11 of whom spoke of experiences of sexual violation.

¹⁵ *Muktijuddho* Research Center or Liberation War Research Center was established in 1996 and now operates under the jurisdiction of the Ministry of Liberation War Affairs.

¹⁶ Liberation War Museum or *Muktijuddho Jadughor* was established on 22nd March, 1996 by few veterans of *Muktijuddho* and currently operates through an eleven member board of trustees. This is a private venture. *Muktijuddho Jadughor* is registered under NGO Bureau Bangladesh.

highest authority of state record keeping. Similarly, the Liberation War Research Center and *Bangladesher Shadhinota Juddo Dolil Potro* or Bangladesh Liberation War Documents, even though under the jurisdictions of the Ministry, still has no authority over it. Rather, the Ministry stands in the position of indisputable power and possession of all their documents to change or omit any information regarding women from the mentioned sources, which is not unlikely to happen given information about the *Birangonas* have been removed from the recent national history text books.¹⁷

An important reconstruction of women's role in 1971 will take place when '*Muktijuddhey Nari*' or 'Women and Liberation War,' is published out of the Ministry. As I was told by one of the researchers, the book represents women in 'bhalo' or good ways. Good ways in this context means, women performing as nurses, sacrificing mothers and wives, bravely letting their men go to war, and finally a handful of iconic women who fought in the frontline. I was not allowed to look at the manuscript or given any detailed information about the representation of *Birangonas* in the book, however, this much was made clear that, women are represented in 'bhalo,' or good ways, which in this context also means sexually benign or sexually neutral way. The Liberation War Museum documents incidents of rape, but since it is a private venture, it remains out of the realm of state sanctioned history of the *Muktijuddho*.

When I interviewed Delwar Hossain Patwari, Senior Assistant Secretary at the ministry about what information his department could offer about *Birangonas* or the sexually violated women of 1971, he looked at me for a long moment and then asked, "are *Birangonas* freedom fighters? Are they war affected freedom fighters? What are they?" (Hossain, interview, 2005). The central dilemma regarding the *Birangonas*' status in the official history of *Muktijuddho* was delivered to me: '*Birangona*', though it became a title bestowed upon the sexually violated women of 1971, and was widely used in cinema, literature and public talk, it never *actually* became black and white in any official government document. No legislations were ever passed or policy implemented to officially instate what the title *Birangona* actually means in the national history of Bangladesh. No efforts were made to bring these women under the welfare scheme currently run by the ministry.¹⁸ Ministry of Liberation War Affairs recognizes *Muktijoddhas* or freedom fighters, *Juddhahoto Muktijoddhas* or war affected freedom

¹⁷ Chakrabarti, Ratan Lal, Shahnewaz, A.K.M. *Bangladesh O Prachin Bishwa Shobhotar Itihas*. Dhaka: Jatiya Shiksha O Paddho Pustak Board, 2005, 104-120. The *Birangonas*' already marginalized position in the historical narrative of Bangladesh reaches its final limit when the 2005 edition of Secondary School history book '*Bangladesh O Prachin Birwa Itihas*' or 'The History of Bangladesh and Ancient World' published by the National Board of Education makes no reference to those 200,000 mothers and sisters who lost their *izzat* or chastity during the nine months *Muktijuddho*.

¹⁸ Md. Abdul Hannan, the *Kalyan Trust*, Managing Director explained that the *Birangona* issue was not talked about very much because, as he put it, "meyeder bapar to," or "after all, its about the girls," "they had to be married off, that's why the government did not highlight it, and most families preferred to keep it as a secret, and most families did not come for rehabilitation" (Hossain, interview, 2005). The rehabilitation of the *Birangonas* was kept completely separate from the over all rehabilitation. While the *Birangonas* were tackled within a quasi-formal, quasi-legal domesticized parameter of rehabilitation, the official foundation stone for the *Muktijoddha Kalyan Trust* was laid in the Presidents Order No. 94, as an official government apparatus to help war affected freedom fighters-removing the war affected women, yet again, nestly from the surface of legal state apparatus and official record keeping. Mr. Abdul Hannan, however, mentioned that, he has sanctioned monthly allowances to two women from Khulna under special consideration. Even though he is aware of the fact that, these two women were sexually violated in 1971, in the official records they are only referred to as war affected freedom fighters or *juddha-ho-muktijoddha*.

fighters, but the title *Birangona* does not register in their official dictionary. When it comes to the sexually violated women of 1971, the ministry turns a blind eye to them given these women are nowhere instated in official state documents and policy making procedures. Mr. Patwari mentioned that information about Birangonas were not recorded for 'shonggato' meaning obvious reasons. After all, these women had to be married off, or resettled with their families if married previously. There was no room to speak about the violence inflicted on their minds and bodies for the long nine months, the only option was to seal their mouths and erase the experience of rape. Shame is the barrier that restricts information about rape to be disseminated. Though this shame is understood to be a women's shame, it actually is the shame of Bengali masculinity since, "[R]ape by a conqueror is compelling evidences of the conquered's status of masculine impotence" (Brownmiller 1975, 38). Husbands turned down their raped wives because, "[T]he hallowed rights of property have been abused, and the property herself is held culpable" (Brownmiller 1975, 40). The only way women could compensate for losing their izzat was by observing total silence. The silence in this case is observed, on behalf of these women, by the ministry, which denies to officially recognize the Birangonas.

The oral history project under the *Muktijuddho* Research Center started in 1996, and documented 2,500 interviews from eleven different zones of the country. The usual interview procedures consisted of field workers setting up interview spaces in local schools, or houses of the local influential figures, and making a list of local cultural activists, teachers, social elites and members of the *Muktijoddha* of freedom fighters club. Those who have participated in the armed conflict, those who were tortured, those who organized cultural, social, or economic activities to support the *Muktijuddho*, and finally those who have witnessed *Muktijuddho* from close proximity were targeted for interviews. Dr. Sukumar Biswas, the director of *Muktijuddho* Research Center, pointed out that there were no special arrangements made for women to be interviewed in private spaces. It is apparent that in a rural Bangladeshi setting where women's honor is central to the socio-cultural and religious network of kinship and community pride, it requires private arrangements for women to comfortably share their experiences of sexual abuse.

Even though *Bangladesher Shadhinota Juddho Dolil Potro* or Bangladesh Liberation War Documents give a small account of rape in 1971, it still fails to provide a concrete count of women who were raped. Systematic information on sexual slavery in the barracks is also absent, and based on this document the total number of women enslaved in the barracks remains imprecise. The ultimate impossibility of writing a history of the sexually violated women of 1971 is the confusing figures of women who were raped, impregnated, and killed. The number of rape victims range from 40,000 to 250,000,¹⁹ the number of abortions range from 23,000²⁰ to 50,000,²¹ and the number of war babies range

¹⁹ Brownmiller, Susan. *Against Our Will: Men, Women and Rape*. New York: Simon and Schuster, 1975, 78-86.

²⁰ Islam, Shirajul, and Miah Sejanan, eds. *Banglapedia: National Encyclopedia of Bangladesh*, Vol-10. Dhaka: Asiatic Society of Bangladesh, 2003, 345-347.

²¹ Brownmiller, Susan. *Against Our Will: Men, Women and Rape*. New York: Simon and Schuster, 1975, 78-86.

from 400 to 10,000.²² Since the state is unable to produce concrete numbers the question remains unresolved. Absence of the backbone of official historical documents-the facts and figures, further complicates the process of incorporating *Birangonas'* narratives in the official national history of Bangladesh.

Thirty-six years after independence the Ministry is still engaged in its fifth effort to come up with a comprehensive list of freedom fighters from 1971, which is symptomatic of the fact that, official archival data on *Muktijuddho*, according to the state authority in Bangladesh is still being compiled, collected, constructed, and reconstructed. As the history of *Muktijuddho* is reconstructed in the state of Bangladesh, which has turned significantly towards nationalism based on religious idioms since 1975²³- a process is initiated to completely wipe out the signatures of *Birangonas* from the national history of the *Muktijuddho*, given they have already been pushed into the footnote to 'war-babies' in *Banglapedia*, and completely removed from the national history text books.

However, the contesting sources of history still exist in forms of women's oral testimonies, documentary films, and historical fictions. These sources come in conflict with the state approach towards the *Muktijuddho* history. As I will demonstrate by looking at women's oral testimonies, historical fiction, and personal interview with survivor Ferdousi Priyobhashini: women's individual experiences of rape and the expression of it directly stand in opposition to the Bengali national imagination.

Thus, giving a space to the *Birangonas* in the official history of Bangladesh calls into question the entirety of Bengali national imagination of women, and demands a reform, which would alter the platform of Bengali national imagination altogether.

And What Do the Women Have to Say?

Breaking the Silence:

Since 1991 there have been multiple significant interventions by female activists to bring justice to the women war victims of 1971. A group of intellectuals, journalists, and artists organized under the leadership of Begum Jahanara to arrange a public trial against Gholam Azam with the allegation of collaborating with the Pak Army. A public trial was held on March 26, 1992, which suggested the death penalty for Azam.²⁴ Three rape survivors were brought into public attention by the media at this time. They were brought to the capital Dhaka from the Southern region of Kushtia to give testimonies at the people's court. However, none of the three women had clear ideas about the public trial, what significance their testimonies would have, and how openly their information would be disseminated.

²² Islam, Shirajul, and Miah Sajahan, eds. *Banglapedia: National Encyclopedia of Bangladesh, Vol-10*. Dhaka: Asiatic Society of Bangladesh, 2003, 345-347.

²³ Riaz, Ali. *God Willing: The Politics of Islamism in Bangladesh*. Maryland: Rowman & Littlefield Publishers Inc, 2004.

²⁴ Lohani, Kamal. *Amra Harabo Na*. Dhaka: Agami Prokashoni, 1995.

These women were left in the dark by activists, and the next day news papers published their photographs, causing extreme social ostracism after these women returned to their villages. This experience has created reluctance both in the activist group and also in the women survivors to come out and share their experiences of 1971.²⁵ This incident, however, stirred up the *Birangona* issue, and the coming years saw the publication of fictional and testimonial literature specifically about women's experiences of sexual violation during the war of 1971.

In 1998, Dr. Nilima Ibrahim, a prominent women's rights activist who was directly involved in the *Birangona* rehabilitation process published a fictional testimony of seven women she met at the rehabilitation center. *Ain O Shalish Kendra*, a Dhaka based NGO working mainly for the purpose of providing legal aid to the disenfranchised have been publishing the most remarkable historical documents on women war victims of 1971 since 1999. '*Narir Ektattur*' or 'Women's 1971' was published by *Ain O Shalish Kendra* in 2001, and it is perhaps the most comprehensive study on the political imperative of women's role in the process of war fare and nation making. It is also perhaps the most rigorous strategic intervention in the field of collecting, compiling, and publishing oral historiography with the intention of eventually incorporating such work in the nationalist history, thus initiating a political change towards women's greater, and more equitable recognition in the national history and imagination. The last and foremost interesting piece of work done in this field is Shahin Akhter's novel '*Talash*' or 'Search' published in 2004. Even though it is a fictional narrative, Akhter's '*Talash*' is informed by her experiences as a witness to the Women's War Crime Tribunal 2000, as well as her involvement in researching, interviewing, compiling, and editing the women's war narratives for *Ain O Shalish Kendra*. Lastly, in 2001, Ferdousi Priyobhashini, the first and only middle class woman affirmed her identity as a woman who was raped and tortured in 1971.

Despite this disclosure there remain multiple problems in merging these women's narratives into the mainstream and official history of *Muktijuddho* because of a. the assumed unreliability of women's testimonies as concrete historical sources and b. the lack of concrete numbers and official records. Moreover, as these women's voices calls into question the pitfalls of national imagination, and challenges the supremacy of Bengali masculinity, their narratives are yet again pushed to the periphery. Thus, they remain isolated in the zone of human rights activism, NGO research projects, progressive-feminist writings, never making it to the official core history at the Ministry, not even to the memorial readings at the Liberation War Museum.²⁶

²⁵ D'Costa, Bina, 'Coming To Terms With The Past in Bangladesh: Naming Women's Truth,' 2005.

²⁶ A week long program arranged the *Muktijuddho* Museum titled 'Women and War' in December 2005, ended with a reading from various women's narrative of 1971. The reading included autobiographical work by eight women. It is noteworthy that, Dr. Nilima Ibrahim's fictional testimony on *Birangonas* and *Ain O Shalish Kendra* published oral narratives '*Narir Ektattur*' or 'Women's 1971' did not make it to the reading. As reading out passages about sexual violation by female vocalists falls out of the decency decorum in Bangladesh, only the respectable *bharamahila* narratives were presented on this occasion.

The Problems of Representation:

Who speaks for whom becomes the immediate problem in collecting women's oral narratives of 1971. Shaheen Akhter, a historian at Ain O Shalish Kendra says, "the process has to be democratic, let there be a space and if someone wants to speak they can utilize that space."²⁷ However, the moral debate among historians is about that very space and nature of disclosure. Whether rape should be given a specific space of its own is a contesting point among historians. Some historians tend to generalize rape with other forms of torture during the war period, and deny the need for women's narratives of war to unfold in a specific space. The overall debate is regarding whether or not after all these years, it is necessary and practical to 'dig out' the forgotten narratives of rape. Finally, the economically downtrodden status of village women make them vulnerable to objectification even by the secular force, which without their consent collects and disseminates their experiences of sexual violation.

It is not only the nationalist narrative that can be charged with the allegation of objectifying women war victims, but the secular intervention under Jahanara Imam's initiative was equally problematic. Three women from the rural area of Kustia were brought to Dhaka to give testimonies at the people's court. These women were not explained adequately the concept behind the people's court, on the contrary, their pictures were taken and published in the newspaper without their permission. Furthermore, the women did not receive the type of monetary compensation expected. Masuda Khatun resented, "village people say, you listen to outside people, but don't get anything in return. You lost your social respect anyways, and you don't even get any money in return."²⁸ Elijaan Nessa faced similar plight as Masuda Khan who came to Dhaka in 1992. She is very repentant about her trip to Dhaka. She considers her picture being published in the newspaper as an act of violence against her, it would have been better if the military killed me, because then I won't have those memories and my picture would not be in the news paper...especially after going to Dhaka and speaking about my experience in 1971, we have been further hated and cornered in the society. They took me to Dhaka before I knew why I was going there. Before I left, they said, let's go to Dhaka, you will get benefits. We will represent your experience of 1971."²⁹

In fact, for Masuda and Elijaan Nessa's, economic benefits supersede other imperatives. It is clear from these narratives that the rural and economically downtrodden women are objectified and victimized even by the secular forces, which do not take into the account the woman's individual rights and her social reality, but use her to serve an equally dominant hegemonic, but dissimilar political purpose like the official nationalist narrative of *Muktijuddho*.

²⁷ Shaheen Akhter, Personal interview, 2005.

²⁸ Akhter, Shaheen, Hossain, Hamida, Kamal, Sultana, Guhathakurata, Meghna, Begum, Suraiya, eds. *Narir Ekattar O Juddhoporobarti Kottho Kakini*. Dhaka, ASK: 2001 86.

²⁹ *Ibid.*, 94-95.

There is also the dangerous trope of representation, where the women war victims do not write their own narratives, but narrate them verbally and the historians write it. The process of documenting women's war narratives is filled with traps of stereotypical mode of representation,³⁰ and in the case of economically downtrodden rural women, there is a disastrous attempt to document her experiences, and take her photographs without her consent. Thus, the trap is of objectifying the *Birangona* while establishing her as an active heroic agent.

As the disclosures of women's testimonies disrupt their social lives, it has become a moral debate among the historians whether or not disclosure is at all necessary. While feminist historians believe that, remembering the past is an integral and essential step towards reconciliation,³¹ another group of mainstream/malestream historians believe that, disclosure of rape is not only unnecessary, but also troublesome for both the nation and its women.³² Muntasir Mamoon-one of the most well known historians of Bangladesh believes that there is no need to reaffirm rape in the national history because it is already acknowledged in our diction of *Muktijuddho* that 'two million mothers and sisters lost their *izzat*.' As Mamoon puts it, "it has become a part of our language."³³ His personal experience from organizing the public trail, and bringing three women from rural Kushtia has been bitter. He says, "if I were to given a choice, I would not go further into it." Afsan Chowdhury-a historian who has been working with the history of *Muktijuddho* for the past twenty five years is highly disturbed by the revisiting of *Birangonas*. For him, forgetting is just as important as remembering. In some cases we need to forget, and the *Birangona* case is one such. He flips his position with the feminist historians and emphasizes on women's right to privacy and the right to remain silent.

From our journey of over 25 years, I would say we do not need to collect anymore. And we have no obligation or responsibility to do so either. Many women do not want to tell and we are creating pressure in this sector which is unfair. There has to be space for disclosure and space for withholding as well. It seems the State does not want to recognize this right to privacy on a matter which is both very private and painful.³⁴

It is clear that social ostracism against women who have disclosed their narratives has created an uncomfortable atmosphere where it seems practical to remain silent. Dr. Nilima Ibrahim-a rehabilitation worker and feminist activist mentioned in the preface of her

³⁰ Mookherjee, Nayanika, *Ethical Issues Concerning Representation of Narratives of Sexual Violence of 1971*, D. Phil thesis in Social Anthropology; SOAS. University of London.

³¹ Sultana Kamal, Hameeda Hossain, Shaheen Akhter, Ferdousi Priyobhahshini, Saraiya Begum, Meghna Guhathakurata, Bina D'Costa have been actively advocating the importance of remembering women's experiences of rape not only to recognize and incorporate them in the national history, but also to bring an emotional closure for the survivors.

³² In the course of my work I interviewed three prominent historians of *Muktijuddho*. Dr. Sakumar Biswas (the director of Liberation War Research Institute), Dr. Muntasir Mamoon (Professor, Department of History, Dhaka University), and Afsan Chowdhury (the most reputed man in collecting and compiling oral history of *Muktijuddho*). All these historians expressed their opinion in favor of not disclosing women's experiences of sexual violence from 1971.

³³ Personal Interview, Muntasir Mamoon, 2005.

³⁴ Questionnaire filled out by Afsan Chowdhury, 2005.

fictional testimony '*Ami Birangona Bolchi*' of 'This is *Birangona* Speaking' says that she has lost interest in writing the third volume because of the growing protective nature of religious nationalism towards women. "Today's society will even call them sinners, this is why, twenty five years ago those who were deprived of normal lives, today do not deserve to go through further social ostracism" (Ibrahim 1998, Preface). Until her death in June 2002, Nilima Ibrahim refused to talk about the *Birangona* issue altogether.

Dr. Nilima Ibrahim's fictional testimony '*Ami Birangona Bolchi*' describes the consequences faced by a few women war victims who were abandoned by their families. Under such circumstances, when the victims were rejected by their immediate families-it is apparent that the only way these women could seek social rehabilitation was by observing silence about their experiences of sexual violation. Only a collective amnesia could recover these women from their fallen status. It is hinted in Shaheen Akhter's novel '*Talash*' that some *Birangonas* were forced to seek their last resort in prostitution. Mukti, the main protagonist of '*Talash*', asks a social worker, "do you know where the women went after the rehabilitation center was broken down in 1975?"³⁵ In answer to her question she gets addresses to few brothels. But wasn't Mukti looking for *Birangonas*? "So what?"³⁶ The social worker replies, "those who turned into *Barangonas* from *Biranganas* will open their mouths to you, you can write a mega story with it."³⁷

However, there is a small group of women who are interested in speaking about their experiences of rape or at least to begin the process of building a space where safe disclosure would be ultimately possible. As in recent years feminist scholars in India have initiated discussions on the use of violence in partition and the gendered aspect of constructing the nation-state, this approach has influenced scholar-activists in Bangladesh to think in the same direction. In fact, *Ain O Shalish Kendra's* work is directly influenced by the "scholar-activist circle in India that spread to Bangladesh and Pakistan" (D'Costa 2005, 241). This process has at least initiated a theoretical platform to examine the phenomenon of rape and the gendered politics of nation building. There is also a small group of women who are willing to share their memories of war in a "woman friendly environment sensitive to their traditional and cultural restrictions" (D'Costa 2005, 236). The space for disclosure needs to be gender sensitive and careful of women's need for privacy. The narratives of rape could only be disclosed in a dialogue among women over a long period of time. For example, it took Shaheen Akhter three years of dialogue with survivor Ferdousi Priyobhadhini to write her oral testimony in '*Narir Ektattor*' or Women's 1971 published by *Ain O Shalish Kendra*. Finally and most importantly, as survivor Ferdousi Priyobhashini pointed out, it is women who need to come forward in networking, organizing in completing this task.

³⁵ Akhter, Shaheen. *Talash*. Dhaka: Maula Brothers, 2004, 215-216.

³⁶ *Ibid.*, 215.

³⁷ *Ibid.*, 215.

Ferdousi Priyobhashini: Rescuing History...Unleashing Terror:

"...Saying was done, but a lot remain unsaid, because when I say and you write, a lot will be left out, a lot things...gap...gap...gap, because how much can I say? A human being can hold a thousand years in his thought, it is so quick! When one talks, when it comes out, then it becomes limited."

--Ferdousi Priyobhashini (Personal Interview 2005)

It is a challenging process to come to terms with violence as extreme as rape during war time, especially in the cultural context of Bangladesh where the after math of rape is often more extreme than rape itself. Even though bringing the war criminals to justice is one step towards coming to terms with the violence inflicted upon these women, the emotional solution lies in remembering. Especially, in contemporary Bangladesh where the history of *Birangonas* is systematically being erased, it is necessary to reaffirm these women in the national history. It is this purpose of including these women in the history that motivated Ferdousi Priyobhashini to speak up in the first place, "I saw that the history of the *Muktijuddho* was being altered and the torture of women were being forgotten, and then I saw rural women coming from the villages to be witnesses at the public court. I decided from the civil society I will speak up."³⁸ Ferdousi Priyobhashini is the only middle class woman who willingly gives interviews and speaks about her experiences. She feels she is part of a historical continuum and it is her responsibility to speak up when history is re-altered to exclude women. The recent visit of Sarmila Bose to Bangladesh and her statement in 'Anatomy of Violence: An Analysis of Civil War in East Pakistan in 1971', "in all of the incidents involving the Pakistan army in the case-studies," has driven the urgency of the *Birangona* situation one step further. As Sarmila Bose continues her project '1971: Images, Memory, Reconciliation' at George Washington University, a different type of reconciliation is required in firstly, reaffirming these women in our national history, and secondly, countering the forces like Sarmila Bose's work, which situates itself on a powerful academic platform to potentially erase the history of *Birangonas*.

The disclosure of women's experiences of rape from the past is also important because it broadens the scopes for contemporary women's social and cultural privileges by considerably altering the notion of respectable womanhood. Ferdousi Priyobhashini in her interview, links the violence inflicted on her to the violence against women in present day Bangladesh, and in the lives of women she has encountered throughout her life. It is her belief that when she speaks of her experiences, she creates a rupture in the hegemonic national narrative, thus opening up a space for other women's voices to unfold, back then violence against woman was not a big issue, it was socially sanctioned and justified... if I speak of my experiences, a lot of space will be cleared, field will be opened up, women will learn how to fight.³⁹

³⁸ Personal Interview: Ferdousi Priyobhashini, 2005.

³⁹ Personal Interview: Ferdousi Priyobhashini, 2005.

The importance of speaking as a step towards healing is emphasized by Priyobhashini. She spoke of her experience at the Tokyo Tribunal as rewarding as she was able to meet women from other parts of the world who shared similar memories of violence. She spoke of a ninety year old woman from Korea who danced at the last dinner party as she felt happy and relieved. After all, it is breaking the silence and speaking up, which is the essential first step towards recognizing, honoring, and coming to terms with the mass rape of women during war time,

I remember she was so happy after delivering her testimony that she danced. She became very happy after speaking, she said, 'you, me, we are the same, our pain is the same.' The world today is moving towards a higher civilization, no matter how many bombs are blasting, still good people are there, the work will get done. And you know who must work? It is women who must work...I am hopeful.⁴⁰

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⁴⁰ Personal Interview: Ferdousi Priyobhashini, 2005.

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Exploring Bengali Sexuality: Tentative observations in Bangladesh, Bengal, et al

Afsan Chowdhury

I

Since the issue of who holds a Bengali identity and what that actually means are debated concepts, the idea of a 'Bengali sexuality' is an even more distant notion. Bengalis hold several and even contradictory identity credentials. Social, statist, religious and cultural divisions, along with environmental factors, exert influence on the formation of sexuality structures and their application.

The question "whose sexuality is it anyway?" is significant in the case of Bengal/Bangladesh. Bengal/Bangladesh is geographically split along nation state lines and other aspects widely differ too. So, are these observations of a Bengali Muslim or Bengali Hindu identity? Is there such a thing as a Bangladeshi sexual identity crossing ethnic and religious divides, established around geographic realities? Do the varied populations share the same psycho-social history including myths and legends that may contribute to the construction of sexuality and its evolution?

Is the nation-state based approach of exploring sexuality appropriate? Can Sudhir Kakkar's "Exploring Indian Sexuality" framework, which puts the entire country of India into one basket without attending to sociological differences, like ethnic, religious and social divides, be an accurate description of the topic?

Could someone argue that this approach becomes almost an insistence for uniform behaviour for all and can even be an imposition of one's ideas on those who may have other notions of sexuality? How do other variables like power, class, caste, religious regulations and laws affect the construction of sexuality? For example, the allowance of multiple marriages in Islam and single marriage in Hinduism and its relationship to multiple sexual contacts may well have connotations that are yet to be explained in most texts.

These and other probes have not been explored and that is why sexuality in South Asia remains largely an ignored subject. It has emerged as an issue somewhat in the realm of public health but this approach has been functional in direct relation to project objectives. It has created a platform for understanding but a lot of research is needed to enhance our cognition of this complex issue.

II

India and Bangladesh both house Bengalis but their distinct histories as separate states has an impact on their social psychology, which includes sexuality. Individuals and societies

may have separate sexual profiles, so a divided people may have individual and collective traits which change over time.

Our observations are limited to Bangladesh, or Bengalis of Bangladesh. They draw tentative conclusions without making any judgments. The observations are also made in the context of existing cultural practices and within that moment in time.

The principal observation is that Bengalis, contrary to certain assumptions, are very accommodating as far as sexual behaviour is concerned, including unconventional deviant behaviour. Although, there are very few practices considered taboo, they do exist. They are related to the public space rather than private behaviours. Hence, the demonstrated construction of sexuality appears to differ from the practiced construction of sexuality. The public-private space distribution of sexuality is a very influential issue in this regard. The domains are separate and often contradictory but both are real.

This should not be read as 'hypocrisy' but more as a form of coping in a society which has a strong traditional public structure as well as a normative private one, which are in conflict. A good example would be sexual behaviour in certain zones of Africa where sexuality is open and so is the attitude. However in Bangladesh, the social structure is not to be disturbed and sexual behaviour that is not consistent with the public face is kept a secret.

The individual's linkage with society is through the family and the larger social structures. The political structures follow relatively the same framework. Thus, protecting the family from external forces, an essential ingredient for social survival dominates and is served. It also serves as the cause and reason for both sexual exploitation and social protection as a transaction cost for doing the same.

In a way, the family and its survival becomes justification for behavioral deviance, repression and discordance with declared norms. While publicly, upholding the norm is the principal aim of the family and public deviant behaviour of any sort threatens the family and social structure, the family is protected by privacy practices and not behavioral adjustments. This generates attempts at standardization of perceived behaviour in the public space. In the private space, there is a private standardization which is not made public as the problem is probably not behavior but the public space.

This follows the fact that high deviant behavior like married gay relationships or extreme sex like bestiality are tolerated provided the *sangsar* is not disturbed. It is not only a transaction but a norm in cases of deviance. more exploration can be made to observe if female gay behaviour is considered a threat to male sexuality or its disclosure to the jointly produced *sangsar*. Given the level of domestic violence, one can ask why 'straying' wives are not punished. Some are but most appear not to be. One may explore this aspect, but the fact is that in the cases we came across, it does not generate violence even in the rural areas. Existence of such tolerance could be a puzzle for conventional sociologists.

III

The greatest sexual crisis faced by Bengali society was in 1971 when many women faced the possibility of rape or sexual violation. Most managed to hide themselves but many could not and experienced sexual violation. The responses varied and some cases are cited below.

- In a village in the north-western part of Bangladesh, two women were raped. Though this village was actively involved in the nationalist war effort, the kind of public humiliation the raped women faced was so intense that they committed suicide.
- Another woman was raped by the Pakistani army in the same village. In a rare instance, the Pakistani officer in charge of the local army camp had the rapist arrested. He told the villagers that whatever punishment the villagers wanted it would be delivered. The villagers refused this offer and decided not to pursue the case. They cited two reasons for their decision. One, they feared that the army may take revenge later. Two, the matter would become public cause long lasting social and psychological harm to the villagers.
- In another village close to the Indian border, the Pakistani army set up camp and would pick up women for sex. In our year long research, we discovered that at least 10 women in that village had been raped. While the rapes were almost public knowledge, the women's identities were unknown. Soon after, it appears that in order to cope with prying queries, the village 'set up' a woman who was raped by the Pakistanis. She was very poor and had a husband too feeble to work. She was given a homestead and an income. In return she became the 'raped woman' and bore the burden of public curiosity and shame. It protected the rest of the raped in the village.
- A female freedom fighter was picked up from the battlefield in April by the Pakistanis when her bullets ran out. She was kept in jail and subjected to all kinds of torture. When she was released two days after independence in mid December, her father and brother who had given her up for dead met her at the jail gate area. Her father embraced her and whispered in her ear, "if you have been raped, don't tell anyone". But the fact that she was in jail was enough to create high stigma. She was forced to leave her village, lose all claims to property and become a menial worker at a health clinic. Despite her protests, she was presented before a Dhaka crowd as a "raped one". This affirmed her public identity although she had fought frontal battles.
- Rape occurred in many villages but there is no public record. The case of Kumarkhali, where three women were persuaded to publicly declare 25 years after being raped what had happened to them in 1971, led to enormous stigma within the village and they were ostracized. It demonstrates why villages have managed to

hide those who were raped. Women have told me how they nurture secret networks of silence from men which were initiated even before the war was over in 1971. So many women know about victims of sexual violence while men do not.

Villages practice an even greater silence when it comes to war babies. Those involved with the welfare of war babies immediately after the war speak of many such babies. While many were adopted outside Bangladesh, most have gone on living in the country. We came across only two cases of children whose paternity was contested in the rural areas and they were linked to property disputes. Otherwise, most war babies have become Bangladeshi adults. I have been told by the women that unless there is an explicit interest of others in challenging the paternity of the child, dominantly because of property issues, it does not become a matter of contest.

Shame, abuse, war and sexuality: architecture of Hide and seek

Sexuality in war is a critical issue. The rape of Bengali women was used as propaganda for agitation against the Pakistanis. However, once the rapes took place, the raped woman was vilified as a collective shame of the entire village. This could partly be a result of anger generated by frustration resulting from male shame of not being able to protect their women. It is noted, that during the war, it was mostly women, rather than men, who protected themselves and other women.

The collective disgust juxtaposed against the collective participation to keep a rape secret is probably where one of the keys to Bengali sexual mores may be found.

Although many villages experienced female sexual violation, villages as a whole were also a party to keeping the secret. It is not just about rape but also war babies. Few villages come out and disclose rape incidences because villagers know the price of disclosure. So, silence has become the shield of protection.

If one looks at the number of war babies that was looked after immediately after 1971 and compare them with foreign adoption data, it can serve as an indicator of what society was able to hide and absorb. Even the mothers of war babies reacted differently and while some took them home, some left them behind thinking of the consequences of public shame.

It is this public-private space that seems to be the pivot around which the discourse of sexuality revolves in this land. It applies to other situations of intimacy as well.

In the war discourse, the violation of honour through rape of women is part of the cultural construction of resistance. It equivalent to the martyr and a raped women is officially called 'birangona' or the female warrior. In literary imaginations, she cuts a tragic figure and is held aloft. This contrasts sharply with public behavior where the raped women is

consigned to be a 'fallen woman' and those who are exposed have to face great suffering. This shows that the subjective norm and the objective behavior are very different. This may be common in other societies as well.

Another point to be noted is that women were provided to Pakistani soldiers for recreational purposes. These women seem to have evaporated, though reports that several Pakistani soldiers took the women with them is also common. One is not sure how these women would be treated had they been presented as such, because the journey for many from a female warrior –birangona- to a sex worker- barangona- has been rather short. Forced sex workers during WWLL, often referred to as "Joy girls" in China and Korea may not have found a sympathetic crowd in Bangladesh.

In the end, it does appear to be a struggle to deal with private monsters and public demons, the political need and the personal preservation. This society is not hypocritical in that sense but the space between sexuality's public values, as in the case of whipping up nationalist hysteria using sexual victimization, and its equally public condemnation of innocent sexual victims, seem difficult to reconcile. More so, when in public life they are much more accommodating. This may happen elsewhere.

This situation applies to child sexual abuse too which has a sharp gender split. The shame of abuse on girls is very high while that of boys is non-existent. Thus, sexual abuse by itself is not a significant issue but the public shame that it ignites as a result of that is.

Private face, public face, family face

When we were approached to lend support to a move to remove Article 377 of the penal code- the Sodomy law- we were not enthusiastic. My reasons were that we should not bring a private issue to the public domain and create a controversy where none had existed. There has been almost no prosecution under this law since 1947. I have been a gay mentor for sometime – partly as an Ashoka Fellow on Sex Education- so I have been in contact with this community quite extensively and formally. A certain percentage of the community, similar to elsewhere, are gay and many more are bi-sexual. There, however, does seem to be a higher percentage of iso-sexuals since in certain cases, male-female access is limited. There is no active persecution of gays but they have to play by rules governing practices of public and private sexuality.

We found that in the number of gay couples who were managing to lead a life together, it was not uncommon for one of the partners to be married to someone else. Urban gays could lead a near normal life without harassment. In rural areas, male gay relationships were common and accepted as 'weird' but not denied. Noticeably, sex was not necessarily understood as part of the relationship, whether hetero or homosexual- so the issue was not of taboo behaviour but of social taboo.

As far as lesbian relationships were concerned, the situation was less clear. Two women living together arouse no curiosity. In urban areas this was not a social threat because it has always been a secretive practice. In extended family systems, household interactions amongst female and males are common. We found tolerance rather than not. Many lesbians preferred a double life which included both the pleasures and advantages of sangsar and their own sexual choice.

This can be interpreted both as hypocrisy or even duplicity but since it is not a public issue, and is sometimes well protected by the entire family including the husband in at least one case, it seems to fit in better with the idea of coping with a complex decision without endangering the family. Family seeker is always a positive character in Bengali society even when gay. (Information gathered as a sex educationist and researcher. 1999- 2003)

Family as provider and protector

A major variable has been migration to Dhaka or outside where a young woman may have to face the possibility of life without sex for a prolonged period. In a 1994 study, we found a high incidence of STD and it was explained that the male carried the disease to his wife who then may have transferred it to her sex partner within the household. (Dr. Nasim Rahman's interview to the BBC)

Our cases indicate that many relationships have sexual overtones within the family. They are a part of the traditional family sexual culture and is normalized through para-sexual terms. Some of the terms are indicative:

- wife's sister - fau ginni or bonus wife
- husband's brother- debor or second husband

Sexual relationships between nephews and aunts are common, although they rarely result in marriage. This kind of relationship is a source of concern for the family because of its frequency but not anxiety as they rarely end in marriage.

The family has ways of protecting itself and those who stay within the family. Extra-familial structures cannot cope with the wider world where social values reign. It upholds the public and constructed face of collective moral values which may not be practiced at the family level.

Extra-maritality; a consensus on convenience?

The arguments centering on serial extra-marital sex are common. Of the three case studies picked up for this paper, one female argued that extra-marital sexual outlets had saved her family as she would have otherwise ended her relationship. Another stated that as her husband was unable to sexually satisfy her so she had sex with multiple partners to fulfill her needs. She had her husband's consent but it was not discussed openly. In the third case, the wife insisted on her right to extra-marital sexual relations after years of her husband's 'straying'. When interviewed, both sides said it had made them a happier couple. From

what we gathered, it was not a complete secret as the partner's friends sometimes had to be included. (Interviews 2006- 2007)

Men rarely see extra-marital sex as a threat to the family and almost consider it their right as the provider of resources and the dominant member of the family. As one of the largest consumers of commercial sex, there are many arguments for this. Interestingly, while men have no class barriers when choosing their sex partners, they are conscious that should the wife have an extra sex partner, it should be as close to their own class as possible.

All agreed that their 'sexual adjustments' were in the best interest of the family as it provided sexual outlets without affecting their family life.

Extreme sex and social acceptance

Two cases may be referred to explain the range of sexual behaviour which is considered 'normal' in Bengali/ Bangladeshi society

While doing our field work on child sexual abuse we came across numerous cases of bestiality. This was considered usual behaviour in an iso-sexual situation. In case of male gay sex, the attitude was no different. While bestiality was not openly practiced but tolerated, male gays could retain their way of life provided it did not intrude into the public domain.

Another case was that of an older man who had a problem resulting in discomfort and pain in his pelvic and anal areas. The village doctor prescribed anal sex as a treatment. This person, accompanied by his son, would go to a publicly male gay in the village for anal sex. It was considered a medical and not a sexual activity even though the service provider was openly gay and had in fact, been accused by the cowherds of trying to seduce them. Per se the sexual act or acts were not taboo and even though it was public knowledge, it caused no public shame. This was because it was considered a medical and not a sexual and in the best interest of the family.

Public reaction was very different when two young gay men refused marriage because of their sexual choice. The matter came down heavily on them and ultimately both were forced to marry. Subsequently, both were allowed to lead two sexual lives, one married, one not, one gay and one heterosexual.

Tentative summation

in general, there is a high degree of universality in sexual behavior and people seem to do more or less the same as they do elsewhere. Variant sex in personal and the family level is not taboo and society responds only when it reaches the public domain. We believe this society is pro-family but the construction of their family is not necessarily pro- rights. In the name of the family, the accommodation of sexual behaviour can be almost unlimited.

Family lies at the core of all social action. Sexuality has been accommodated within the family. The family is considered private and that is why it has an interest in privacy as a dominant social and private expression including sexual practices.

Islam And Women's Sexuality: A Research Report From Turkey

Pinar Ilkkaracan

Background

The control over women's sexuality through restriction, coercion, violence, or more complicated forms of political and social manipulation remains the most powerful tool of patriarchy in the majority of societies. Religion is often misused, both as an instrument of this control mechanism and as a cultural system, to legitimize the violation of women's human rights. However, concentrating on the role of religion in constructing women's sexuality without taking into consideration its interaction with the economic and political structures in a particular community can lead to erroneous conclusions.

Like many other religions, Islam does not have a static or monolithic tradition. Islam has interacted with sociopolitical and economic conditions at a particular time and geographic location in order to ensure its survival and power. In the process, it has absorbed not only the practices and traditions of the two other monotheistic religions born in the same territory, namely Judaism and Christianity, but also the pre-Islamic practices and traditions of the geographic location in which it has striven to survive and gain power as a cultural and political system. Thus, it is very difficult to define what is intrinsic to Islam in organizing sexual behavior. The issue becomes even more complicated when we look at the interaction of factors such as class and race with Islam at a particular time and place, which has led to different religious interpretations and practices. All of these factors often produce different schools of Islamic thought, some of which can exist even within the same community.

Discourses on sexuality in Islam often fail to consider differences in practices in different Muslim communities as well as the spaces of negotiability created by social taboos and silences related to sexual behavior.¹ Nonetheless, even discourses based on an analysis of the Koran and the literature traditionally accepted as establishing the normative practices of Islam can lead to contradictory conclusions about the construction of women's sexuality. On the one hand, Islam has recognized both women and men as having sexual drives and rights to sexual fulfillment. Eroticism is presented as a good in itself, both a foretaste of heaven and on earth a divinely ordained necessity for reproduction. Women, like men, are believed to experience orgasms. On the other hand, particularly in terms of sexual drives, males and females are construed as opposites, men as rational and capable of self control; women as emotional and lacking self-control. Female sexuality, if uncontrolled, is portrayed as leading to social chaos (*fitna*). Social order thus requires male

¹ For a more detailed critique of dominant discourses of 'Islamic Sexuality' in contradiction to existing practices in different Muslim communities, see Ayesha Imam's chapter in this volume.

control of women's bodies and sexuality.² However, the specific patriarchal mechanisms that are utilized to maintain this control differ according to geographical location, time, class and race and depend on the economic and political realities of a given community.

The historical role of the interaction of Islam with specific socioeconomic and political systems in shaping women's sexuality in different Muslim communities is still a relatively unexplored issue. Although the 1990s witnessed a spurt of new research on women's history and gender organization in Muslim societies, the accumulated knowledge is still too rudimentary to throw light on such a complex and sensitive issue as women's sexuality. Even in recent decades, women's own accounts on the issue have remained very rare. In most Muslim societies there is a striking lack of empirical data on sexual behavior, especially women's.

In such a context, research on the official, religious and customary laws and practices that determine the organization of gender and the context of women's sexuality in different Muslim societies could throw light on the ways religion is used to create and perpetuate the oppression and injustice women experience in these societies. It would also play an invaluable role in deconstructing the myth of a uniform Islam, which fundamentalists claim consists of "a divine and eternal truth". The Women and Law action-research program of the international network of Women Living Under Muslim Laws (WLUML) has evolved as a response to this need. Under this program, many country projects are conducting comprehensive studies of laws and customary practices that shape women's lives, as well as women's strategies in diverse situations.³

This chapter, which is based on data collected by Women for Women's Human Rights in eastern Turkey within the framework of the international Women and Law action-research program, examines laws and practices related to important elements in shaping the context of women's sexuality: civil versus religious marriages, bride price, polygyny, women's consent to marriage, reproductive health, the possible consequences of extramarital relationships for women, and domestic violence. The analysis is based on interviews conducted with 599 women in eastern Turkey.⁴

² See, for example, Fatima Mernissi, *Beyond the Veil: Male-Female Dynamics in a Modern Muslim Society*, (New York: Schenkman, 1975); Fatma A. Sabbah, *Woman in the Muslim Unconscious* (New York: Pergamon, 1984); Nawal El Sadaawi, *The Hidden face of Eve: Women in the Arab World* (London: Zed, 1980); Charles Lindholm, *The Islamic Middle East: An Historical Anthropology* (Oxford: Blackwell, 1996); Bruce Danne, "Power and Sexuality in the Middle East," *Middle East Report* 28/206 (1998): 8-11.

³ The research is unique in terms of the wide geographic range it covers, as well as in terms of the diversity of the issues it handles: women in the family, women as citizens and women's bodily rights.

⁴ A weighted, multistage, stratified cluster sampling approach was used in the selection of the survey sample. The sample was designed so that a variety of characteristics would be analyzed for the region as a whole, urban and rural areas (each as a separate domain), and eastern and southeastern Anatolian regions (each as a separate region). The urban frame of the sample consists of settlements with populations of more than twenty thousand, and the rural frame consists of settlements with populations of less than twenty thousand.

Different types of questionnaires were used for (1) women living in monogamous marriages, (2) women living in polygynous marriages, and (3) women who were still unmarried. The questionnaires were completed by the interviewers through face-to-face interviews. The interviewers, all from the region, had undergone lengthy, intensive training in all of the issues covered by the questionnaire as well as in interviewing and sampling techniques. The age of participants ranged from fourteen to seventy-five; the average age was 32.1.

A Unique Confluence of “Western” Secular Laws, Muslim Culture and Regional Differences

Turkey, which is a predominantly Muslim country, is the heir of the Ottoman Empire in which the Koran formed the basis of family law. Turkey was founded as a republic in 1923 as a result of the victory of reformists over foreign occupying armies as well as over conservative forces at home. The founding of the republic was followed by the introduction of revolutionary changes for women. Turkey is unique in the Muslim world in the extent of its secular, progressive reforms of the family code affecting women's lives.⁵ In 1926, the introduction of the Turkish Civil Code, which is based on the Swiss Civil Code, banned polygamy and granted women equal rights in matters of divorce, child custody and inheritance. Yet, even several decades after these reforms, customary and religious laws and practices that often breach official laws are used as tools to control women's sexuality and to maintain the imbalance of power in sexual relations. This is especially the case for women living in eastern Turkey, which can at best be characterized as a semifeudal, traditional, agricultural economy. The situation of many women living in the region has worsened as a result of the armed conflict since 1984 between the Turkish security forces and the separatist Kurdistan Worker's Party (PKK).

Eastern Turkey has a multiethnic character. Besides Kurds and Turks, the largest ethnic groups, the region also includes Zaza, Azerbaijanis, Arabs, Christians who speak the Syriac language and others.⁶ As has been the case in the rest of Anatolia, over the centuries different religious schools of Islam have established themselves in the region. Although most of the population follows Sunni/Hanafi Islam, there are also followers of Sunni/Shafi or different Shi'i traditions. The followers of the Alevi tradition claim devotion to Imam Ali, and so they are categorically defined as Shi'is, although Alevi philosophy and practices are quite different from those of the orthodox Shi'a.⁷ Alevi in Turkey are estimated to constitute at least one quarter of the total population of the country and have a distinctive religious culture that includes elements of Anatolian Sufi traditions and Turkoman shaman ideas.⁸ The Anatolian Alevi have traditionally rejected gender segregation in both religious and social spheres of public life and have survived in Anatolia despite being the target of intense political pressure and fundamentalist attack under the Ottoman Empire. At various times, Alevi practices - including ceremonies in which women and men perform religious rituals with elements of music and dance, the rejection of the veil and of seclusion for women, and the acceptance of alcoholic beverages in social gatherings - have been deemed un-Islamic by Sunni authorities. These claims have often been used as a pretext for political pressure ranging from persecution to massacre.

⁵ The reform of the Civil Code based on the Swiss Civil Code was a major success of the reformists against the conservative forces defending the religious family code in 1926.

⁶ At the time of the Islamic conquests, the term *Kurd* had meant nomad. By the mid-nineteenth century, *Kurd* was also used to mean tribespeople who spoke the Kurdish language. At present, insiders' and outsiders' views concur on the definition of *Kurd* as those who speak Kurdish as their mother tongue.

⁷ Melikoff goes further to assert that it is a mistake to consider Alevi as Shi'i, as Alevism does not have its origins in the Shi'a tradition. See Irene Melikoff, *Hadji Bektach, un mythe et ses avatars* (Boston: Brill, 1998).

⁸ Rıza Zelyut, *Oz Kaynaklarina Gore Alevilik* (Alevism according to its original sources) (Istanbul: Yon Yayincilik, 1992).

Turkey is one of the countries suffering from problems resulting from regional disparities in socioeconomic conditions. The unfavorable effects of these disparities are experienced more by women than men. Western Turkey consumes most available resources and is highly urbanized, while in the eastern section most of the population lives in rural areas.⁹ Although primary school education has been mandatory in Turkey since 1927, in 1990 half of the women in eastern Turkey were illiterate, compared with 21.6 percent of the men. The illiteracy rates are much lower in western Turkey, at 19.7 and 7.4 percent for women and men respectively. As a consequence of the armed conflict, the number and quality of the educational institutions in the region is declining, limiting still further women's educational opportunities. Regional differences in women's participation in the labor force are also striking. In the west, the proportion of women working for pay is 40 percent, while in the east approximately 90 percent of women are still unpaid family workers.¹⁰

Semifeudal structures still constitute the main social framework in the region and for many women dictate the organization of both gender and sexual relations. Most of the Kurdish population in the region is dominated by tribal structures organized around big families with the characteristics of a clan; the feeling of group solidarity involves a large number of members, extending the family and including responsibilities towards the community.¹¹ The *airêt* or tribal system is usually characterized by large areas of land held by a tribal leader, who is the landlord. The members of the *airêt* usually do not own land, but work the landlord's holdings.

In such an economy, the traditional Middle Eastern patrilineality and patriarchy that favor endogamy and cousin marriage still form the basis of practices related to sexuality and gender construction. This is of particular interest when we consider arguments that women's oppression in Muslim societies has nothing to do with Islam but can be traced to ancient times and the beginning of the patrilineal society in the Middle East, itself a product of the agricultural revolution. Valentin Moghadam asserts, for example, that "it was endogamy, the practice of marrying within the lineage, that set the shape for the oppression of women in patrilineal society, long before the rise of Islam. Endogamy kept property (land and animals) within the lineage and protected the economic and political interests of men".¹² Moghadam further argues that practices such as unequal inheritance rights, polygamy, and the extensive control of women by male members of the kin group, supported by the Maleki law, facilitates and reflects the maintenance of tribal communities. The existence of similar practices in eastern Turkey, where Sunni/Hanafi law has been dominant for centuries, indicate that other schools of Islamic law can also be interpreted as compatible with such practices.¹³

⁹ Approximately three-fourths of the population in the western part of Turkey live in urban areas, compared with 46 per cent in the eastern part.

¹⁰ State Institute of Statistics, *İl ve Bölge İstatistikleri 1994* (Provincial and regional statistics 1994) (Ankara: State Institute of Statistics, Prime Ministry, Republic of Turkey, 1996).

¹¹ For more information on the Kurdish tribal culture, see David McDowall, *A Modern History of the Kurds* (London: Tauris, 1997); and Artun Ünsal, *Kan Davası* (original title: *La Vendetta*), (Istanbul: Yapı Kredi Yayınları, 1995).

¹² Valentin M. Moghadam, *Modernizing Women: Gender and Social Change in the Middle East* (Boulder, Colo.: Lynne Rienner, 1993), 107.

¹³ In the early days of Islam, there were hundreds of schools of Islamic jurisprudence. By the eleventh century, the Sunni schools had diminished to four, named after their supposed founders: Hanafi, Shafi, Maliki and Hanbali. The central school in the Middle East is Hanafi or Shafi, and the Malikites prevail in North Africa.

In eastern Turkey, the ongoing armed conflict has strengthened the male-dominated structure of the community not only through the increase in militaristic cooperation between the state and Kurdish tribal leaders, landlords and sheikhs but also through the rise of militaristic values in the society. A similar development has taken place in Afghanistan, where tribal structures are still prevalent.

The eastern region has the highest fertility rate in the country. In 1992, the fertility rate in the region there was 4.4 compared with 2.0 in the western region and 2.7 in Turkey as a whole. Some of the reasons behind the desire for a high number of children in the region are the aspiration for a powerful tribe, family elders' expectations of a boy child, and the belief that Allah will provide food for each person.¹⁴ Approximately 11 percent of women living in the east have their first child between fifteen to nineteen years of age, compared to 8.3 percent in the west. The level of current use of contraception is only 42 percent in the east, whereas it exceeds 70 percent in the west and 60 percent in other regions of Turkey.¹⁵ When asked about the total number of their children, mothers often mention only the number of sons, omitting their daughters, as girls do not count. The situation has worsened as women's bodies have become the sites of the conflict between the Turkish security forces and PKK. The Turkish state is interested in reducing the fertility rate in order to increase its economic and political domination of the region, whereas the PKK propagandizes against contraception of all kinds, which they define as "a tool of the state to eradicate the Kurdish folk".

In recent decades, the dominance of market mechanisms and the modernization efforts of the state, including large-scale investments such as the construction of massive dams and irrigation projects in southeastern Turkey, are expected to lead to the dissolution of feudal structures in the region. However, most of the technological training and development projects are planned for men. As a result, modernization projects reinforce the traditional distribution of labor based on gender hierarchy and women's passive role in civil society.¹⁶

Marriage, Religion, and Sexuality

Marriage is almost compulsory for women living in the region. Of the respondents who were over twenty-four years of age, 97 percent were or had been married, as had all of the women who were over thirty-four years of age. Only a small percentage (0.6 percent) were divorced, indicating the rarity of marital dissolution in the region.

¹⁴ GAP - Southeastern Anatolian Project, *Yirmibirinci Yüzyılda Kadın ve GAP* (Women and the Southeastern Anatolian Project in the twenty-first century) (Ankara: Prime Ministry, Republic of Turkey, Directorate of Southeastern Anatolian Project, 1997).

¹⁵ Ministry of Health, Hacettepe University Institute of Population Studies, and Macro International, *Turkish Demographic and Health Survey 1993* (Ankara: Ministry of Health, Hacettepe University and Macro International, 1994).

¹⁶ See also Yakın Ertürk, "Doğu Anadolu'da Modernleşme ve Kırsal Kadın" (Modernization and rural women in eastern Anatolia), in *1980'ler Türkiye'sinde Kadın Bakı Açısından Kadınlar* (Women from the perspective of women in Turkey in the 1980s), ed. İsmir Tekeli (İstanbul: İletişim Yayınları, 1993), 199-210.

According to civil law, only civil marriages are legally valid in Turkey. Under the Civil Code, religious marriages confer no legally binding rights, including those related to divorce, maintenance, or inheritance from the husband. A religious ceremony can be held only after the civil ceremony.¹⁷ Otherwise, both the couple and the religious official conducting the marriage are deemed to have committed an offense punishable under the terms of the Criminal Code.¹⁸ Despite these regulations, 20 percent of the respondents had only a religious marriage. This percentage is much higher than the average in Turkey (8.3 percent) and the average in western Turkey (2.2 percent).¹⁹ Moreover, both the mean and median ages of participants (17.9 and 17) at the time of the religious ceremony was lower than the mean and median age at the time of the civil marriage ceremony (20.4 and 19); the religious ceremony is very often held before the civil ceremony even though the practice is forbidden by law. Most women (92.9 percent) who had only a religious marriage indicated that they wanted a civil marriage. The main reasons for being prevented from having a civil marriage contract were: the husband's marriage to another wife (31.1 percent), the husband's refusal (29.7 percent), or the woman's youth (being under the minimum age required for a civil marriage, which is fifteen for women; 9.6 percent).²⁰ In fact, holding a religious ceremony before the girl child reaches the legal minimum marriage age of fifteen is often a strategy applied by the families to bypass the civil law. Of women who had only a religious marriage, 16 percent were married under the age of fifteen. In contrast to Hanafis and Shafis, almost all the Alevis and Shi'i/Caferis had a civil marriage, indicating that there are differences between religious schools of thought in the attitude towards civil marriage.

The issue of civil marriage continues to be an arena of struggle for women in many other Muslim countries. In Morocco, for example, women who criticized the denial of equal rights to women based on texts of Koran and a range of appendages attached in the Middle Ages collected a million signatures to have divorce and child-custody rules transferred from the Muslim Family Law to the Civil Code. Similarly, in Lebanon, where laws on women's personal status are governed by religious tribunals, a proposal calling for the adoption of a civil marriage law has been bitterly opposed by religious leaders of various denominations who are afraid that it would divert power from the one area over which they exercise total jurisdiction.

Bride Price: A Tool for Commodization of Women's Bodies

As it is practiced in eastern Turkey, the payment of a bride price - the sum given by the husband or husband's family to the bride's kinsmen for the realization of marriage -

¹⁷ Article 110 of the Turkish Civil Code.

¹⁸ Article 237 of the Criminal Code.

¹⁹ State Institute of Statistics, *II ve Bölge İstatistikleri 1994*.

²⁰ According to Article 88 of the Turkish Civil Code, the minimum age for a civil marriage, which is the only legal marriage ceremony in Turkey, is seventeen for men and fifteen for women. However, the minimum age for all other legal procedures except marriage is eighteen.

symbolizes men's control over a woman and over the transfer of her productive and reproductive capacities to her husband's kin group.²¹ This tradition is widespread in the region and plays an important role in the attitude of men, who assume that through this payment they have gained all rights over their wives' sexuality and fertility. Sixty-one percent of women indicated that their husbands had to pay a bride price for them. In fact, this tradition of families selling women for marriage remains prevalent despite the fact that more than three-quarters of the women (78.9 percent) indicated that they were against the tradition. More than half of the women (56.3 percent) responded to an open-ended question about their reasons for opposing the bride price by saying "because women/human beings are not a commodity to be sold". It is interesting to note that at least one-fifth (21.4 percent) of the respondents stated that the main reason they were against the bride price was that they considered the tradition to be "against Islam" or "a sin". On the other hand, none of the women who supported bride price saw it as a religious practice. Thus, the bride price constitutes a clear example of a patriarchal custom practiced even if it is perceived to be incompatible with religious laws.

Polygyny and Forced or Arranged Marriages

In the Muslim world, the opinions of religious thinkers on both polygamy and practices related to it differ widely. Some believe that Islam does not allow polygamy, basing their arguments on Koranic verses Surah an-Nisa, which forbids polygyny unless the husband treats his wives equally and does not differentiate in the slightest degree between them.²² Nonetheless, polygyny has become an established part of traditional religious law and practice in many Muslim countries. Polygamy has been banned in Turkey since 1926. As a result, in polygynous marriages, only one wife can have a civil marriage; the others can have only religious marriages. This situation immediately creates inequality between the wives as only one of them has access to legally binding rights under the Civil Code, such as rights related to divorce, maintenance, inheritance or custody.

One out of ten respondents in eastern Turkey was living in a polygynous marriage. None of the women who had a Shi'i Caferi background was in a polygynous marriage, while the next lowest percentage of polygynous marriages was among Alevis (5.6 percent). More than half of the women in a polygynous marriage (65.3 percent) stated that they had serious problems with the other wives. Despite all of the disadvantages of a polygynous marriage, almost half the women in such marriages stated either that they had arranged the marriage themselves or that they had married of their own free will, indicating an acceptance of polygyny by some women. This acceptance appears closely related to educational level. None of the respondents who had secondary or higher education was in a polygynous marriage, compared with 13.4 percent of those who had no schooling at all.

²¹ Bride price is prevalent in societies where the contribution of women to production is high, but women's autonomy over marriage is restricted.

²² Surah 4, verse 3: "And if ye fear that ye will not deal fairly by the orphans, marry of the women, who seem good to you, two or three or four; and if you fear that you cannot do justice (to so many) then one (only) or (the captives) that your right hands possess. Thus it is more likely that ye will not do injustice." Mohammed M. Pickthall, *The Meaning of the Glorious Koran: An Explanatory Translation* (New York: Meridian, 1997).

Under the Turkish Civil Code, the consent of both the woman and the man is a precondition for marriage, yet women living in the region often have no influence over the choice of their prospective partner and are frequently married against their will. In fact, even in cases in which women are consulted about the choice of a husband, they cannot exercise their right of consent to the full because of a high degree of social control over women's sexuality maintained by the taboo on premarital sex, the practice of endogamy, or the threat of violence against women who do not comply with the choice of the family.

Most of the marriages (61.4 percent) were arranged by the family, and only one in four marriages was arranged by the couple themselves. Although the percentage of married Alevi women who had arranged their marriages autonomously was well above the average, the majority of Alevi marriages were also arranged marriages. Even when the marriage is arranged by the couple, the agreement of their families is very often a precondition to it. Every twentieth marriage was a *berdel* case, a tradition in which a woman is offered as compensation to the family of her father's or brother's wife. These marriages are based on the exchange of brides that have "equal value", which means that if one marriage fails, the other has to fail too. In such marriages, the women are more or less hostages. Families are not likely to allow them to run away or divorce.²³

The tradition of betrothing girls while they are still infants seems to be disappearing, although it continues to be practiced (0.9 percent). One woman was offered as a wife to a family as compensation for an offense committed against it by her male relatives, and another was forced to marry the younger brother of her deceased husband. About 5 percent of the women stated that they had asked their husbands to kidnap them or that they had eloped with their husbands of their own free will. This is a strategy applied by women when their families do not allow them to marry the partner of their choice or when he is not able to pay the bride money requested by her family. Although this might seem a strategy through which women can select their own partners, it can result in the women paying a high price for their action. Yalçın-Heckmann, in her research on women's strategies in the tribal cultures of eastern Turkey, concludes that women who have been "kidnapped by their husbands by their own will" are almost always considered "to have eloped" by their husband's family, which often leads to a loss of prestige and status for the woman and even to violence against her.²⁴

More than half of the women (50.8 percent) were married without their consent and 45.7 percent were not even consulted about their partner or the marriage. Those who had not met the husband before the marriage constituted 51.6 percent of the participants.

²³ Extended exchange of wives is not a Muslim or Middle Eastern tradition. The practice exists also in other parts of the world, for example, in China. See M. Wijers and L. Lap-Chew, *Trafficking in Women, Forced Labour and Slavery-like Practices in Marriage, Domestic Labour, and Prostitution* (Utrecht, Netherlands: Foundation Against Trafficking in Women - STV, 1997).

²⁴ Lale Yalçın-Heckmann, "A İretli Kadın: Göçer ve Yarı-göçer Toplumlarında Cinsiyet Roller ve Kadın Stratejileri" (Women in tribes: Sex roles and women's strategies in migrant and semimigrant communities), in *1980'ler Türkiye'sinde Kadın Bakı Açısından Kadınlar* (Women from the perspective of women in Turkey in the 1980s), ed. İrin Tekeli (İstanbul: İletişim Yayınları, 1993).

More than half of the yet unmarried women (58 percent) believed that they would be able to decide on their partner themselves, indicating an increasing autonomy over the choice of partner. This view is also supported by the mothers. When asked who would decide on their daughters' prospective husband, 52.5 percent answered that their daughters would make the decision themselves. But the proportion who stated that their sons would choose their partner independently was much higher, 75.5 percent. Only 46.4 percent of women who believed that they would arrange their own marriage responded positively to the question of whether or not they could choose to have a boyfriend, indicating that this autonomy does not necessarily include the possibility of getting to know the partner before marriage. In fact, even in cases of marriage arranged by the couple themselves, they are often allowed to meet each other only after the ceremony has taken place. The level of education is an important determinant in the women's empowerment to choose prospective partners. The percentage of those who think that they have the right to choose their prospective partners increases to 89 percent among those who have completed secondary or higher education, compared with 40 percent of those who have had no schooling or primary education.

Reproductive Rights

There are no legal restrictions on contraception in Turkey, and family planning is increasingly encouraged by the state. Family planning seems to be acceptable in many Muslim countries and societies, especially when economic conditions require it. Since 1983, abortion has been legal until the end of the tenth week of pregnancy.²⁵ However, in eastern Turkey, as in the rest of the country, contraception, like childbearing, is considered to be applicable only to married women, as sex or childbirth is a taboo issue for most unmarried women. As a result, many women have no chance of receiving any information about contraception before marriage.

The most common source of contraceptive information for married women was health institutions (44.7 percent), and the least common source was the family (4.9 percent), indicating the taboo nature of the issue within the family. The average number of living children per woman was 4.8, and every third woman had more than 6 children. Only half of the currently married women between fifteen and forty-nine years of age were using a contraceptive method at the time of the research. The reasons for not using any contraceptive methods included: having no knowledge of them (15 percent), the husband or the family not allowing her to do so even though she wanted to (12 percent), and lacking the financial means (5.7 percent). Every third woman who had ever used a contraceptive method complained about side effects and health concerns related to the method. Most complaints related to the pill included weight problems, tension and stomach pain, whereas the most common problems related to the use of an IUD were irregular bleeding or spotting. Almost one in ten married woman had tried to induce an abortion at least once in

²⁵ See, for example, Homa Hoodfar, "Bargaining with Fundamentalism: Women and the Politics of Population Control in Iran," *Reproductive Health Matters* 4/8 (1996): 30-39.

her life through methods such as using injections for certain diseases (one of whose side effects is supposedly a miscarriage), jumping down from a high place, inserting soap into the uterus or carrying heavy objects. One woman tried to induce an abortion by inserting a knitting needle into her uterus. Six out of ten women stated that the method they had used to induce an abortion had seriously damaged their health.

Extramarital Relationships and Honor Killings

At present, neither the Turkish Civil Code nor the Turkish Criminal Code differentiates between men and women on the issue of fornication. Proof of fornication entitles the injured party to file for divorce on the grounds of infidelity, which can be proved by any means (e.g., witnesses) and enables the injured party to claim damages.²⁶ However, extramarital relationships are an absolute social taboo for women living in eastern Turkey, whereas men's extramarital affairs are widely accepted and even socially legalized in many cases through the institution of polygyny. The majority of women interviewed (66.6 percent) believed that, contrary to the law, even if they wanted to, they could not divorce a husband who committed adultery. Although an increase in women's educational levels increases women's openness to the possibility of divorce, 31.5 percent of women who had secondary or higher education still believed that they could not divorce their husbands on the grounds of adultery. There was no difference in the perception of possible divorce between women living in urban and rural areas. It is interesting to note that the percentage of women who believed divorce to be possible in the case of the adultery of the husband was highest amongst Alevi women (50.3 percent), despite the strict prohibition of divorce in traditional Alevi practice.

In contrast to many men who can practice adultery without fear of divorce by their wives, even though such divorce is allowed by the Civil Code, the customary penalty in the region for a woman suspected of this offense is death. These so-called honor killings are one of the most dreadful examples of collective control of women's sexuality. *Honor killing* is a term used to describe the murder of a woman suspected of having transgressed the limits on sexual behavior as imposed by tradition, specifically, engaging in a premarital relationship with the opposite sex or in a suspected extramarital affair. The use of the word honor in relation to the crime of murder is reflective of a culture where men define their personal and family honor through the sexual behavior of their women kin. This custom is in sharp contradiction to the official law. Since June 1998, fornication, either by women or men, has not been defined as even a criminal offense in Turkey.²⁷ Thus, there are no official laws in Turkey restricting the right of a woman to engage in a relationship with any man or woman of her choice before, during or after marriage.

²⁶ Articles 129 and 143 of the Civil Code.

²⁷ Until 1996, the Turkish Criminal Code defined fornication as a criminal offense and differentiated between men and women in the definition of fornication. Articles defining fornication for women and men were annulled by the Turkish Constitutional Court on the grounds that differences in the definition of fornication for the wife and the husband violated Article 10 of the Turkish Constitution, which states that men and women must be equal before the law.

Only 27.5 percent of the respondents believed that the possible reaction of their husbands towards an extra-marital affair of theirs would be divorce. The majority (66.6 percent) thought that their husbands would kill them if they suspected them of an extramarital affair. This percentage was higher among those who had little or no education, those who had only a religious marriage, and those who lived in rural areas. Although the percentage of Alevi women who feared death as a consequence of an extramarital affair was much lower than the average, this tradition also seems to affect many Alevi women; 38.6 percent stated that their husbands would kill them in such a situation. Most of those who thought that a husband would do something other than divorce or kill them stated that he would beat her up very severely.

The practice of honor killings is not based on the Koran. Although the Koran forbids adultery²⁸ and foresees heavy punishment (one hundred lashes) for both women and men guilty of adultery or fornication; it requires four witnesses to the act.²⁹ Otherwise, if a woman denies the accusation, then it is her word that must be accepted rather than that of her accusing husband. The Koran states that not only should evidence of men who accuse women of being adulterous without producing at least four witnesses be rejected, but also that they should be punished by eighty lashes, as they are deemed to be "wicked transgressors."³⁰ However, 46.3 percent of women who feared being killed if they committed adultery stated that the only customary proof required for an honor killing was the husband's claim to have seen it with his own eyes; the women often added that they perceive this practice as the utmost injustice. They noted that even if the husband was lying, he would be believed by the community, as a man's word is generally accepted to be true. Only 18.6 percent stated that the husband had to have witnesses to the act, while 27.3 percent said that he needed to prove it in some other way.

Although no provision in the Turkish Criminal Code explicitly refers to "crimes of honor," the tradition of honor killing is supported by the law that considers an extramarital affair involving a husband or wife to be a "provocation" and reduces the sentence by one-eighth if such provocation is considered to have taken place.³¹ In most cases, in order to escape sentences required for murder under the Turkish Criminal Code, the so-called family council does not hesitate to order a male child in the family to commit the murder. Such a youth would be expected to receive a lighter punishment, based on the law that a sentence is reduced by one-third if the crime is committed by someone who is considered by law to be a minor. In such situations, the members of the family council - male relatives of the woman who have actually decided and planned the murder - receive no punishment. The lack of legal recognition of honor crimes is a severe violation of women's basic human rights. The feudal structure and the absence of a local women's movement in the region are serious impediments in the fight against honor crimes.

²⁸ Surah 17, verse 32.

²⁹ Surah 24, verse 2.

³⁰ Surah 24, verse 4.

³¹ Article 462 of the Turkish Criminal Code.

Violence against Women and Marital Rape

More than half of all married women living in the region stated that they were subjected to physical, emotional and verbal violence by their husbands (57.9 percent, 56.6 percent and 76.7 percent respectively). Those who were subjected to sexual violence (marital rape) constituted 51.9 percent of the participants. As the educational level of women and their husbands increases, the extent of domestic violence declines but by no means disappears. One third of women who had a secondary or higher education were subjected to emotional and physical violence by their husbands, and one-quarter indicated that they had experienced marital rape. The extent of domestic violence experienced by women, including marital rape, not only negatively affects women's sexual health and their perception of sexuality but also reduces their chances of creating and applying strategies against the violation of their rights.

The Turkish Criminal Code does not contain special provisions relating to the use of violence against women in marriage. The husband is usually charged under the general provisions of the Criminal Code, which provides for imprisonment of up to thirty months for the maltreatment of a family member in a manner that contravenes the accepted understanding of affection or mercy.³² In order to benefit from this law, the woman subjected to the violence must file a complaint. However, only 1.2 percent of those who had experienced domestic violence notified the police, and the proportion who had filed a complaint was even lower, 0.2 percent. The most common strategies used by women against violence by their husbands were to leave home temporarily (22.1 percent) and to ask for help from families, friends or neighbors (14.7 percent). There are no shelters or institutions in the region to help victims of domestic violence. This contributes to the helplessness of women who suffer domestic violence.

An additional local obstacle to the filing of a complaint by women in the region is a distrust of the security forces as a result of the ongoing armed conflict. This distrust is due not only to the atmosphere of political and social suppression by the security forces, but also to violence by them. The number of respondents who had been subjected to physical or emotional violence by the security forces constituted 1.3 percent and 3.4 percent, respectively of the total. Two percent indicated that they had been sexually harassed by members of the security forces. In fact, the situation is in line with observations by the World Health Organization (WHO) that the general breakdown in law and order which occurs during conflict and displacement results in an increase in all forms of violence, including domestic violence against women.³³

Good Sex: Setting the Context

The internalization of gender roles by women in a particular culture is often directly related to the impact of specific mechanisms that control women's sexuality, which are often of a

³² *Ibid.*, Article 478.

³³ World Health Organization, *Violence Against Women* (Geneva: World Health Organization, 1997).

collective nature.³⁴ Religious and customary practices are often misused as instruments of these control mechanisms. However, a study of the role of religion in constructing the context of women's sexuality must include an analysis of the interaction of particular religious schools and customs with the socioeconomic conditions and politics in a particular geographic location at a particular time.

The research findings detailed here all reflect a number of control mechanisms on women's sexuality in eastern Turkey, economically the least developed region of the country, where semifeudal structures still dictate both the organization of gender and sexual relations for the majority of women. The social pressure on women to marry early, forced and arranged marriages, the tradition of bride money, the extended exchange of wives between families, and the extent of the threat of violence against women who transgress the limits on sexual behavior as imposed by traditions constitute some of the control mechanisms supported by customary and religious practices in the region. These findings show that compared to women belonging to other religious sects, the Alevi women have relatively more autonomy on most of these issues, in line with the Alevi tradition that rejects gender segregation and values gender equality. Research findings also indicate that education is often one of the most important tools for women in countering the violation of their human rights.

As in many other countries, most women in the region are not aware of their rights, and there are no services to which they have access to learn about them. The expansion of such services for women is one of the main preconditions for their creating strategies to defend their rights. Since 1997, Women for Women's Human Rights has been conducting women's human rights training programs in the region in response to this need. The expansion of such programs and services is necessary in order to empower women to fight the violation of their basic human rights.

To raise public awareness of, and to create preventive strategies against these practices, it is essential to identify and integrate them into the women's human rights agenda on the national and international levels. This is a crucial step in the fight against conservative and fundamentalist politics aimed at stifling the debate on the violation of women's human rights through practices deemed "Islamic." As Riffat Hassan asserts, the most important task for Muslims today lies in making peace, "provided they understand that peace is a dynamic state predicted on the idea of justice for all, and justice not only in the legal sense but also in the socio-economic, political and personal sense, i.e., justice between man and man and - what is perhaps even more important - justice between man and woman."³⁵

³⁴ Deniz Kandiyoti, "Emancipated but Unliberated? Reflections on the Turkish Case," *Feminist Studies* 13, (summer 1987): 317-338.

³⁵ Riffat Hassan "The Role and Responsibilities of Women in the Legal and Ritual Tradition of Islam ('Shari'ah)" in *Riffat Hassan: Selected Articles* (Montpelier, Vt.: Women Living under Muslim Laws), 23.

Amake Bolte Dao
[40:00; Documentary; 2005-2006; Bengali with English subtitles]

Director: Fauzia Khan

Synopsis

Adolescence is a major turning point in the life of every individual. The changes which occur during this transition are not simply external, but also affect the individual internally, reshaping the psyche and self-image and introducing the individual to the realm of sexuality. Naturally, it is important to obtain a proper understanding of sexuality, sexual relationships and related reproductive issues at this age. However, in a highly gender-divided society like that of rural Bangladesh, this type of discourse is strictly defined through pre-set gender roles. The division in day to day affairs begins at the inception of adolescence. Ultimately, this means boys will start to explore the outer world while the external world for a girl begins to shrink. Even before they can understand their physique, girls start to become embarrassed about it. Although the adolescent girls of Bangladesh (rural and urban) live in relatively close proximity, their individual realities can be quite different. In rural areas, most of the girls are given to marriage before the age of fifteen. Marriage means the end of education and the new responsibilities of a spousal relationship and motherhood. Even those who are not married so soon do not enjoy many freedoms. In this documentary film, Director Fauzia Khan follows the lives of a few such girls.

The Veil Unveiled
[30:00; Documentary; 2004; English and French with
English subtitles]

Director: Vanessa Langer

Synopsis

In Yemen, a wide variety of veils can be found. In the capital Sana'a, the women, although at first sight appearing to all be wearing but black, distinguish themselves one from the other through this diversity. Each veil not only carries its own symbolism, but the variety of ways of wearing each becomes a form of expression. It becomes a game of what one hides and what one unveils. Approaching the veil from a fashion standpoint, this film offers a different perspective on this highly debated topic.

Naripokkho Experience

Dr. Firdous Azim

Notes

We started with workshops, as a part of our ground work. We have prioritized women's concerns and issues like sexuality, women's social subordination, women's sexuality and sexual behavior being controlled. We wanted to bring the issue of women's sexual desire into the public arena. Despite problems of security and protection, we had a comparatively easy access into the public arena. Still we had huge problems talking about women's sexual desire and need. We tried to talk through literature, have discussions on these issues, but it was like preaching to the converted.

Then there was the eviction of the Tanbajar brothels, when the discourse really surfaced as a human rights discussion. We learned that a different approach had to be taken to launch the discourse on women's sexuality through our experience with brothel workers. A legal rights based approach gave us a lot of space where the issues of women's sexual discussion could be introduced.

The limitations became more and more visible as we continued our work. While we talked about equal rights, what we kept ignoring is the sex workers' right to carry on with their profession. How do we see sex work in respect to equal rights questions? It should not matter, as citizens they have the right to live in their space and make a living. In this context, we also elided questions on another sphere, where it is discussed that sex work and marriage are two sides of the same coin.

We've had a hard time separating ourselves from the health movement in the discussion of body and sexuality. Women's control over their bodies meant the freedom to have control over their reproduction. We mounted movements against controversial contraceptive practices. All the discourses around HIV/AIDS and other communication for health seemed to revolve around the disease, but not so much around rights or sexuality. This was largely determined by how women are positioned within the arena of sex work and the economics of it.

We looked at issues of oppression with sex workers. The issue of fun and pleasure came from the profession of sex work, the other side of the profession that was not looked at before. We considered question of trafficking, and kidnapping, the issue of consent. At what age does sex become acceptable? What happens when there is pleasure attached to child sexual abuse?

Lesbian issues have not come up as strongly as gay issues have come up. We have not perhaps carried the conversation on rape forward.

Summarized based on rapporteur record

Heteronormativity and its Implications

Dr. Dina M. Siddiqi

Introduction

This paper provides the backdrop for many of the themes that will be raised in the course of the Gender and Sexuality Workshop. I do not address directly the question of rights here. Instead, I locate the issues within a historical and theoretical framework. My discussion will cover more than heteronormativity but I wanted to use the term in my title because I think the notion anchors much of our common sense and academic understanding of sexuality, its theory and its practice. In particular, I would like to chart the relationship between normative and everyday understandings of sexuality and larger ideological, material and political structures of power. I am particularly interested in how discourses of sexuality affect everyday life. I will use examples from Bangladesh and elsewhere to illustrate my points. Before launching into the substance of my paper, however, I would like to clarify some basic conceptual issues.

First, following Joan Scott, I take gender to be a primary way of signifying relations of power. By extension, I understand sexuality to be a concept deeply implicated in structures of domination in society.

Second, sexuality is not a timeless category that inhabits the realm of nature; nor is it simply a derivative of biology and our bodies. Rather, sexualities are socially constructed and culturally situated. The meanings of sexuality vary across time and space and are always mediated through relations of power and hierarchy. Since sexual categories are not natural categories, they must be historicized to be understood. For instance, homosexuality was not recognized as a specific category in pre-capitalist societies. Certain sexual acts may seem universal but as a social identity, homosexuality only makes sense in modern contexts.¹ To reiterate, categories of sexuality cannot be taken for granted, their meanings are embedded in historically and culturally specific contexts.

Third, there tends to be a general understanding of sexuality as a private and individual issue, as though individuals stand outside of society and of social relations. However, sexuality is not only a question of individual desires, behaviors and preferences. Like other social phenomena, sexuality is relational. As Marx reminds us in *Grundrisse*, "Society does not consist of individuals, but expresses the sum of interrelations, the relations within which these individuals stand."² Thus, social relations create the conditions and limits of individual activity and expression. It follows that sexuality is implicated in all forms of social organization, from the family and community to the state and transnational processes.

¹ "Sexual Matters: On Conceptualizing Sexuality in History" in Richard Parker and Peter Aggleton (eds.) *Culture, Society and Sexuality*. London: Routledge, 2007. p. 25

² Cited in Padgug. *Ibid*, p.23

Fourth, discourses around sexuality have become increasingly medicalized in recent years, particularly following the AIDs pandemic. However, bio-medical approaches tend to ignore the fact that sexuality varies with culture and history and that the meanings of sexuality are not simply derived from the body. Moreover, scientific and medical discourses tend to be treated uncritically and are assumed to be objective and neutral. Because they are so powerful, the frameworks and “truths” of medical discourse are rarely questioned. It is critical to remember that medical and public health discourses also construct their own specific notions of what counts as the body and sexuality.

Heteronormativity – what is it and why do we care?

This is a relatively recent and somewhat cumbersome term (my computer thesaurus doesn't recognize the word). The word is derived from two concepts with which we're all fairly familiar – heterosexuality and normativity or normative codes of conduct. There are narrower and broader conceptualizations of heteronormativity. In a narrow sense, a heteronormative perspective includes the belief that human beings fall into two distinct and complementary categories, male and female; that sexual and marital relations are normal only when between people of different sexes; and that each sex has certain natural roles in life. Heteronormativity then refers to those discourses, practices and institutions that legitimize and privilege heterosexuality and heterosexual relationships as fundamental and “natural” within society. Heterosexuality and its codes are the norm or the standard through which our practices are judged and evaluated. The concept naturalizes and valorizes the patriarchal monogamous marriage as the fundamental core through which the family, community and nation are constituted.

Looking more closely at heteronormativity can help us unpack or “*denaturalize*” the ways which our normative or culturally dominant understandings of sexuality revolve around there being only two sexes, (no space for ambiguity – example of Tamil Nadu Olympics candidate in Doha who had her gold medal taken away from the Olympic committee after failing a genetic sex test. The only way she could have contested the decision is if she had been married to a man and had children), of everyone being “naturally” heterosexual, and of all normatively acceptable sexual relations being contained within a monogamous relationship sanctioned by state and religion through marriage.

By extension, the category of heterosexual can only be meaningful in relation to its other, the “homosexual.” This is not a neutral divide since those who don't fit the norm are classified in the dominant discourse as being “not-normal”, or “deviant” or immoral. As Jacqui Alexander and others point out, the deviant and the unnatural are indispensable to the formulation of social categories of the natural, the conjugal and the respectable. Within the norms of heterosexuality, all *non-procreative, non-productive* sexualities are always under scrutiny.

Heteronormative discourses and practices stigmatize alternative concepts of both sexuality and gender and make certain types of self-expression more difficult. It is important to note that this does not just affect sexual minorities/non-heterosexuals. That is, not all heterosexualities are considered respectable. One can be heterosexual without being heteronormative, that is, one can be heterosexual and still not live up to the standards or norms of “respectable” sexuality. Sexual subjectivities, regardless of sexual preference, which do not relate to procreation (or productive activity), and to the monogamous nuclear family are stigmatized and/or treated as dangerous. For instance, single women who do not submit to the norms of heterosexual marriage, and who exercise their sexual autonomy outside of monogamous conjugal relations are invariably labeled deviant in most societies. Single mothers on welfare (particularly women of color) in the United States who may be heterosexual, but who transgress social expectations by raising children outside of marriage and a nuclear family, are often perceived as morally lax and not worthy of state support. (Examples of Simi Banu, Khuku and Rima)

It goes without saying that sex workers also do not fit the mould of respectable heterosexuality.

Heteronormative doesn't mean everyone is monogamous either. (See example of Nepali documentary by Anita Pariyar on Badi women and upper caste man.). Thus, heteronormativity is fundamental to the reproduction of patriarchal relations of domination.³ The traditional role of men is reinforced and perpetuated through heteronormative mores, rules, and even laws that distinguish between individuals based on their apparent sex or their refusal to conform to the gender roles that are considered normal to their society.

Sexuality, Imperialism, Race and Class

Constructions of masculinity and femininity are deeply informed by notions of sexuality, as are race, class and ethnicity. These are not freestanding categories, they are mutually constituted. A broader definition of heteronormativity recognizes the ways in which the construction of symbolic boundaries around sexuality and respectability are implicated in larger structures of power, intersecting with and inseparable from race, gender, and class oppression.

For instance, categories of race and sexuality deployed under colonialism became one way to establish and justify domination and social hierarchy. The ‘manliness’ of the colonial master was contingent on the supposed effeminacy of Bengali babus; the oversexed and savage African male and the sexually African woman are all constructs which had

³ Of course a patriarchal system does not necessarily have a binary gender system, and vice versa; it merely privileges the masculine gender over all others, regardless of the number of others.

substantial material and ideological effects (See Anne McClintock; Mrinalini Sinha; Ann Stoler)⁴ The construction of middle class sexuality depends upon the ability to distance itself from the 'lax' morality and sexuality of the working classes.

Sexual citizenship and the Moral Order⁵

Embedded in norms of patriarchy, the discursive practices of heteronormativity and its corollary, social respectability, produce and regulate all sexual identities and practices. They are critical to the reproduction of social domination and inequality of all kinds. Indeed, I would argue that in modern societies (and those that aspire to capitalist modernity) heteronormativity functions as an integral aspect of patriarchal domination. How do "deviant" or "marginal" sexualities threaten the established moral and social order? What does sexuality have to do with practices of power and of ruling?

Feminist scholars have noted that the assertion of female/non-normative desire poses a threat to patriarchal controls/established social order. As mentioned earlier, heteronormative discourses produce categories of the licit and the illicit, what is acceptable and legitimate and what is not. In the process, certain sexual subjectivities are labeled dangerous or deviant. Within this framework, once groups are so labeled, they must be contained, policed and disciplined in order to prevent social disorder and moral disintegration. An example significant to the South Asian context is the young widow of reproductive age, the fear of whose "uncontrolled" sexuality spurred on much of the social reform movements of the 19th century in colonial Bengal. Closer to our times, one struck by the incredible discomfort exhibited toward female garment workers in Bangladesh, particularly in the immediate post-MFA period. Both industrialists and social commentators tapped into middle class anxiety regarding the unregulated sexuality of retrenched garments being let loose in the city (see Siddiqi in HIMAL). In our times, immorality has become a euphemism for sex, and to be asexual, or sexual in ways that presumably carry the weight of the "unnatural." The political struggle to redraft morality requires feminist engagement (Menon, Alexander).

⁴ The story of lynching and rape narratives from the US South under slavery are deeply embedded in (colonial) sexual politics. White women were represented as pure, the embodiment of respectability and morality; Black male slaves as savage, lustful and uncontrollable, ever ready to rape the white woman. In this scenario, white slave-owners were poised to save 'their' women from Black men, free or enslaved. The raced and classed ideologies of protection that emerged justified first slavery and later lynching in the post-Emancipation era. At the same time, Black women were marked as voraciously sexual, subhuman and always sexually available. This construction precluded the possibility that Black women could be raped; since they were understood to have no 'honor' to begin with, the sexual violence they endured from their masters was erased. For the purposes of this paper, I've simplified a complex and nuanced argument by Hazel Carby in "On the Threshold of a Woman's Era: Lynching, Empire and Sexuality in Black Feminist Theory" in *Critical Inquiry* Vol 12:1, 1985.

In colonial India, fear of 'native' sexuality and the need to protect white women was quite standard. Several comparisons can be drawn here: women from minorities communities in Bangladesh are constructed as sexually available and racially inferior, erasing violence by the army and forest department;

⁵ Here I take from Jacqui Alexander's excellent essay of the same name. "Not Just (Any) Body Can be a Citizen: The Politics of Law, Sexuality and Postcoloniality in Trinidad and Tobago and the Bahamas" in *Feminist Review* Vol. 48, 1994.

States, communities and families all deploy sexuality as a strategy of containment and so are implicated in defending heteronormativity. Michel Foucault's insight on sexuality as an apparatus of power or a technology of control is relevant here. In postcolonial capitalist modernity, invoking crises in sexual morality has become an important mechanism for disciplining social populations and individuals.⁶ Moreover, anxieties over sexuality are often used to displace other anxieties in times of social and political crises, frequently giving rise to situations of moral panic. Through displacement of the political and economic onto the realm of the moral and sexual, certain fundamental questions can be glossed over. (For example, the cases of Yasmin, (and) Rima during the Ershad regime).

The question then becomes, who determines what counts as the normative and appropriate sexuality? And what are implications of policing the sexual? Here I will deal with the state, which sexualizes particular bodies in particular ways. Feminist scholarship has charted the many ways that women, their bodies and their morality are fundamental to the construction of the nation. The heterosexual patriarchal family is represented as the cornerstone of the nation. This is the narrative that normalizes unjust and unequal forms of 'citizenship.' Jacqui Alexander suggests that:

Although policing the sexual (stigmatizing and outlawing...) has something to do with sex, it is also more than sex. Embedded here are powerful signifiers about appropriate sexuality, about the kind of sexuality that presumably imperils the nation and about the kind of sexuality that promotes citizenship. Not just (any) body can be a citizen anymore, for some bodies have been marked by the state as non-procreative, [...] and of no economic gain. Having refused the heterosexual imperatives of citizenship, these bodies, according to the state, pose a profound threat to the very survival of the nation. (Alexander, 1994: 6)

In other words, rights to citizenship continue to be premised on adherence to heteronormativity.

The Political Economy of Sexuality

Unruly sexuality also unsettles the economic imperatives of the nation-state.

The disciplining of women's labor is intimately bound up with the disciplining of women's sexualities as my work in garment factories in Bangladesh demonstrates. The good proletariat and the good woman converge.

⁶ Sexuality and Modernity – Victorian versions of morality at work. Nair matrilineality and polyandry frowned on by the British as well as by nationalist aspiring to be modern. Muslim men argued for greater Islamization (no matrilineality) to be properly modern.

Sexuality and Silence

On the surface, there seems to be a culture of silence around sexuality in South Asia, and in Bangladesh in particular. At the same time, sexuality is everywhere, in the law, in development and demographic discourse and in public health and medicine (Nair and John).

The burden of maintaining social respectability and high costs associated with transgressing sexual scripts certainly serves to silence many people. Even those who speak and do research on the topic are tainted by association. (Example of Evelyne Accad's experience at feminist conference).

The fear of AIDs ironically helped open up spaces for talking about sexuality but these are limited and somewhat medicalized discourses. It can be another way for states to regulate sexuality through new technologies of surveillance, laws of prohibition and institutions of containment (e.g. mandatory testing). Within the dominant politics of representation, the sex worker's sexuality can be 'menacing' because s/he is a potential bearer of HIV/AIDs.

Finally, there is a positive side to sexuality. What about Pleasure?

I will conclude with a challenge from Nivedita Menon:

*To consider homosexuality as an 'alternative' life-style is to leave unquestioned heterosexuality as a norm. What would be required to denaturize the sedimented structures of our bodies and our desires, such that the taken for granted aspects of our sexual economies are open to question?*⁷

⁷ In Mary John and Janaki Nair (eds.) *A Question of Silence? the Sexual Economies of Modern India*. London: Zed Books, 1998.

Class Conflict, Stratification and the Politics of Negotiating a “Gay” Identity in Dhaka, Bangladesh

Tanveer Reza Rouf

“There is no question that the appearance in nineteenth-century psychiatry, jurisprudence, and literature of a whole series of discourses on the species and subspecies of homosexuality,....made possible a strong advance of social controls into this area of “perversion”; but it also made possible the formation of a “reverse” discourse: homosexuality began to speak in its own behalf, to demand that its legitimacy or “naturalness” be acknowledged, often in the same vocabulary, using the same categories by which it was medically disqualified.”

-Michel Foucault (1978:101)

Introduction

The purpose of this paper is to make an attempt to give visibility to emerging gay identified communities in Dhaka by analyzing the process of negotiation of the “gay” identity within such spaces. This paper will also investigate some of the forms of stratification and class conflict that exist in this small community of sexual minorities. The material for this paper is largely drawn from a reading of some of the relevant literature regarding the issue and more importantly, from my years of experience as a gay identified man in the gay community in Dhaka, communication with some of the members of the MSM identified community, ideas gathered from participation at the 3rd MSM Sexual Health and Capacity Building Consultation Meeting, and some recent in-depth qualitative interviews carried out with some members of the gay community. After a critique of the NGO-Development discourse of homosexuality and HIV/AIDS, I will go on to discuss the main ethnographical findings of my research.

Homosexuality, HIV/AIDS and a Critique of the NGO-Development Discourse

According to the UNAIDS HIV and AIDS estimates for 2006, more than 7500 people were living with HIV/AIDS in Bangladesh in 2006. Experts have classified the AIDS situation in the country as a concentrated epidemic (UNAIDS website) amongst so-called “high-risk” groups- i.e. male homosexuals, IUD users, sex workers, etc.

But, the word “homosexual” has almost always been avoided and replaced by the term “MSM” to refer to the male homosexual population. Extensive studies on the MSM population in the country has been carried out to determine their sexual, behavioral and sociological patterns exclusively for purposes of HIV/AIDS prevention work (Khan.S.I., Hudson-Rodd, Saggars, Bhuiya 2005, Khan. S.I., Bhuiya, Jamal Uddin 2004, Mackay 2000, Neogi 2005).

The majority of the intervention programs are donor funded, who have smoothly sided with the local authorities' reluctance to come to terms with the word "homosexual" or the presence of the homosexual population, in spite of carrying out extensive studies on this sexual minority. These studies have been successful in "othering" and "exoticizing" the Bangladeshi homosexual man as the "MSM", who is supposedly very different from "gays" in the "West". Through their conscious effort, the term MSM has become an identity for these homosexual men who are largely drawn from the lower income group of the country and are mostly unaware or misinformed about the "gay" identity established in the West. This is mostly because of their inaccessibility to information available only in English through the internet (Chowdhury 2006). Another factor behind the MSM identity creation has been the hegemonic propaganda carried out by the donor funded NGOs who have influenced these men into believing that gays and MSMs are different from each other. Even though this classification of homosexual men as MSMs, solely on grounds of their sexual behavior, has made it possible for a multitude of NGOs to carry out a wide range of prevention campaigns against AIDS, such an "artificial" and "behavioral" identity creation has also successfully silenced any discussion of "gay rights" from the public discourse and has converted the issue into one related inextricably and exclusively to AIDS and prevention.

The exact use of the word MSM has been supported by citing that the western agenda of homosexuality and/or gay paradigm is not suitable for eastern Third World countries due to their "unique" socio-cultural setting where men involved in homosexual acts do not necessarily identify themselves as "homosexual" or "gay" (Khan.S 2005, Khan.S.I., Rodd, Siggers, Bhuiya 2005). There is an implicit assumption that all homosexual men in the "West" identify themselves as "gay". MSM simply stands for men who have sex with men (or males who have sex with males in many research papers) and it is a classification based just on behavior rather than the perception of an identity or any other emotional factors. But, it is also seen that the word MSM is in itself becoming an identity and thus doing what it was exactly created not to do (Khan.S 2005).

This is slowly becoming evident in the MSM community as they are beginning to understand the limitations of achieving real sustainable human development because of the instability of MSM as a coherent and political identity. An MSM identified man at the Consultation Meeting on MSM Sexual Health and Capacity Building held in Bangladesh expressed his feelings about this limitation by saying:

"You are gay and I am an MSM. We are supposed to be different, but I don't see any difference apart from the fact that you come from a well to do family and I don't. We both have sex with men and also fall in love with men. We are both *Shomokami* (homosexual in Bangla) and it's not just sex you know... it is more than that- it's a feeling from inside that you can't stop it. And, how can we ever come out and assert ourselves to the society? What should we ask for? MSM rights? Whoever heard of that anywhere in the world?"

The NGOs make it a point to hegemonize the homosexuals they work with into believing that MSMs are different from gays. “*Kothis*” or effeminate males are made to believe that they are MSMs and/or “*Kothis*” since they are women trapped in the body of men, and so they are not gays, who think of themselves as men falling for other men. Such a heteropatriarchal concept is based on the idea of the binary of sexes and the belief that men and women are opposites in the process of sexual intercourse. However, for many of these men, this imposition of an umbrella term “*Kothis*” or MSM can be rather restrictive and less than liberating. One of these MSM identified men had to work extra hard to make himself feel more “womanly” since he was supposed to feel so as a “*Kothi*”.

But, after some years of successful HIV/AIDS campaigning, these NGOs are slowly realizing that they can’t further their work of HIV prevention when male sex workers and homosexuals are continuously tortured and discriminated against in this country, where homosexuality is still penalized under Penal Code 377. One MSM working with one of these NGOs said:

“I mean you can hand the condom over to the MSM, who is selling sex for a living. But, without rights as a human being under 377, how can you expect that he will have the right to use the condom or lead a normal life? How can he think about condom use when police torture is always on his mind? Just a condom won’t do... hand him rights and he’ll buy his own condom!”

Some of these voices have already started demanding that it is time to steer their efforts from a health or disease prevention perspective to a broader rights based approach. However, as long as these NGOs continue to be totally dependent on dollars flowing from abroad and these dollars continue acting as a good source of income generation for the local NGO owners and NGO workers, their capacity to exercise democratic decision making by taking account of what their members and clients actually want is heavily constrained. On the other hand, there is no alternative voice to strive for gay rights in Bangladesh since there isn’t a single sexual or gay rights NGO.

There is also very little interaction between the MSMs and the gay identified population in such countries (Mackay 2000). But, before we can realize why this is so, we have to understand the gay community in Dhaka, which is not a monolithic elite, but rather a diverse group of men bounded by their negotiated identity formation.

Class Conflict and Stratification within the “Gay” Community

Balachandran categorizes such “gay” identity as the following:

These are often new-sometimes confining, sometimes liberating-labels for older patterns of same-gender sexuality. Popular discourse and the Internet are making a considerable contribution to the development of new spaces where sexuality-identities, particularly those of gay men, are being developed and expressed” (Balachandran 2004).

Altman says that a modern homosexual or “gay” identified person will have three pivotal characteristics: “(1) a differentiation between sexual and gender transgression; (2) an emphasis on emotional as much as on sexual relationships; and (3) the development of public homosexual worlds” (Altman 1996). One of the only two accounts of such an emergence in Bangladesh, which has relevance to Balachandran’s definition and Altman’s characterization, can be found in Ammon’s article titled “*Gay Bangladesh*” (the other account can be found in Barua’s Working Paper), where he talks about the emerging online internet gay group in Dhaka called BOB (BoysOnlyBangladesh) (Ammon 2006). The main reasons theorized for such an emergence range from the increase in income from globalization and free-market economic systems, improved knowledge of English, transnational movement of goods and people through tourism and migration, increases in sex trade, changes in consumption patterns and most importantly, the increased availability of information via the internet (Balachandran 2004 Khan.S 2005).

Gay identified homosexual men in Dhaka are mostly from the middle and upper income groups and have come to understand their identity mainly from information obtained from the internet, which they could access by utilizing their knowledge of English and using a computer at home or at a cyber café. The emergence of the cyber cafes mushrooming all over Dhaka and their affordable rates meant that men in Dhaka, including homosexual men, could access information related to gay issues and images as early as 1996, when the cyber cafes started opening up for the very first time in Dhaka. However, it wasn’t until late 2002 when the first online Yahoo gay group BOB was started by a handful of educated gay men who were tired of cruising the Ramna Park (the most popular cruising spot for homosexual men in Dhaka) and one-night stands. They desired to build friendships and connections among other gay men in the city so that they could start talking about their sexuality comfortably.

As of 9th July 2007, BOB boasted 1193 members, including members living abroad, who at least accessed the BOB message board or got updates delivered to their mail boxes. The popular global gay dating website called Gaydar, had 415 members with their profiles posted in Dhaka, along with 28 new members signing into the website just the previous month. These figures give us some clue as to the level of gay activity on the internet. But, estimation of actual numbers is as difficult as with gay men in the west.

From my personal observation, the age range of the gay community can be as low as 13 years (with some of these teenagers lying about their age to get access to the gay websites and BOB’s message board) to as high as 50 years or above. However, most gay men fell within the category of 20 to 30 years. The community is also presently facing an influx of young gay men who have more access to the internet through their GPRS connection on their mobile phones. These teenagers seem to be more comfortable with their identity than their older mates, who think that the teenagers are “over excited and too gay to be true in Bangladesh”.

There also seems to be another layer of stratification within the gay community between the middle class and the upper class since a cultural and economic rift exists between the

two classes. The middle class includes the middle income and lower middle income groups and there is significant antagonism towards the upper classes. This phenomenon has increased in recent years due to the increase in income of the middle and upper income groups from the effects of free market economy, corruption, and globalization. It was observed that the cultural divide worsened in the last two years with chances for classes to intermingle becoming less and less likely. The middle classes tend to call the upper classes “HS” or “High-Society”, while the upper classes deemed the middle classes “LS” or “Low-Society”. The upper classes threw expensive dinner and dance parties at their residences, while the middle classes either had to wait for an invitation to such a party or buy a 500 taka ticket to a BOB dance party. The upper classes had more connections with foreign gay men in Dhaka city as well as more travel experience abroad. However, the online group was run by a group of predominantly middle class people. So, all the events that were organized had to be priced keeping in mind the ability of the middle class clientele, while the upper classes complained of lack of style at the BOB events that they found at gay events abroad. Added to this class conflict, the gay community does have “classist” prejudices against MSMs. There was no common platform for discussion between the gays and MSMs and gays would be insulted if they were identified as MSMs. There is a stereotype of MSMs as being either sex workers or too overtly feminine or even HIV carriers. Gays pointed out that they believed that they were men who felt attracted, physically and emotionally, towards other men; while, MSMs who were predominantly called “Kothis” saw themselves as women who not only dressed like women, but also felt like women. There seems to be a form of ‘structural classism’ within the gay community, created artificially by the creation of the MSM identity, which is keeping gays and MSMs as two separate groups (Wikipedia *Classism*). This is also amplified by the fact that gays have higher levels of education on average than MSMs.

Islam and Homosexuality

Interestingly, almost all of the gay men also identify themselves as Muslims, since Bangladesh is a Muslim majority country. Even though Islam is in conflict with homosexuality and it is laden with homophobia and heteropatriarchy, most men I talked to didn’t feel uncomfortable about their sexual orientation because of this apparent conflict. As one man put it so succinctly:

“My religion and my sexual orientation are just two different things in two different worlds, which are not to be mixed up! I am Muslim and I am also gay.”

Such feelings can be compared to the growing movement amongst gay Muslims in the West who want to assert that their religion and sexual orientation can co-exist (the Al-Fatiha group is an example).

Lesbian-Phobia amongst the Gay Identified Men

Male-centered US-media’s images coupled with the existing patriarchal culture in Bangladesh have created a state where most of the gay men in Dhaka don’t know of any

lesbians in the city and don't want to form any type of coalition with lesbians. Among my respondents, one went on to say that any coalition with lesbians could end up being self-destructive for the gay community, since some gays or bisexuals might supposedly turn straight wanting to experience something different with females. Such expressions of "lesbian-phobia", male chauvinism and misogyny can best be understood in terms of the existing essentialist idea of women as seducers of men and imperialistic gay images without any lesbian reference.

Politics of Space

Gay men have also started negotiating public spaces for their existence. Most gay men hang out with other gay friends in public spaces like parks, shopping malls or food shops. Three sold out discos organized by BOB at public venues also mean that slowly they are becoming comfortable with their sexuality in the open public space from the previously discreet, private and random homosexual interactions that used to take place under the blanket and were never to be discussed in the light of day. Even though most gay men deem cruising spots as unsafe and a place for sex workers or MSMs only, one cannot neglect the importance of cruising spots like the Ramna Park, which have always been a place where homosexual men in Dhaka went in search of sex, friendship and self exploration. While gay men are comfortable with "cyber-cruising", homosexual men who don't have internet accessibility still go to such cruising spots on a regular basis.

Cultural Influence, Media Imperialism and the Negotiation Process

So, how have gay men in Dhaka negotiated their identity within the socio-cultural framework of Dhaka? Some responses from my respondents are worth quoting to understand the influence of the western "gay" identity and its images on the creation of a gay identity in Bangladesh. One man said, "The western gay identity had a great influence on me. It helped me to be myself. It gave me the strength to disclose my identity as a gay guy in my society." Another said, "Well, Yes! I grew up mentally by seeing their images." However, there were also signs of concern in the words of a man who said, "It shows men how homosexuality is perceived in a more permissive society, but the typecasts bother me." These were typical responses which elucidate how gay men in Bangladesh are heavily influenced by the gay identity in the western, wealthier and more powerful countries. Such phenomenon could also be described as "cultural influence" rather than "cultural imperialism", but the fact that consumerism and "media imperialism" by western media is hegemonic in ways in which gays in Bangladesh shape their identities and lifestyles is worth noting. For example, most of the files and almost all of the photos on BOB are of western origin. Starting from the information about sex and coming out to the nude men's pictures, which are objects of fantasy for gay men in Bangladesh, are based on the western experience of gay identity. Moreover, there is a proliferation of discussion on popular cable media related to "gay" issues in particular and sexuality in general (Balachandran 2004). We are not only seeing such discussions in English speaking channels like the BBC, CNN or HBO, but also on Hindi channels which are more comprehensible for the majority of Bangalis. This can lead to

a situation where gay men might be trying to lead the life of a US gay man in Bangladesh. This also has repercussions on the fact that such a state of events would continue to keep the gay men satisfied so that they never feel the urgency to explore and create local images of gay men set in the context of urban Dhaka.

So, the gay identity in Dhaka can be conceptualized as a “negotiated identity” which is positively influenced by the western ideology but also stereotyped by US media imperialism. The process of negotiation starts with absorbing the gay images and information from the internet and media and continues into day to day life, where gay identity has to be adjusted to the context of urban Dhaka.

The Apolitical “Gay” Identity

Does this gay community aspire or even show signs of any political mobilization for gay rights? Ammon thinks that gays in Bangladesh will not organize into any visible political organization to lobby for their rights any time in the near future (Ammon 2006). Rather, due to the nature of the class difference that persist in the economy, there will always be a divide between the minority elite “gay” identified people and the majority of homosexuals, who will continue to be at a disadvantage in terms of access to basic needs and complicated forms of information flow (Ammon 2006, Balachandran 2004).

A look at BOB’s home page further highlights the point since it contains just one reference to gay rights and largely concerns itself with friendship. It is therefore devoid of any political edge. Here it is also worth mentioning the first event in BOB’s and the Dhaka gay community’s history to assert itself politically. This happened when BOB published its first letter to the Daily Star newspaper on 20th May 2005 regarding the 1st International Day against Homophobia. The letter reads:

“WHO has removed homosexuality from its list of mental disorders. Bangladesh despite being a part of international community seems blissfully unaware of it. Because of the ignorance, people like me who are gays are being discriminated against. The end product of such discrimination is immense mental suffering and physical harassment. The situation gets even worse when I can’t express myself to my family or friends. Homosexuals in Bangladesh are shackled to a life of secrecy, lies and even internalized homophobia.

Nagorik
Dhaka”

There was a rabid homophobic response from an expatriate Bangladeshi which was subsequently published in the paper in response to the letter. More importantly, another wave of anti-political mails started pouring over the BOB message board. Some of the mails argued against BOB’s decision to write such a letter.

“Dear friends of the group, the daily star letter has not been kindly accepted by many of the members of the society. They just disapprove publication of such letters. Not

only that such publication bring about awareness about the existence of homosexuals (who are disapproved by the religion, law of the land and social rules)... Every time a letter appears, some commotion rises and the antigay sentiment is crystallized. Bangladesh is a very conservative society and people have no sympathy for homosexuals although a lot of them practice sodomy (mainly older people fucking younger boys). Fortunately people in general are not yet sensitized about the emerging gay culture and do not mind if two men hang around or share a hotel room. Making an issue is easy, but that will make our clandestine life difficult. Renting of hotel rooms will be suspected. Especially effeminate gays will face serious problem. In my judgment trying to put homosexuality on the public agenda will be self defeating in the short run. I don't think Bangladesh will decriminalize sodomy in next 100 years! What's the point in raising hue and cry, then?"

The members mostly disapproved of BOB's letter. There was also a strong anti-BOB sentiment generated outside the virtual world who also thought that BOB went too far in trying to write a letter about homosexuality to the most circulated daily English newspaper in the country. This shocked and disappointed the BOB moderators. Nonetheless, they understood that the members misunderstood them by thinking that BOB was trying to become too rebellious when all BOB wanted to do was start a discussion on the issue. A response was sent to the homophobic letter, which was also published in the same newspaper. Moreover, BOB's stand as an apolitical group was also made clear to the members through a special mail which also notified the members that no more mails on this issue would be allowed on the message board from that moment. So, BOB forgot about political activism by banning any discussion on the issue for that period and according to the wishes of its members, started planning a disco party. From then on, BOB has remained an online gay group that caters to the entertainment needs of its members without referring to any political issues.

This string of events makes it clear that the internet has become a "bigger virtual closet" for the gay men in Dhaka. The internet provides them with a virtual space where they can comfortably express their sexuality without risking their existence in real space.

Sexual Rights as Human Rights

It is often argued that it is a luxury to even think of gay rights in one of the poorest countries of the world. However, I believe that sexual rights are human rights and they are undeniably important to achieve total human development. Just like there is a need to strive for women's rights in Bangladesh, there is also a potent need to at least start the discussion about sexuality and sexual rights in general. I agree with Cornwall, who says that in this way sexuality has been "pigeon-holed" into just a health issue associated with "disease, harm and danger" and laden with heteronormativity. Such a project carefully keeps sexuality "invisible" by not revealing to us that that anyone who diverges from the dominant norm of sexuality faces the effects of "repressive laws" (Penal Code 377) and

“restrictive employment” in Bangladesh. She disproves the notion that sexuality is irrelevant, a luxury or an external issue for any country since sexuality and sexual rights are at the core of human development. Thus, we should investigate what sexuality and “sexual rights” mean in the everyday lives of various types of people in a range of relationship patterns set in multifarious geopolitical and cultural settings. We need to examine how they understand their “bodies, desires, pleasures and sexual relationships” and not just see it as relevant for HIV/AIDS prevention work (Cornwall 2006).

Conclusion

My findings also reveal that there is a deep-rooted sense of class in the gay community which has led to antagonisms not only between the gay identified men and the MSMs, but also between the gays from middle and upper income classes. The availability and accessibility of the internet has been the single most determining factor behind the shaping of the gay identity in Dhaka, together with sufficient English language skills. The oldest online gay group called BOB has played an important role in disseminating information and shaping the identity of the gay men in Dhaka by providing a safe and friendly place for interaction. However, the internet has also become a “bigger closet” for these gay men since they have become so comfortable with internet based activity that any participation in real-life political activity for gay rights seems a total impossibility at present. This has led to the gays living “double-lives”, both existing in the broader heteronormative society which is still largely unaware of a “gay” identity and at the same time creating certain public spaces for themselves.

The process of globalization and the advent of the internet, which started the process of negotiating the gay identity, are expected to only become more matured in the future. Any cracks in this sexual minority community, either because of the artificial creation of the MSM identity or due to income disparities and class conflict, should be addressed. It is high time that, like gays and queer people all over the world, sexuality comes out of the closet in Bangladesh and demand it's due.

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A Voyage from Personal to Political: Lesbian Activism in Eastern India

Minakshi Sanyal (Malabika)

In the specific cultural context of India, barriers that affect lives of lesbian, bisexual and transgender (LBT) women are the politics of silence that prevail around issues of sexuality, rigid heteronormative family structure with little or no understanding of homosexuality as a sexual orientation, extreme level of stigma attached to women making a sexual choice and finally the state criminalizing homosexual behaviour. With this social backdrop, our journey began when *Sappho* was formed on 20th June 1999, deriving its name from the legendary ancient Greek poetess, as the only emotional support group for LBT women. With its base in Kolkata, West Bengal, it is the only group of its kind in the whole of Eastern India.

The story of the beginning was not that smooth. We, the six founder members of *Sappho*, had to bank on support groups from outside the city to come closer though we were very much there in the same city. Immediate after the release of the film "Fire", based on the relationship between two women, a series of letters came up as a response to a supportive article in a leading Bengali newspaper, proving the very existence of many more lesbians in Kolkata. Putting aside all hesitations and rethinking about being organized we formed *Sappho*.

Other than regular members, *Sappho* has a fluid membership of more than hundred, coming from the heart of the city, from outskirts, from suburbs, from rural Bengal and even from the far northeast part of India. The age group varies between eighteen to mid-forties. Though it is a perfect cross section of present socio-economic structure there is a slight tilt towards non-elitist, middle and lower middle-income groups from the suburbs. This is itself a very important fact that nullifies the much discussed argument of lesbianism being an urbane, elitist and upper-class phenomenon and thus having nothing to do with the common Indian life and lifestyle.

In the early days our primary goal was to provide a safe space for women with same sex preference. Within a year we witnessed countless incidents of violence, both physical and emotional, to which most of the members were prey. Unaccepted, uncared and unwanted for their choice of same-sex love, these women found *Sappho* as their only refuge.

In our country, a woman who is a lesbian has to live a life in a state of socially enforced invisibility and spend her life in a struggle to accommodate herself constantly in the "heterosexual order". Firstly, many girls do not understand their sexual orientation - resulting in an identity crisis or sustained identity problems, and yet they can't discuss the issue with anybody for fear of being categorized as a 'pervert' or 'insane'! Secondly, there

are cases of girls, who are very much clear about their sexuality and yet may opt to remain in the 'closet'. This is primarily to somehow fit herself in the heteronormative structure of the society since otherwise she runs a risk of social harassment, violence or may even be disowned by the family and fired from her job. Thirdly, there is another set who despite being lesbians, settle for marriage either by choice or under pressure. Most of the parents who force their lesbian daughters to get married think that marriage will "cure" their daughters of their "insanity". We can easily imagine the everyday trauma that a lesbian, who gets married, has to undergo in her marital life. To her, seemingly perfect (regular sexual) relationship is actually rape and motherhood is unwanted pregnancy!! As a result of this constant mental trauma, many of them fall pray to mental ailments. Besides that, there are many bisexual women who lead their lives either suppressing this other dimension of their desire or making a compromise on this front.

It is quite clear how terrible the effect is of such negative expression of sexuality in each of these cases mentioned above. All of these unfortunate women have to lead lives not by their choice but under compulsion. It is as if they are wearing uncomfortable, suffocating woollen clothing on a hot summer day over their individual personalities in order to cover their unconventionalities.

This constant denial of natural freedom ultimately leads to some devastating disasters in many of the cases leading to suicide, either jointly as a couple or singly. In fact, in India, in the last few years, the reported figure of lesbians committing suicide is 35 and among them, 7 are from my state of West Bengal.

Gradually confusions arose within us about how safe a place was being generated by only emotional support. Until and unless the factors that generated homophobia could be eradicated, it was useless to dream of any safe space for homosexuals. Mere clinging together into a community based support group would never sensitize general people to overcome all the hostilities and hesitations against homosexuals, lesbians, in particular. A support group may lessen the pain but can never stop atrocities. Moreover, the social, legal and political space for a woman with same-sex preference can never be achieved by restricting ourselves to a support group. It would only replicate the dynamics of a ghetto. The realization caused a transformation in *Sappho's* perspective and we stepped into a rights-oriented movement to fight homophobia that originates discrimination and hatred against lesbians.

Our initiative is, therefore, a passage from personal to political; a call that initially was to find a friend's shoulder to cry on that later became a comrade's hand to fight against rejection and loneliness, fear of stigma and violation, existence as a pervert and outcast, violence and denial by family and society.

As the first step towards validating our existence, we went for a series of collaborative mass awareness programmes with the British Council of Kolkata. We had the advantage of networking with local NGOs that were present there as audience. In 2000, *Sappho* became

a member of *Maitree*, which is a forum of various activist groups, individuals and NGOs working for women's rights in West Bengal. It was never an open-armed embrace, but we never gave up. The reason behind it was simple; the women's movement cannot ignore the fact that lesbian rights are women's rights and human rights as well. We are always at the forefront of all movements led by *Maitree* because we believe that we are women first and all women's causes are our causes too. When a lesbian's right and dignity is violated, it also becomes a women's issue since she is doubly discriminated, first as a woman and then as a lesbian.

With regards to our engagement with the broader gay rights movement, *Sappho* has always supported and participated in the movement for the repeal of section 377 of the Indian Penal Code that criminalizes homosexual behaviour as being 'against the order of nature'. It has emphasized the right to choose and right to love, the freedom of living and loving according to one's preference. Moreover, the intense homophobia that marginalizes any sexual choice not conforming to the hegemonic heterosexual reproductive couple, manifested in the loss of jobs, families and shelters, has been the focus of such public campaigns and policy reform petitions. At first glance, lesbianism does not appear to come under the purview of IPC 377 as this section only addresses sodomy as offensive. But lived experience has been otherwise. Women with same sex preference have been, on numerous occasions, blackmailed and terrorized into submitting to "conventional", "normal" heterosexuality both by family and state. Therefore *Sappho* feels it pertinent to campaign and push forward the demand for repealing this draconian law that is used with great efficiency even after medical science has been compelled to remove homosexuality from its list of 'deviant sexualities'.

But at the same time *Sappho* also feels a sense of alienation when it comes to the specific issue of lesbianism. The Problems of women with same sex preference have been undermined under the broader category of homosexuality. For instance, lesbianism does not find space in the anti-AIDS movement, as it is widely believed that lesbian women do not contract the AIDS virus as a direct result of their sexual practices. On the contrary, there is ample proof that this is not the case . We agree that we, the lesbians, are not a high-risk group but we protest against the rampant ostrich mentality which closes our eyes to this issue. In this area, surprisingly enough, we do not see any protest from our brothers in the community! Due to the false belief that HIV does not happen to lesbians, it is not given a platform in any discussion or in any forum. Thus again we hear the voice of patriarchy within the community resulting in triple discrimination. This terrible decision of ignoring a latent issue will cause us to pay very heavily in the future. In just the same way, about 10 years back, our state never agreed that we could have a disease as dangerous as AIDS as a potential threat in a country like ours,.

We have always worked in very close association with the women's movement in Kolkata. Here too *Sappho* has felt the need to separate out their activism from the broader gay rights movement. The issue of 'visibility' in relation to gay politics has remained a constant concern. To *Sappho* 'visibility' does not necessarily mean bodily presence or physical

existence. Sappho is constantly trying to nullify the silence imposed on the issue of same sex preference of women by initiating the discourse in the public domain.

Along the way we also realized that our movement would only be successful with mass involvement. This belief led us to create the platform, *Sappho for Equality*, where anyone who supports our cause can join, irrespective of gender and sexual orientation. *Sappho for Equality* was registered on 30 October 2003. *Sappho* still exists as the informal support group of LBT women and its core members have taken the lead to form *Sappho for Equality*. *Sappho for Equality* is our first attempt to build a coalition with the non-queer section of our society through their direct involvement in a movement that questioned the assumptions of mainstream sexual practices and norms. Thus a shift from identity based politics to a politics of standpoint marked our journey from *Sappho* to *Sappho for Equality*. The objective has been to induce more and more people to challenge the norms and institutions that govern our daily lives and thoughts such for an end to homophobia. *Sappho for Equality* is thus a platform for anyone and everyone, irrespective of gender and sexual orientation, who seek to question the organized workings of homophobia, compulsory heterosexism and heteronormativity. *Sappho for Equality's* mission is to address the issues of sexually marginalized women in the society and to broaden the struggle for democracy and equal rights within the nation-state and beyond. Our mission is generated from our own experiences of struggle against our sexual subaltern status. We are convinced that without establishing the rights of LBT women (who are at the margin of margins) no society can be emancipatory in any sense. Same-sex preference of women is politically charged against the hetero-normal dominance that is sustained by patriarchy and the nation-state and holds radical possibilities. How can any democratic struggle achieve its goal while we are denied the right to live as we are?

According to our understanding, the root causes behind the atrocities faced by LBT women are a) adherence to the hetero-normative patriarchal values laid down by the society, b) internalized homophobia, c) lack of understanding of the issues of not only homosexuality, but also sexuality as a whole. We have, therefore, adopted a two-pronged strategy to combat societal non-acceptance; on one hand we try to address the needs of LBT women in Kolkata and around by giving them emotional, social and informational support so they feel comfortable and can be assertive about their sexual preference and fight for their human rights, which are being denied. On the other hand, we became engaged in a continuous dialogue with the civil society, through public programmes, publication of vernacular lesbian anthology, research papers, newsletters and various other IEC materials, to uphold not only the rights of the LBT women but also women's sexual rights as a whole. This is because we consider sexual rights to be an integral part of larger human rights.

A landmark event in our journey was setting up the Sexuality Resource Center, *Chetana*, in the year 2005, the first one of its kind in all of eastern India. It was a unique endeavor to

help sexuality researchers, students and interested individuals including LGBT community members to learn and acquire conceptual clarity around sexuality issues. Experience has taught us that most homophobic violence takes place due to the lack of information about LGBT people. In an attempt to reduce this violence and to enhance better understanding of the issues of different sexualities, our sexuality resource centre is working to raise awareness among the masses by disseminating information. The center also acts as a safe space to drop in for LBT friends, runs a 12 hour helpline (98315 18320), organizes self-empowerment workshops and provides psychological counseling for the LBT community and their families.

To increase understanding and sensitize psychiatric counselors and other mental health professionals, the resource centre organizes workshops and seminars. We feel that while mainstream society easily brands homosexuality as "abnormal", one finds the medical fraternity a little more cautious now. Any 'medically correct' member of the medical establishment knows better than to label homosexuality as pathological. They would rather refer to it as "non-conventional". The central thrust of contemporary "treatment" methods is to orient the concerned individuals about the social non-acceptance and non-viability of such "alternative" sexual lifestyles. In other words, psychiatrists and other mental health professionals remain completely noncommittal about their professional role in changing societal attitudes. So, organizing workshops and seminars with specific target participants and audience is the call of the day.

Similarly, when we look at our judiciary system, the situation is pathetic. In the whole of our judicial curriculum, the issue of 'homosexuality' is completely non-existent. Naturally, when confronted with such matter, the judiciary suffer from the mindset governed by the age old myth on the subject. We at *Sappho for Equality* constantly endeavor to sensitize legal practitioners.

We as a group have been a part of the greater women's movement since our inception. As a unique strategy to fight against violence and rights violations based on sexual orientation of LBT women, we have collaborated with other women's organizations, especially those who work on violence and violation against women. Within the women's movement, we have started a campaign of positioning sexuality as a crosscutting and overarching concept against its usual trivialization. A series of workshops named 'Understanding Sexualities' are being conducted with partners within the women's movement on this issue. Through this process we have brought in the sexuality standpoint in women's rights movements along with the concept of sexual orientation based domestic violence. We have used sexuality as an additional lens to gender through which the women's movement can look at patriarchy. This networking with the mainstream women's rights organizations is important for our initiative as they help us realize our mission of ending sexual orientation based violence, stigma and discrimination in the society.

The 7th National Conference of Autonomous Women's Movements whose catch line was 'Affirming Diversities, Resisting Divisiveness', took place from 9th to 12th September 2006 in Kolkata. It was a turning point for us as we were one of the organizers of this conference as well as a participants. The relationship between the women's rights movement and the lesbian rights movement in India was quite strained in the past. Today after a lot of efforts from groups like Sappho and others, and of course a small pressure group from within the ambit of the women's movement, lesbian issues have started getting noticed. We are expecting greater involvement of the mainstream women's rights organizations regarding sexuality rights issues, as Sappho firmly believes that sexual identity is an integral part of a woman's overall identity. This national conference has become a medium to put forward diverse sexualities and gender identity issues as one of the focal themes within the women's movements. It was a battle fought not only for the inclusion of LBT rights, but also for the transgender people who wanted to join this conference and were turned down initially.

Today after a long and fruitful journey of the last eight years, we are equipped with an active, strong and dedicated member and volunteer base. We have been able to establish contacts with a large number of LBT women in and around Kolkata through our awareness campaigns and the various services provided over the years. This has enabled us to build relationships of trust and confidence. We have also been able to build a support base among students and academics leading to an interest among researchers in the issue of lesbianism. We have been able to win over support (though small in number) from the non-queer segment of the society. We believe that the dialogue that has been initiated by us through this interaction and liaison building can be effectively taken forward through more specific efforts. Finally, our indomitable spirit has made us ready to confront challenges and translate our dreams to reality.

Representing Transgender Groups

Joya Sikder

Translated by: Rubaiyat Hossain

My name is Joya. I work as the General Secretary of Badhan Hijra Shangha. I know that I am categorized as transgendered, but I prefer to call myself a 'Hijra.' Today I will present on the organizational history and work of Badhan, and speak about the challenges we face as a Hijra community.

The History of Badhan Hijra Shangha:

Badhan started its journey when CARE Bangladesh started its HIV prevention and awareness program with street based sex workers in 1997. Since some Hijras are also involved in sex work, we started going to their drop-in centers to get medical care and other support. In 1999, CARE started a HIV prevention program with Hijras. During the course of that program, it became apparent that as a community Hijras have many other problems and issues concerning them other than HIV. We realized that in order to stand up against the discrimination we face in our families and in the larger society and to protect ourselves from violence and harassment from police and local hooligans, we needed to organize on a right based platform. Therefore, on 5th November, 2000, with the support of CARE Bangladesh, Badhan started its journey.

The Work of Badhan:

Badhan is a community based organization. We run three drop in centers in Dhaka where Hijras receive health care, counseling, HIV testing, as well as a space to rest and relax. Currently there are 32 Hijras employed by Badhan and 14 non Hijras. Badhan membership covers 180 Hijras and Badhan provides service to 17,000 Hijras. Badhan carries out the following tasks:

1. HIV prevention, protection and raising awareness.
2. VTC (Voluntary Testing and Counseling) where Hijras are encouraged to get HIV tested. The results are provided to them on the spot and they are counseled on the basis of their needs.
3. Provide organizational and technical skills for the Hijra community.
4. Discuss and raise awareness about gender and sexuality issues.
5. Cultural activities such as Rong Be Rong, a Hijra theatre group that stages plays representing the life style and challenges of the Hijra community.

Different Aspects of Discrimination and Oppression of the Hijra Community:

- *Verbal Abuse:* When a man or a woman walks on the street, people do not call them names, but when we Hijras walk on the street, we are often called names, mocked at and verbally abused. This abuse continues at home, school, and workplace.
- *Mental Abuse:* As we are abused everywhere and not accepted properly in the society, it leads to psychological trauma among the Hijras.
- *Physical Abuse:* When a Hijra refuses to play the role of a son or a daughter, they are beaten in the family. This abuse continues at school where Hijras are singled out and mistreated both by students and teachers. Then again, when Hijras leave their homes to enter the Hijra community, which is very hierarchical under the leadership of a Guru, they face physical violence again.
- *Sexual Abuse:* There is an assumption that Hijras are sexually available or sex workers. Hijras are not respected as individuals, but treated as sexual objects. We are easy prey to sexual abusers everywhere.

Different Types of Discrimination Faced by the Hijra Community:

- *Self Identity:* As we are not given the chance to explore and assert our self identities it becomes a burden on our mental, spiritual and material world.
- *Exclusion from the Society:* As Hijras we are not welcome at any social gathering or parties. Our families intentionally exclude us from such gatherings. We are also deprived of the right to get married, have a family, and maintain other societal relationships such as friendships.
- *Exclusion from the State:* As Hijras, we are not recognized as the citizens of Bangladesh. We cannot hold passports or vote. Therefore, we are not counted as the citizens of this country. We are even deprived from opening accounts at the Bank.

The Challenges Ahead of Us:

1. To establish Hijra as a gender category
2. To ensure our voting rights and Hijra representation at the parliament
3. To ensure healthcare for Hijras since most physicians refuse to provide healthcare to us
4. To ensure healthcare and funding for illnesses other than STDs
5. To train and educate Hijras so they can work and provide for themselves
6. To ensure that Hijras are recruited in the workforce without discrimination

Conclusion:

I want to end with some personal anecdotes. As Hijras, when we start our day in the morning, each day is a new fight. Perhaps the nature of our marginalization in the society will become apparent if I share some of my personal stories. When we attempted to get registration from the Social Welfare Department, the officers told us, "Why do Hijras need an organization?" They refused to give us a registration number under "Badhan Hijra Shangha," they wanted to give us the title of "Badhan Social Welfare Society." However, we pushed for our agenda and spoke to a few more high officials and then finally after three years we got our registration number. Another example of marginalization is the fact that even with a decent income, a Hijra cannot get a decent house to rent in Dhaka city. We are not accepted as students in school. As we do not get the chance to get a good education, we are also deprived of working in respectable jobs to make a living. I myself have been employed by ICDDR,B. I think more work opportunities for Hijras should be created in such programmes. In my passport, I had to say that I am a woman, but I am not. We simply want a society where we can call ourselves and gain our rights as Hijras. Finally, we need to get funding to work on rights based issues and stretch our focus beyond HIV/AIDS.

Less than Human: A Study on the Transgender Community¹

Bashabi Barua

Introduction

The history of sexuality is fraught with exclusion, denouncement and denial. The surge in the 70's after the Stonewall² revolution shifted the issue of sexual identity from a philosophical and clinical fancy to a full-fledged real-life rights movement. Sexuality calls for a link with sexual identity, its institutional categorizations and the hegemonic constructions of sexuality³. The institutionalization is the tool to build up an 'accepted' social construction of reality sidelining others as 'deviant'. The most important accomplice of institutionalization is making it 'legitimate'. Legal and religious scriptures are the custodians of this process. Heterosexuality is the only visible, recognized, accepted sexual identity relegating other sexual identities- homosexuals, bisexuals, transsexuals, transgender to an untouchable clan. People involved in the study or movement based on sexual identity have gone forward to claim the right to same-sex marriage, the right to be free from discrimination in the work place or educational institutions on the disclosure of their identity; ensure easier adoption process as a part of the enlarged reproductive rights to the right to choose one's own gender. They have also taken upon the stake to re-look at the established gender episteme, to question the undercurrents of politics behind the identification of gender through binaried division of 'he' and 'she'. Mostly, those working in English have found the language utmost 'sexist'. So, researches were done in search of gender-neutral pronouns. He and she now include s/he and sie (both pronounced "see") and ze or zie (pronounced as zee). All four of these replace "he" and "she," while the term 'hir'⁴ replaces "him" and "her." While writing, I also face this sort of gender tension in referring to the transgender people of my study. I have used the names as stated by them and the pronouns 'he' for whom I met in male attire, 'she' whom I met in female attire and he/she for those whom I met in both attires on two occasions. So, developments in social attitudes or in academic fields are all made in the west. In this part, i.e, the eastern part of the world, the focus is still on their invisibility as the common attitude is whether they can be called a complete human being. They are also seen as 'exotic' species of the mankind.

¹ This is a part of the study titled 'Facing the invisible; exploring the lives of people with alternative sexual identities'. It was done while I was working at the research unit of Ain o Salish Kendra (ASK), a Dhaka-based human rights organization. The study spanned three months from May-July 2005 and the research area was Dhaka city. The main paper (unpublished), also deals with the gay community and a few lesbians. I thank Dr. Faustina Pereira, Director, Advocacy and Research, ASK for enthusiastic supervision and Rubaiyat Hossain for valuable suggestions.

² The famous riot at the Stonewall Inn in 1969. This inn was the meeting place of the gay and transgender people of the city. The police commissioned by the mayor, on an ensuing electoral strategy, broke into the inn and attacked the insiders. This time, the gay people did not remain silent, they fought back. The riot continued for three to four days.

³ Biswas, Ranjita; *Polyamorphous Sexualities*, published in Swakhanthe (in her own voice), a bi-annual publication of Sappho, Kolkata a support group for lesbian, bisexual & transgendered women in Eastern India, issue Book Fair, 2004.

⁴ Raven Kalders has coined the term. Thanks to Adnan Hossain, a PhD student at the University of Hull, UK for getting me known this term.

When we discuss the rights of transgender people, especially in a place like Bangladesh, we must confront the reality that their struggle is two fold, firstly they have to struggle to be recognized as humans, and then they have to engage in a process of creating a “social transformation of the very meaning of personhood” in a way that, “assertion of rights become a way of intervening into the social and political process by which the human is articulated”⁵. Transgender is an umbrella term under which include the people who like to identify themselves to their own defined sex, rather than biological sex. *Kothi, hijras and transsexuals constitute transgender spectrum*. So I am using *transgender* as its connotation holds the vast area and is without any stigma.

Methodology: The study has been done through a multi-disciplinary approach to track out the inner currents of the issue. In depth interviews were more favored. I talked to eight transgender people in person. Two focused group discussions (FGD) were conducted with six participants in number in each discussion. I visited two organizations run by transgender community Badhan Hijra Sangha and Sushtha Jibon, both are located in the capital.

TRANSGENDER MATRICES

Hijras- who are they?

In the sub-continent, the word ‘hijra’ is being used to denote –

- a) *who is cross-dressed, mainly male wearing female dress(transvestite)*
- b) *who is mix of two sex, i.e who has ambiguous genitalia(hermaphrodite)*
- c) *who is sexually impotent*
- d) *who is castrated(eunuch)*

So we see the word hijra encompasses medical disorder to psychological mismatch. In general, hijra is the stigmatized term to refer those people who is hermaphrodite and eunuch. But, medical science shows that hermaphrodite is very rare in the whole humankind. It implies that their number is so few that it is impossible to found a community. Out of their strong identification to the opposite, i.e, female or intermediary sex and the inclination towards male as life partner, they become transvestites and castrate the organ that reminds them that they are not ‘women’. They are sexually exuberant with their male partners in strong contrast to our belief that they are ‘impotent’. I have mentioned inverted males constitute the hijra community as the female is not ostracized that much for cross-dressing as the males are. Females are rather admonished. This makes clear that transgression of masculinity by the male is never tolerated but that in female is treated with soft jeer. But if we look at the West, transgender as a stigmatized close-knit community is not found. Still they are struggling to assert their rights after they changed their former sex by surgery, but they are not seen as something strange like the transgender of our sub-continent. So, *the hijras as a community in the subcontinent, in fact, are all male transgender who has been declared outcaste, be it in family and in society, for their visible sexual preference.*

The Kothi identity:

'Kothi' is a term that is used across Asia with local variations. The kothi construct is not only a sexual/gender identity but also a socio-cultural one specific to the south Asian context. Due to the societal and family pressure to marry and reproduce, many kothis lead a heterosexual life in public by marrying but continue with same-sex relationships outside. Lower and semi-middle class kothis are driven to sex work for economic necessity arising out of the non-acceptance and rejection by the family. Almost all of them often subject to sexual harassment by their relatives at an early age make it impossible for them to continue in the workplace.

Kothis in Dhaka city do not have individual sub-culture like transgender. But the inter-dependence between these two groups has taken place due to the akinness of their marginalization in the mainstream life.

Hijra and Kothi- a comparison

- Kothis don't always wear female garments like the Hijra
- Kothis and hijras like to perform as 'bussy' girls, the trait which they term as the core characteristic of womanhood.
- It is to be mentioned that when I asked them to tell the differences between kothi and hijra, most of the interviewees put stress on the role-play in sexual act. Kothis don't want to be castrated like some of the hijra community. So, Kothis can play both active and passive role in their sexual life. Whereas a hijra, though castrated or not, prefers to play as an insertee, not an inserter.
- Kothis are more vulnerable as they have to suffer constant pressure from the family. That's why they take refuge with the hijra community.
- Both preferred female names

Mintu: Kothi to Hijra or both

When I did first FGD, there Mintu came as a Kothi. At that time, he was working at a household as domestic helper. He spoke little throughout the FGD as he came to know two days back that he would be deprived of his paternal property as he was out of home for effeminate behaviour. His long time partner friend left for Middle East as his mother saw them in uncivil state. He learnt also that his friend there got involved with another guy as a revenge on his mothers instruction to mend himself. With all these things, Mintu was very much depressed. I met Mintu again at our second FGD. Then I found him/her 'transvestite' wearing sarree, in heavy ornaments and make up and high-heeled shoes. What's the matter? Mintu has lost his earlier job. Now he/she is totally unemployed. So, he/she is now with transgender friends, collects gifts from the shop and markets, performs at the wedding and other activities directed by them.

A brief description from the pages of history

The idea of transgender as the blessed being is the dominant theme in the mythology of the sub-continent. According to historians, transgender community has a recorded history of more than 4000 years. They were deemed transcendental for their 'male-female knot'. In the society where gender role is strictly followed, they have formed individual community as a survival strategy. There they have developed local identities, customs and rituals. They have been variously known as 'baklas' in Philippines, berdaches among American Indian Tribes, Katoey in Thailand and Hizra, Jogappa, Shiv -Shaktis in South Asia. The history of the nomenclature of Shiv-Shakti unfurled a gendered narrative of the transgender identity. It is a descendent of Shaktism and Shaivism. Shakti is the feminine side of God inherent with the active power of the Universe. Lord Siva is Her Consort. Both are linked with the original matriarchal lineages, which was taken over by the Brahmanism of the patriarchal Aryan invaders⁶. So, it is evident the strict dualistic perception of gender is borne by the patriarchy.

From the legends:

Getting barred to being recognized as a complete human being, transgender people have searched for place in the legends and popular tales. According to Ramayana⁷, Rama fought with the demon Ravana and went to Sri Lanka to bring His wife, Sita, back to India. Before this, His father commanded Rama to leave Ayodhya [His native city] and go into the forest for 14 years. As he went, the whole city followed him because they loved him so. As Rama came to the banks of the river at the edge of the forest, He turned to the people and said, 'Ladies and gents, please wipe your tears and go away. But those people who were not men and no women did not know what to do. So they stayed there because Rama did not ask them to go. They remained there 14 years and when Rama returned from Lanka he found those people there, all meditating. And so they were blessed by Rama. They got the honour to confer blessings on auspicious occasions like childbirth, marriage and inaugural functions which are substantiated through the 'badhai' culture. They sing, dance, give blessings and take money in exchange.

In another legend, a king in Gujarat fell madly in love with 'Bahucharimatha', a beautiful goddess riding a peacock. The king wanted to marry her, but she wanted to remain a virgin. When he persisted in his entreaties, she relented but asked him to first have a bath in a pond. On coming out of the pond, he was horrified to discover that he was emasculated, and could not consummate his union with the goddess. The goddess consoled him by saying that he would found a community of people who would voluntarily castrate themselves in his honour⁸.

⁶ Ganapati Sivananda Durgadas, confessions of a Tantric Androgyne

⁷ Siddarth Narrain, Being a Eunuch, Frontline, 14 October 2003.

⁸ Human Rights Violations of the transgender community, Peoples' Union for Civil Liberties, Karnataka, India 2003.

Medicalization of transgender bent:

The legends cited above bears to the testimony that sex change is a recurrent motif in Indian mythology⁹. But Dharmashstra, the book of codes, that emerged in the fifth century BC embrace medical, legal and religious interpretations and termed the transgender identities as pervert (vikriti). The medical text Charak Samhita, along with the Sushrat Samhita lists eight kinds of vikriti¹⁰. Of them two are related to transgender identity:

1. The dviretas or hermaphrodite
2. Weakness of sperm in the male partner and inverted sexual intercourse: e.g the male shand and the female shandila

In the Sushrat Samhita, the male shand is regarded as incapable of having any semen and is defined as desiring as a woman (stricheshta)

The legend bends here:

What I learnt from the legend of hizrahood from my respondents, the story is interesting. It is the legend of Taramoni. 'She is hen-ridden hijra-goddess. She was honest, not as bad as us.' It is the story where the disciple of Taramoni tried to swindle her, efface her integrity in the eyes of the king. But, the disciple got caught in his trap. Taramoni tore apart the earth and got inside. But, before she went to the underground, she cursed by saying that from now on kothis and hijras would be born in million. Throughout this story the transcendental fervor is subdued under the emphasis on venerating guru. It is to be noted that the respondents all are illiterate or got little education. They learnt the story from their gurus who did want to perpetuate their control over their disciples. The transgender community here don't think themselves possessing divine powers, rather as accursed.

Transgender Sub Culture in Dhaka City:

Transgender as a community has evolved as an individual sub-culture based on their belief and identity. This sub-culture has its local hue as they dress in traditional Bengali women's clothes, sharees with blouses and petti- coats. They also like to wear undergarments. They wear shalwar kameez, with banyans, which are all sewn as mainstream female dress. Traditionally, transgender community maintain a traditional, strong guru-shishya (Lord-disciple) culture. Their lineage may look akin to matriarchal spirit as their three important relationships are based on female kinship: for example 'guru' is identified as mother, 'nan-guru' as 'guru's mother', 'gothiya' as 'sister'. But this may be of two reasons-

- they think of themselves as feminine.
- playing female roles make it easier to attain sympathy from the general masses.

⁹ 'Sakhiani-lesbian desire in ancient and modern India' by Giti Thadani(1996), page 65

¹⁰ *ibid*, page 57

Guru is everything, the great shade, for a transgender as they are outcaste. But in their community, patriarchy is rife as they are illiterate, so their gender lens is of that mode. I, as an interviewer, had to face constant questions from them about why I have dressed in the so-called 'male' outfit. Their gurus are like the rulers who take the opportunity of their disciples' vulnerability to which the guru was once a victim. Thus, the vicious cycle is on.

In summary, existing transgender sub-culture is the manifestation of their social marginalization. Driven away from the home for their 'deviate' gender choice, a transgender take resort to a guru. The guru will bear all the responsibilities of the disciple. In exchange of it, the disciples give half of their toll collected from the shops to their guru. What is left is very nominal.

Source of income:

Their source of income is threefold:

1. They collect gifts from the local markets and shops: The guru designated for a specific area, send their disciples to collect monetary tolls from the shops and markets. What is the response as they approach for money? Most of the time, the shopkeepers try to manage them by giving money as soon as possible. They said, 'we sometimes threat them to putting off clothes before them if they refuse to give. We resort to this type of abusive thing as we are to get money anyway.'

2. They perform in the wedding ceremony and bless the newly born baby which is called 'badhai': As they are deemed as the people who bestow blessings from the gods, they go to the houses when they hear any news of newly-born babies. They take the baby in their laps and performed dances with their bass instruments. But as time progresses, they are no longer welcomed especially in the Bengali families. One of the reasons is that the common people's prejudices and misconceptions about this community. But, they are still in high demand among Bihari communities. Besides, every year a good number of people of this community visit India for two to three months to earn a lot amount of money. They earn 30 to 40 thousand taka during their stay in India for badhai engagement.

'We don't steal babies'

'One day I along with five of my group mates approached a house to know whether a baby is born. Seeing us, how can I express the dwellers' scream? They began to run away from their own house in violent fear. But in books you will find people saying that hizras steal the baby away.' [Poly in FGD]

Poly's remark of general peoples' misconception of this community is evident in the book 'Bharater Hizre Samaj (Hizra Society in India)' by Ajay Mojumdar and Niloy Basu. The writers described an incident which they heard from the local people that a baby died as it

was hidden in a tight locked box when hizras asked to see the new born baby. Now the question arises whether the baby was killed by the hizra or got killed by their parents to whom a hizra is an unnatural being and can take their child away.

3. They engage in sex work at night: A large number of transgender people are engaged as sex workers in the city. They become sex workers for two reasons, one is for existence and the other is for their thirst for loved ones. As the transgender people have no choice to earn their breads, they take the easiest means. This profession also helps them to gradually withdraw from the dependence on their gurus and become independent. Through this, they are able to earn their security and also a place in the society with the empowerment of the female sex-workers of the country. Their clients are 'normal' men with some of them they maintain long lasting relationship. In their words, they are termed as 'parikh.'

'We have to sell our bodies'

'We get very small amount of money from the local bazar and shops. It ranges from 150 to 200 taka. From this amount half of it goes to our guru. The rest of the money is divided between the toll takers who consist normally of four to five numbers. So, each of us get only 20/30 taka a day. It is no doubt a meager amount. So, we sell our bodies at night.' [Jotsna in FGD]

Transgender people have been divided into two groups on the question of their source of income. The members of Sushtha Jibon, a HIV-AIDS prevention project run by transgender people in Shaympur, Dhaka do not want to disclose that some of their members are involved in sex work. Rather they show their strong vehemence against hijra sex workers. Their concern is that for this sort of identification, they have the chance of losing their incomes from their musical and dance performances at wedding and other occasions of the common people. They admit that they have their partners or 'parikh' who are males.

So we can list the marginalities faced by these people in two ways: personal and as a community:

Marginalization as a person:

Family in a dual role - rejection and acceptance:

Transgender as a person is never accepted in the family. Sometimes though the family wants to accept their child, the neighbours make constant fun out of their child which makes the parents ask them to leave the family.

'Whenever a transgender is living in an area, the people become curious. The neighbours come often without any reason to that house asking to show their child, this is of course, a painful experience for the parents. We have to go to our house at night and leave as the dawn ushers'- Jotsna stated in FGD

But the family keeps a loose connection that is solely based on monetary support. When their 'deviant' scions can afford to give them some economic support, the family maintains a secret relation.

No dignity:

Transgender people cannot move on the street at ease. Curious gazes from all corners are on every time. Local mastaans and helpers of the truck mostly harass them in the crudest way.

'When we go to the market, the local hooligans throw stale egg, sometimes, urine at them. Whenever they ply on the street at night, the helpers of the truck throw handful of sands at them. We don't possess the dignity as much as a rickshaw puller does possess.'—
Mousumi in FGD

They cannot rent houses as the house lords think that they will not pay the rent regularly. If they manage to rent a house, the other house lords complain that they will pollute the environment.

Neglected to get the medical aid: The doctors also do not want to give treatment thinking whether they will give money or not. They cannot approach the hospitals; they are driven away from the very entrance. That is why they have to put pressure on the doctors to give them treatment.

'Two years back, one of us attempted to commit suicide. The person was taken to a good number of hospitals but everywhere they were driven away. We don't have the dignity enjoyed that of an animal. Each time, the doctors said that they were busy. Later their leader intervened and in a local private clinic, the patient was admitted.'-Jotsna in FGD

Legal marriage is impossible: The transgender cannot marry legally as marriage is accepted only between a male and a female. As they don't have the right to get married in legal way, they resort to some strange means. Popy, one interviewee, got united with her male partner in the name of a business contract where the condition was that if the partner would want to divorce, he would have to pay one lakh taka. As there is no legal procedure, our straight partners deceive us frequently. Most of the time they run away with our savings.'

Denial from mainstream jobs:

They do not get employment in the mainstream jobs, thus they engage in sex work as an easy mean.

'I tried several times at the garment industry for job. But the people there said if we give you job, other workers would be curious of you forgetting their work. It is good that you

take Taka 200 and leave. We don't get the household job also. I was employed at a house. One day a guest came. I went to her taking tea. She said to my lady, 'Who is that?' My lady said, 'he is my servant'. But he looks neither man, nor woman. After that day, I was dismissed-- Munmun in FGD.

They are always offered money in the place of jobs. They said we want job, a long-term financial security, not the pity. We don't want to take money as alms.

Harassment by the police: Physical and verbal harassment and snatching away money by the patrol police is a regular event in their life. The motive is mainly grabbing money out of their marginal identity like they do with the female sex-workers.

'I was caught with my client at a park. The client ran away. The police personnel who were four in number stripped off my clothes and forcefully had sex. I got vindictive as I was with full of blood. On the following day, I went to the police station and told everything to a higher official. I made him understand that they had defamed their uniform and done injustice to me. The three were summoned and they were made to leave their badges. But it was outright eyewash. I found them again in charge.' [Shuvo in FGD]

Hasna: Police - the opportunist and oppressor:

Police are the greatest enemy to us. We can't stand at ease on the streets, always at their capricious demands and tortures. They never pay after the intercourse. They show vigorous resistance to wear condoms. One day, three police had intercourse with me. As I ask for payment, they harassed me and extracted money I had with me. Sometimes they strip us to make fun of our genitals.

No peace, though dead: The transgender community of Shayampur area is regularly making outstanding amounts of donations to the local mosques and madrassas for women. But still they face problems in burying the dead bodies of their community members in the religious tradition.

Deprived as a community:

Right to cast vote as hijra: They do cast votes in the guise of women. But, they want to cast their vote asserting their identity as 'third gender' as they think they don't fall to any gender roles-man or woman, the issue that has been discussed earlier. Though some of them do like to be treated as women and cast their vote standing in the queue reserved for the ladies, at that time, the 'natural' women spout indecent comment towards them. Joya Sikhder, secretary of Badhan Hijra Sangho, informed me that her organization staged a demonstration procession in their demand to be included in the voter list as hijra community. They also marched towards National Parliament prior to the 2001 national election. They also tried to call on the Chief Election Commissioner on September 2, that year. But none of the Election Commission met with them.

CASE STUDIES

Habib: *It's God's will*

Habib is the only son of his parents. From the very childhood, he was womanly in the eyes of people around. When he was 14 years old, he had his first intercourse with one of his male relatives. This relationship based mainly on sexual urge sustained for years together. During that time, he had this sort of experience with some of male relatives also. He still likes to savour those memories. But he described some intercourses with him as assault. He studied up to class V. In the 1988, he, with his mother, migrated from the native village to the capital as his father married again. The reason for not studying any more is partly for economic inability and partly for his shyness to face the insult of his fellow mates in the school. At Dhaka, he took the job at a grocer's shop where he was again molested by the younger brother of his employer. In his word, he did not like to do the trading as it is the job of the man. He wanted to do the so-called women's work cooking, washing, i.e. he wanted to stay inside to do household activities. Leaving that job, he took the job of a helper at a garment's factory where he earned about 700-1500 a month. But he did not deem himself fit to this job. So, he took the job as a domestic aid at a house. During his stay, he first fell in love with one of the guards of the house. His male partner at first rebuked him for such a filthy offer. But, gradually he also felt a bond for Habib. Habib regarded him as his friend and as his husband. From then, their love story with his male lover is on. But one year back, Habib took decision to marry off his lover as he would not be able to beget a baby. Does he think himself unnatural one for his same-sex desire? 'No', Habib asserts. It is the God's will as 'not a single leaf stirs without the god's will'- he said. He spent few months with the hijra community when he was unemployed. He could integrate with them due to his spontaneous feminine characteristics. He likes to call himself Kothi. He does not like the term gay. It does not mean anything to him as he deems himself as 'female' and the nature of his love is in his words, a 'female craving for a man'.

Joya: *My dream is to strip off the derogatory term 'hizra' and to establish their identity as third sex.*

Joya is the secretary of Badhan Hijra Sangha. She played the pioneering role in forming Badhan Hijra Sangha, the platform for the rights of hijras, the first of its kind in Bangladesh. Unlike other people of his community, she is living with his family. She is the third scion of the family with two bothers and two sisters. But to live with them, she had to struggle from the very childhood; she felt that she is different from the people around her. 'He is a boy, but he is feeling inclination towards boys, not towards the girl, she got surprised with oneself. She started to dress like girls. She recollects, at class V, one of the teachers pulled her long hair and called her as 'natyu phoa', [theatre boy] in the local dialect of Chittagong. As she stood at class IX, she started going to school putting lipstick on her lips. The boys in the school pulled her hand and often jeered at saying 'will you be my wife?'

Joya felt joy and sorrow at the same time. She felt happy as she craved for boys and sad as they made fun of her. Joya studied up to higher secondary level. She did not continue as it became unbearable to protect herself from the curious eyes of the fellow mates as well as teachers. At that time she passed in utter distress wondering whether her identity is congruent with the society's existing norm. At this juncture, she met a person of her identity. That person acquainted her with a good number of people like her at a park. Joya came to know people like her are also found in other parts of the world. She started to think it as fully normal. She married a boy taking oath at a mazar(the shrine of the Muslim community). After passing five long years with her friend, the friend got married to a girl. Losing partners have become natural to her. Now she has two boy friends but she knows they will also leave her behind and get married. Apart from emotional loneliness, the society's notion of considering her as an outcast is the glaring burden on her life. 'We face constant hurdles in our life quotidian. If a woman is out in the street she never hears 'Look, a woman is passing. But if we pass we hear Look! a half ladies is passing which is really painful. Besides in the waiting queue of the bus counter, I have to experience pinches. So most of the time, I have to rent CNG or Taxi-Cab, for which I have to spend a big amount of money. On the bus, people don't want to sit beside me. I have visited countries like Singapore and Indonesia. I have seen there that transgender people are living a far better life than us. But we are struggling for bare existence.' Recently her family shifted to a new house. The house lord grumbled at Joya's stay in the house. Her mother and brother made him understand that it is God's will. Besides, her job at the ICDDR'B played a positive role. 'But can other people like me meet all these requirements together?', Joya questioned. So most of the transgender people are run -away persons of the house. My dream is to strip off the derogatory term 'hizra' and to establish their identity as third sex.

Sweety: from Rubel to Sweety

Sweety is the only transsexual I met throughout my fieldwork. She was born as a male but was found to be impotent at puberty. From the well ahead of her surgery, she liked to think herself as woman. She was attracted to boys from the beginning of teenage life. At the age of 13, Sweety had sexual intercourse with her male cousin. She always liked to play with the girls, wear dresses designed in fashion of the girls. At the age of fifteen, she got admitted to BAFA to learn dancing. She attended S.S.C exam with the name Rubel. She started getting treatment after the exam. After two years treatment she got operated and turned from male to female, from Rubel to Sweety. Still she possesses the certificate bearing the name Rubel. She did not need the certificate as she did no other job but only private tuition. Now she is a field worker of Sushtha Jibon, an organization to ensure safe sex of the transgender community. There also she did not need to produce the certificate. Though she had undergone surgery, she could not bear child. So she took the charge of two of her deceased elder sister's daughters. She also does not want to approach the concerned official to amend the document. She also has not disclosed it to her daughters. Her reluctance for disclosure to the society has two reasons-

First there is no such law safeguarding the right of the person who has undergone Sex Reassignment Surgery (SRS). Secondly for the social reasons, she does not wish to

disclose her past even to her daughters in apprehension that the matter won't be considered fairly. In this context a clear strategy that seeks de-criminalisation and legalization needs to be evolved to make these surgeries comprehensive, efficient, accessible and affordable. In short, these three case studies epitomize the social denial of the transgender community who has transgressed the 'normal' gender distinctions and their invisibilisation from the general life.

TRANSGENDER AS A THIRD GENDER

Who are the Transgendered? What are their traits that have differentiated them from the gender norms? All I have interviewed say we are neither men nor women. The definition that we have discussed, they possess feminine soul entrapped in masculine body. But still they don't think they are female, as they can't give birth to child. Besides, women are naturally shy which they think is not fit for them.

'Women like to keep a very close outfit, to them husband is everything. We are exuberant in our attire and we do not crave that much faithfully for our husbands. So we are not women.' (Mousumi)

'Though I like to consider myself as women, the womenfolk will never accept me in their class. They, like men, also hold us in curiosity. So, putting us in 'third gender' is more respectable choice for us.' (Joya)

These two statements bring forth the complex web of gender constructions to the surface. So, physically they all are male, some with ambiguous genitals (in most cases they are impotent) and some with normal sexual organs and reproductive power. But, in their gender identity, they swing away to fluid poles. Laila Begum's, Executive Director of Sushtha Jibon, argument in making herself eligible to offer prayers at the mosque is another idea of 'third gender' concept prevalent in the society. She approached the Imam of the mosque and made him understand that they are not man of course, but they are not also woman, as they don't 'menstruate'. So, they are not 'impure' as women. Imam Shahib was convinced and gave them permission to do the prayer at the mosque wearing punjabi-pajama.

So, the 'third gender' in this part of the world is not like in the west. There, people asserting 'third gender rights' don't want to identify themselves to rigid binaried system of gender division based on biological differences of male and female. They advocate for the right to choose one's own gender identity when it necessarily compels one to conform exclusively to one gender. But the statements made by the transgender community here on their perception of third gender are still defined along the strict male and female attributes. Most of the members like to be treated as female to that extent that if anyone likes to know their former male title, they feel unhappy. But still their notion of being a true 'women' is guided by the concepts of procreation, menstruation, impurity, chastity as the women's trait. Their identification to the third gender category is a device of creating a space to claim their rights.

Institutional Marginalization:

Two institutions—psychiatry and law have been at work jointly in describing, admonishing and codifying the ‘natural’ instincts. These two intertwined reified religious prescriptions and proscriptions to develop a discourse on sexuality. Foucault traces the history of human monster in his brilliant book ‘Abnormal’¹¹ set in the period from 1820 to 1830. It is the outcome of his toilsome journey to ward off the mystery behind the socially constructed stigmatized sexual identities. According to this book, Roman law distinguished two categories of the human monster: one is deformity, disability and deficiency (the deformed, disabled and defective are called the Portentum or the Ostentum) and then the monster. Sexual monster is the amalgam of the individual and the sexual deviant. From the Middle Ages to the 18th century the notion of monster is the ‘Mixture’. From the mixture of human and animal, it includes also the mixture of characteristics of male and female. He stated that in the 18th century, the monster is a Juridico-medical/natural complex. That is, in this case, the monster was admonished but was held in pity for their natural disorder supported by the medical examinations. Citing two cases of that period, Foucault brilliantly depict the shift from juridico-medical to juridico-moral definition of sexual inclinations. In this study, I interviewed four mental health professionals of the National Institute of Mental Health. Two of them termed them as patients who should undergo treatment prior to facing any punishments, when they were informed that there is law against them. If they don’t mend themselves, they must face the music, they commented. One psychiatrist commented that sex should be encouraged in a rational way and religion has prohibited some sexual acts to ensure social discipline. A clinical psychologist deems sexual inclinations other than heterosexuality as ‘exception’ not as ‘disorder’. Disorder is the presence of a certain symptom, which is short-spanned but its manifestation is strong during that time and impedes life functioning system. In this perspective, those people don’t suffer from any kind of disorder, rather social stigma.

The law of the land is another major impediment in addressing their rights. The penal code of the independent Bangladesh is still bearing the legacy of British colonial ethics. This is also true for the whole sub-continent countries as they have not been able to cede religion from the state. Rather, it is getting edge day by day diminishing the dividing line of state and religion. In 1837, Indian Law Commission suggested to criminalize homosexuality in this apprehension that although homosexuality had been ‘extinct’, the law should be passed without debate as debate might give the space to think over the issue. In 1861, this law was codified in the Indian Penal Code. But this law has its root in the Criminal Tribes Act of 1871 in the British Colony of India where nomadic communities like acrobats, singers, dancers, tightrope walkers, and fortunetellers were criminalized as a threat to the life of Indian civilization. In the amended Act of 1897, the sexual non-conformist groups came under the vigil of state. Under the amended Act titled ‘Act for the Registration of

¹¹ Foucault, Michelle, *Abnormal*, Picador 1999

Criminal Tribes and Eunuch' the local government was required to keep a register of the names and residences of all eunuchs who are 'reasonably suspected of kidnapping.'¹² In Bangladesh penal code 377 is a cognizable offence and non-bail able. The code says:

Unnatural sexual offences: Whoever voluntarily has carnal intercourse against the order of nature with any man, woman or animal shall be punished with imprisonment which may extend up to ten years and shall also be liable to fine.

Explanation: Penetration is sufficient to constitute the carnal intercourse necessary to the offence described in this section.

When I asked about this code, the respondents nodded in the negative. Most of them seemed not to bother about it anyway. But, interestingly, the police do not arrest them under this act; they are harassed by the police under the section 54 of Criminal Procedure Code where the police are empowered to arrest person without any warrant on the fact of doubt of the person involved with any cognizable offence and also under Section 89 of Dhaka Metropolitan Police Act 1976 where these people are shown to be arrested for giving indecent gestures.

Transgender people and HIV-AIDS construct:

There is a recent surge of work on this community through HIV-AIDS programme. The NGO's focus is on combating sexually transmitted diseases and HIV-AIDS targeting male sex workers. Their framework is congruent with the National AIDS Policy of the country. According to the policy, eight groups have been termed as high-risk population of which MSM (male having sex with male) and transgender are included. This kind of state policy shift the focus from developing a overall change in attitude regarding sexuality of the whole population to some specific community who have been already marginalised for their sexual, professional and behavioural characteristics. This approach advocated by the international donor agencies has been critiqued in the way that the danger of such a construct is that as a stigmatised social group they are further marginalised and socially boycotted. So, human rights issues asserting on their sexual identity are not getting attention from these organizations. This is also because of the penal code 377.

International Instruments:

In recognizing human beings' full prosperity, a good number of international instruments have been passed. The Universal Declaration of Human Rights (UDHR), International Covenant on Economic, Social and Cultural Rights (ICESC), International Covenant on Civil and Political Rights (ICCP) are the gradual steps in enlarging the enfranchisements to

¹² Human Rights Violations of the transgender community, Peoples' Union for Civil Liberties, Karnataka, India 2003.

all rights. But can a convention ensure universal rights if the playing ground is not even? This thought engenders the separate convention on women's rights, that is, CEDAW. This reality is much more relevant to the people asserting alternative sexual identity right. With this spirit, *The International Bill of Gender Rights (IBGR)* was first drafted at the International Conference on Transgender Law and Employment Policy (ICTLEP) at the second annual meeting held in Houston, Texas in 1993. It has been reviewed and amended in 1994 and 1995. Though this bill is not endorsed by international body and is deemed as an initiative of civil society, the contents can be a referral in advocating transgender rights. In 1994, the United Nations Human Rights Committee declared that discrimination based on sexual orientation violates the right to non-discrimination and the right to privacy guaranteed in the International Covenant of Civil and Political Rights. The principal instrument of human rights the Universal Declaration of Human Rights has not talked of the rights of the 'third gender'.

The Way Forward

We have to make groundwork to reorient people in building up a sensible society respecting the differences, paying attention to the people belonging to any gender identity. A comprehensive domestic violence act here can act as a strategic start. The study shows that transgender community has been formed out of sheer denial of rights in the family. They are regularly persecuted and forced to leave the house and deprived of property rights. The proposed Domestic Violence Act by the law ministry of the government of Bangladesh is aimed at addressing the violence against women as we normally take gender discrimination as violence against women. But, the emergence of queer politics has included gender identity into the gender discrimination discourse. Thus, through talking of the domestic violence against any vulnerable member of the families can make a space to intervene in this issue. We also should take concerted efforts to make media sensitized to these people. Thus, media will play the most pivotal role in building up a positive image and also making people aware of the gross violations of rights of a particular quarter of human beings different in their sexual identity.

Case of Shahzima Tariq and Shamial Raj for Entering into a “Same Sex” Marriage

Background and Details

In September 2006 Shahzima Tariq and Shamial Raj got married in a medium large city, Faisalabad, in the Punjab. They knew each other as they are cousins. Since they were mutually committed to each other and determined to spend their lives together they decided to strengthen this commitment by framing it within a marital bond. This was to them the most ‘natural’ thing to do. This decision was also precipitated by Shahzima’s father Tariq Hussain since he was determined to marry Shahazina to someone he owed considerable money to.

Despite the marriage, or because of it, Tariq Hussain and the rest of Shahzima’s family continued to harass them and filed several charges against Shamial Raj for kidnapping his daughter and for a number of offences such as fraud. The two of them then approached a lower court in Faisalabad to prevent such harassment. The lower court decided in their favour since they produced their marriage certificate and because both of them were adults. The family continued to harass them to a point where they thought that their lives might be at stake.

Shahzima and Shamial then came to Lahore and found a lawyer, Rana Sajjad Hussain, Advocate High Court, to file a writ petition on their behalf to the High Court to put a stop to such harassment. The case was put before the Kh..Mohammad Sharif Judge of the High Court and the first hearing was set for the 3rd of May 2007. On the 4th of May the father of Shahzima appeared before the Court and gave testimony that Shamial was actually a woman. Shahzima and Shamial did not come to this hearing “because”, their counsel submitted, “they had been threatened the previous night and thought they may be murdered if they appeared in court”. The Judge ordered a physical examination to be done by a five member medical team at the government Services Hospital. The report was to be submitted on the 8th of May.

The medical team reported that while Shamial “ is a well built muscular person with moustache and beard and has a hoarse voice” but physically he is a woman. They did however propose additional tests. This report changed the nature of the writ application turning the complainants into defendants. Frightened, the two went into hiding. When they did not appear on the 9th the Judge ordered the police to arrest them on the grounds that Shamial had stated in Court that he “was a boy” while the medical examination had proved that he was “a girl” and that therefore he had sworn a wrong affidavit. Further, during his physical examination and later in Court Shamial had admitted that he was a woman. The Court gave notice under Section 193 of the Pakistan Penal Code (perjury) for both Shamial and Shahzima to show cause as to why they should not be prosecuted under this section.

As Shamial tells his story he was born a female but that within himself he knew himself as a man. He has told the doctors, the Court, his lawyers and myself that in his mind and his heart he is a woman trapped in a woman's body. He always felt this way and when at the age of 15 he started developing breasts (as he also started growing a beard) he felt that he would get a mastectomy to spend his life as a man. This he had done in Faisalabad by a medical team supported by a psychologist. In 2006, he decided also to have a hysterectomy.

Later that year Shamial and Shahzina got married. Shahzina knew as Shamial says that he is a "transsexual" but both decided that their love and support for each other transcended this. They just wanted to be together. They still want to be together even, as they say, "together in the same jail cell". Any separation is for them "a death" and they would sooner die than be torn apart.

Shahzima and Shamial 'disappeared' after the Court order on the 9th of May. After they missed two hearings of the High Court, the Judge issued non-bailable arrest warrants for them. They were arrested by the police soon after and Shamial was interned in the Kot Lakpath jail in Lahore while Shahzina was sent to the Central jail in Faisalabad, the city in which her parents lived. They were produced in Court on the 22nd of May. The Judge asked them to show cause why they should not be charged under PPC193 (perjury) and section 377 (unnatural offences). The Court directed them to do this by the 25th of May. Since their lawyer Mr. Rana Sajjad Hussain, was not allowed by the jail authorities to meet with them, he requested the Court to enforce his clients' right to counsel and asked for further time in which he could consult with them. The Court gave him until the 28th of May.

Under section 193 of the PPC (which gives a sentence of up to 7 years) the charges are framed and decided immediately. Charges for section 377 of the PPC, goes for trial. At no point have they been charged or tried for 'lesbianism' or for their marriage. The law in Pakistan is silent on such relationships and defines no penalties. Islam, while implicitly not sanctioning relationships that are not clearly heterosexual, also does not prescribe any penalties. The nikah, or marriage contract in Islam is also a civil contract, that can be withdrawn or annulled by the parties in contract with each other.

On the 28th of May the Court decided that there was insufficient evidence to charge Shahzima and Shamial under section 377 (unnatural offences) and while there were mitigating circumstances under which perjury was committed it would still give (a lesser) sentence on that charge. They were given 3 years each. Shahzima is to be interned in the Central Jail Faisalabad and Shamial in Kot Lakpath jail Lahore. The Court has also ordered that Shamial be examined by a psychiatrist in a private hospital where he is to stay for 4 days.

Shahzima and Shamial will appeal the decision either in an inter court appeal or to the Supreme Court. They will do this as soon as we who are assisting them can give them reasonable advice as to which court they go to. They are of course at a complete loss and stunned with what has happened and the speed at which it has happened. From filing a writ petition on the 3rd of May against them being harassed by Shahzima's father, they find themselves sentenced to jail for three years within 25 days.

This case highlights the question of gender identity. Shamial insists that he is a man and Shahzima believes that he is one. He said under medical examination and in court on one occasion that he is a woman because as he says, he himself became confused about what to say under medical examination and because everyone around him confused him. The doctors' report also mentions him as both a 'she' and a 'he', and the court orders lists him as 'he/she' or 'she/he'. The media in Pakistan has also sensationalized his gender identity and has repeatedly written of this as a "she couple" or "she marriage". Shamial says that the media questions have only added to his confusion on what to say.

The Judge referred to this as a precedent case as indeed it would be in most parts of the world. Most people, including lawyers, have tried to keep their distance with the exception of their lawyer Mr. Rana Sajjad Hussain who has maintained their right to a fair trial. However, since it is now such a high profile case and since the law is silent on this issue, of late several lawyers have offered assistance. The last Court hearing on the 28th of May was argued by Mr. Zahid Husain Bokhari, an advocate of the Supreme Court. Both Rana Sajjad Hussain who has been with them as their lawyer from the beginning and Zahid Husain Bokhari have assisted pro bono as will those who will be appearing in the Supreme Court. Expenses are still nevertheless high but so far I have been able to withstand it. Unfortunately human and women's rights groups have also been silent on the issue as have the 'liberal/progressive' intelligentsia, and no feminist lawyers are willing to assist with the case on behalf of Shahzima and Shamial.

Shamail himself is very clear of his gender identity as is Shahzima. "His soul" as he says, "is male" and that is the only gender he can be no matter how the law and society see him. "It is just that I am imprisoned in the wrong body". The question for them is how they are to convince a court that their conflicting testimony was not intentional. At the same time both are anxious that Shahzima's father who has unlimited access to her in Faisalabad jail, will continue to try and pressure or hoodwink Shahzima into making a statement against Shamial. Shahzima continues to say in Court, to the press, to her legal council and to me that she is with Shamail because she loves him and that she cannot live without him. He insists that he cannot live without her. Their commitment to each other in the face of extreme adversity and temptation to take the easy way out should stand as an example of courage for those of us who uphold the right for anyone to live their lives according to their own inclinations and their own sense of being. Shahzima and Shamial need to be heard. They need to be supported and they need to know that they are supported. It is their only sustenance in their respective aloneness. Even if they win the battle in court as they and those of us supporting them hope, they will still need our commitment to ensure that their future is safe and that they can live out their commitment to each other.

You can send your support to Shahzima and Shamial and any information that may assist in their appeal (relevant to confusions that may arise in the face of adversity in the lives of transgender or multiple gender identities) through me at:

nskhan46@yahoo.com

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Kee Katha Tahar Shathe
[41:00; 2001; Documentary; Bengali with English subtitles]

Director: Debalina

Synopsis

Kee katha tahar shathe is an attempt to bring before the world, the hopes and the pain, the fears and longings of a professional community labeled "male sex-workers". It is a name which hides more than it reveals, a category into which men with a different orientation-effeminate men, men with a woman's heart and mind agonizingly caught up in the prison-house of a male body-all feel squeezed in. The film is an exploration of the mental, emotional, and physical space of men who practice this profession. Through uncompromising interviews, the truth of the lives of these men unfolds in a series of oral narratives drawing on personal experiences. These 'men' - Dipankar, Bhaskar, Nitai and Sunil-through their revelatory reminiscences, relive their childhood, review their family environments, disclose their emotional and sexual predilections, discuss their social 'otherness', as they approached the turning points of their lives: the moment of induction into sex work.

MAJMA

[54:00; documentary; 2001; Hindi with English subtitles]

Director: Rahul Roy

Synopsis

Competition is not only between ShahRukh and Hrithik in Bollywood or Infosys and Wipro in the Electronic city; it is also between the two men who sell medicines for sexual problems on the pavement of Meena Bazaar near Jama Masjid in Delhi. One old man shouts in his loudest voice that, these days the youth is getting spoilt; he has medicine for problems of erection and likewise. His counterpart, Aslam, at the other end of the pavement is no less in his volume. He lectures to the gathering crowds that love comes from the heart. He gives medicine to improve blood-circulation. Aslam is explored personally and he reveals that he never wanted to be on the footpath but his situation made him choose it. At another corner is Khalif, a retired policeman. He trains young boys in the art of wrestling. He feels that boys now-a-days are not really strong. It is all in the food. On the street, there are many unemployed men who pass their time with 'shayaris'. The 'shayaris' literally speak volumes of deep philosophies on life. It seems, for a little, that there is hardly any difference between men on the streets and the ones working in AC rooms. The film is about the struggle of life and questioning one's existence and purpose.

Ami
[06:00; 2007; Fiction; Bengali with English subtitles]

Director: Rajib Ashraf

Synopsis

Ami visually explores the experiences of childhood sexual abuse. A young boy wandering away from home falls prey to a photographer. Ami tells the story of this boy's inner psyche.

Who Owns the Body? Indigenous African Discourses of the Body and Contemporary Sexual Rights Rhetoric

Chimaraoke O. Izugbara and Chi-Chi Undie

Introduction

For over a decade now, the concept of rights has continued to receive attention as an integral component of sexual and reproductive health (SRH), holding great potential for improving SRH outcomes among vulnerable populations. More recently, however, the seemingly abstract, individualistic framings of sexual rights declarations have called their relevance for populations in sub-Saharan Africa into question, provoking an emerging body of conceptual work on how rights are understood and operationalized in African contexts (see, for example, Nyamu-Musembi, 2002; Crichton et al, 2006; Crichton et al, forthcoming). Sub-Saharan Africa (SSA) presents an intriguing site for the examination of rights. Despite the articulation of sexual rights in international law (and even national law in some cases – albeit to varying degrees), the actual realization of sexual rights in many African cultures remains a daunting challenge.

While weaknesses in legal systems have contributed to this quandary, formally-articulated rights alone do not account for the full spectrum of domains in which rights are framed in SSA. As Crichton et al explain regarding the case of Kenya:

Legal rights interact with customary and religious law and practice. Not all individuals are aware of their rights, or take action aimed at making them a reality. Finally, entitlements are also socially legitimated, and the social sphere, including families and communities, plays a role in either protecting individuals' entitlements or violating them further. In sub-Saharan Africa and elsewhere, this is particularly true of issues that involve many social and cultural beliefs and practices, and are traditionally influenced and regulated by the social sphere, including SRH (Crichton et al, forthcoming, p.8).

Indeed, for the ultimate realization of sexual rights, socio-cultural strengths can provide critical entry-points for engaging meaningfully with communities. Building upon such strengths can be a powerful strategy for widening any extant openings for community engagement (APHRC, 2005). This paper focuses on the social sphere in SSA contexts, drawing on ethnographic accounts from rural contexts in southeast Nigeria to illuminate the opportunities and constraints presented by the socio-cultural domain for the realization of sexual rights as framed in international campaigns.

The paper departs from an underlying argument that the notion of sexual rights is based on a particular conceptualization of the body and body ownership. International sexual rights

declarations are constructed upon the assumption that the body is a physical entity belonging to the individual. This notion of the body is presumed to be adequate and universal, and has therefore been the basis for campaigns and programs around SRH-related issues – from abortion to women’s empowerment, to sexual orientation and sexuality education. Initiatives associated with sexual rights in general have typically met with little success in SSA. Although there is a myriad of plausible reasons for these failures, a less explored dynamic has been the disconnect between international notions of the body and the local discourses and realities of the body that circulate in African cultures. This paper, thus, seeks to examine how rights are framed within local discourses of the body. A focus on how the body and cultural concepts of rights are constructed indigenously seems to hold promise for the rigorous problematization of sexual rights in various settings.

A Methodological Note

Our insights have emerged from our years of ethnographic fieldwork in two African societies. The ideas developed in this paper are primarily based on research among the Ngwa Igbo and the Ubang – two ethnically distinct people groups in southeast Nigeria. These ideas were complemented with informal conversational interviews (Patton, 2002) with individuals from other African societies, including Kenya, Zambia, etc., and from reading ethnographic work based on other African ethnic groups.

Constructions of the Body in sub-Saharan Africa

In some societies, the body is primarily that which may be seen – an individual’s personal, physical entity. In many African settings, however, the body is largely symbolic. It is an extension of many other phenomena that are central to the societies with which individuals are affiliated. From the perspectives of the communities we have studied, the body is essentially a slate upon which the community inscribes a variety of norms, beliefs, rights, statuses, etc. Consequently, the body is not seen as belonging to the individual. Indeed, individuals have little authority over the body, deferring, instead, to their respective communities. As we will demonstrate using ethnographic accounts, this conceptualization of the body has its impact on the manifestation and understanding of rights in SSA. Given the focus of this paper on sexual rights in particular, we turn first to a brief examination of body notions among the Ngwa Igbo and the Ubang before discussing the implications for sexual rights.

A Brief Description of the Study Communities

The Ngwa presently number about 2 million people. Reportedly the single largest clan in Southeastern Nigeria, the Ngwa live in an area of 1,313km². Ngwaland lies between latitudes 50.30 o N and longitudes 90o and 70.30 oE. The proper origin of the Ngwa, like their parent Igbo ethnic stock is contested. Some historians have given up the search for the

origin of the Ngwa and have suggested that this origin may never be known, and can only be speculated upon. This does not, however, suggest that the Ngwa have no recognizable history. The Ngwa themselves say that until a few hundred years ago, they lived with other Igbo clans near Amaigbo (estate of the Igbo), a village currently in Nkwereiland, Imo State, Nigeria. The Ngwa-Igbo dialect belongs to the Kwa-sub family. The fabled Imo River borders Ngwaland in the west. From this river, its northern flank snakes tediously, joining the Ahi River just about 2.3 miles east of the Oloko-Umuahia Road. The eastern border of Ngwaland runs roughly northeastwards to link the 'No man's land,' which separates the Ngwa and their Annang neighbors. The Asa-Ndokki clans border the Ngwa in the south, while further northwards, adjacent to the Ngwa village groups of Ntigha and Nsulu, are the Ubakala-Olokoru Igbo. Their northeastern neighbours are the Isiorgu.

Ubang is situated within the southwestern edge of Obudu local government area (LGA). This traditional, autonomous community is made up of three exogamous lineages, namely, Okiro, Ofambe, and Okwerisen. Ubang is a sub-unit of the larger Alege/Ukpe/Ubang clan and shares common boundaries with the Ukpe of northern Obudu and the northwestern Alege communities, also located within Obudu. The Boki of Ikom LGA are the southern neighbors of Ubang. The 1953 census put the population of the Alege/Ukpe/Ubang region at 2,359 with that of Ubang alone being at 795. By 1984, the Ubang population had grown to about 3,000. The type of land which the Alege/Ukpe/Ubang clan occupies ranges from wooded hills at a height of approximately 1500 ft high in the Ukpe region, to thick forest and bush in the Ubang region. An orchard bush in addition to some virgin forest, gradually gives way to farmland in Alege.

Questions concerning the origin of the Ubang people cause the Ubang people to immediately point to their mountain top region, called Agbetan, which is regarded as their ancestral home. Ubang and his wife, Iware, are said to have produced seven sons, after whom the original Ubang villages were named: Okwerisen, Okiro, Ofambe, Ogbire, Bator, Ayewhen, and Ashiya. These sons in turn produced 12-14 grandchildren. The latter multiplied at the top of the mountain and were forced to migrate from there to the foot of the mountain and beyond for several reasons, including warring neighbors, population increase, and land disputes.

In the next two sub-sections, we draw on our work in these two cultures to show how the body is constructed and the implications of these constructions for pursuing the current sexual rights agenda.

Body Constructions in Ngwaland

The world-view of the Ngwa Igbo constructs the body as the property of the entire Ngwa society. Individuals, therefore, have limited control over the uses to which their bodies, and the bodies of others, are put. The Ngwa themselves say, '*Ngwa nwe madu*,' meaning the Ngwa society has ownership over its members. This communal ownership of the body

plays out in a number of ways among the Ngwa, from attitudes toward crime, to religious practices, to marriage and funeral rites – indeed, it can be said to permeate the entire fabric of the Ngwa culture. However, in this section, we will limit our discussion to a few domains that highlight body notions in Ngwa culture.

One area where Ngwa notions of the body become very apparent is in the society's practices surrounding incidents of rape. The Ngwa do not see this heinous act as a crime committed by one individual against another. Rather, it is perceived as a crime committed by one community or lineage against another community/lineage. The rapist's community is viewed as having 'raped' the victim's community. The rapist's entire community is also regarded as being at fault for not providing adequate training to their erring son to ensure that he manages his urges properly, and abides by the laws of the land. In this instance, the notion of the 'communal body' is privileged over the body and personhood of the victim. The body and personhood of the victim are important; however, the serious incident is regarded as having affected a larger body than that of the victim alone. The 'communal body', therefore, appears to take pre-eminence in this matter. The unobtrusive place occupied by the 'individual body' vis-à-vis the 'communal body' becomes more evident when it comes to the aftermath of the crime. Rape is regarded as an abominable act which desecrates the entire community. As a result, the rapist as an individual is not looked upon to compensate the victim; rather, his community is required to compensate that of the victim. The rape victim is not left without compensation, however. But she gets her compensation directly from her own community. In effect, the community actually serves as a channel for the realization of the victim's rights in this case – a right which may be infeasible for her to get on her own. This whole process also involves elaborate rituals of appeasement through which both communities, the criminal, and the rape victim are cleansed and restored.

In a similar vein, although domestic violence occurs among the Ngwa, the Ngwa world-view does not necessarily support it. As evidence of this, when the battery of a wife by her husband is adjudged as being frequent and 'unwarranted', the women within the community collectively rise up and retaliate on behalf of the victim by beating up the abuser as a group. Furthermore, husbands who do not allow their wives to partake in the actions of the avenging women are seen by the society in a negative light. The Ngwa agree that battery inflicted by husbands is not committed against their wives, but against all women in that community. In other words, at a certain point of abuse, the community views itself as being the body that has been mistreated and, thus, takes collective action. This, therefore, suggests that the victim of domestic violence may not necessarily see herself as having been abused, may not feel that a crime has been committed against her, but rather, against her community. Thus, pursuing justice via existing channels, such as the formal legal system, for instance, may not seem like a logical path to follow in the eyes of the abused woman.

As a final example from the Ngwa Igbo, we will examine the issue of suicide within the Ngwa community. The act of suicide can be said to carry an insinuation that the body belongs to the individual concerned and that s/he is at liberty to decide what to do with it.

Among the Ngwa, however, when an individual commits suicide,¹ no Ngwa has the right to touch the deceased's body - not even for the sake of bringing it down from the gallows. A stranger - an outsider from a foreign community - must be brought into the community and paid to bring the body down and bury it.² The rationale is that the entire land of Ngwa has committed suicide; hence, there is no-one left to 'bring them down' from the gallows. Following a suicide in Ngwaland, a complex set of rituals must be conducted in order to bring the community back to life, as it were. The burial of the suicide is not attended by community-members, as they are all presumed to be deceased during this period. The burial is, therefore, handled by a non-Ngwa under the guidance of an Ngwa traditional priest.

Body Constructions in Ubang

Similar to the case of the Ngwa, the body among the Ubang people of southeast Nigeria is seen as belonging to the community. Drawing on insights from the marriage process in Ubang will help clarify this notion of the body. When a woman's 'body' is given out in marriage, it is made clear that only one right is being transferred to the woman's in-laws: the reproductive right to affiliate the children borne out of this union, with their patrilineage. It is noteworthy that this right is given to the community of the in-laws, rather than to an individual man or husband. This right is pronounced via the following saying: "*Unyelibe u ka atie a; u ka lishi ye.*" The adage is translated to mean, "The married woman gives the 'underneath'; she does not give the head." Simply put, the rights to a married woman's 'underneath' (symbolizing the reproductive organs and, therefore, the children she bears within marriage³) belong not even to her husband, but to his community. The rights to her 'head', however (symbolizing her own life) are retained by her own community, irrespective of her marital status. Her 'head', or life, belongs to her community, and not to herself. Consequently, it is rare for an Ubang man to murder his wife because he is informed unequivocally from the onset that the body given at marriage ultimately belongs to the community of his in-laws. Furthermore, since a wife is given into the care of her husband's community, having to explain her untimely death (or frequent illness) to her community is considered as being highly undesirable. A woman's marital family accepts the fact that her body does not belong to them, and they take pains not to relate to her body in a way they cannot explain. Families in which wives suffer untimely deaths are known to lament: "After we give account of the belly/underneath, how will we account for the head?" Offended in-laws, on the other hand, are said to warn: "All we gave you was the underneath - we did not give you the head!" Thus, although custom demands that women marry outside their lineages, thereby becoming 'wives', their location as 'daughters' remains preeminent. This is evident from the very term for "lineage daughter"

¹ The most common suicide method is by hanging in this culture.

² On the other hand, the Ngwa have no problem with handling the body of a non-Ngwa who commits suicide within their community.

³ Any children born out of wedlock are automatically absorbed by the woman's patrilineage, becoming the children of her father. Of importance is the fact that these children are seen as belonging not to her, but to her natal community.

in Ubang - *nwang abe* - which literally means “unmarried [female] child,” or “spinster,” and refers to all lineage daughters, young and old, married and unmarried, widowed or divorced.⁴ This framing of women as *nwang abe* is evidence that they continue to be seen as belonging to their natal communities-not as individuals, but as community representatives whose rights must be protected by the communities from which they come, age and status notwithstanding. Authority over their bodies has not been relinquished to the *nwang abe* themselves. Their bodies are constructed as belonging to the community, and the community still sees itself as the framework within which the rights of these individuals can be realized.

The conceptualization of the body as a community entity is further illustrated by the rules governing death and burials in Ubang society. Among the Ubang, when a man is deathly ill and not expected to live due to the severity of the illness, his wife or wives play a limited role in his care. He is nursed instead by his sisters - the daughters of his community who are viewed as the owners of the body. While wives are never quite regarded as *bona fide* members of their marital communities, daughters are full-fledged community-members and thus have the responsibility of conveying their brother’s body from the present world to the world of the ancestors, the presence of capable wives notwithstanding. The point here is that a husband’s body does not belong to his wife - it is a communal possession.

Also, among both the Ngwa and the Ubang, despite the existence of a will stating otherwise, in the event of a man’s death, his remains are brought back to his community, and the community decides where he will be buried. There have been dramatic occasions when bodies have been exhumed and re-buried simply because the community concerned was not properly consulted regarding burial proceedings. Furthermore, in Ngwaland, when a wife dies, she is usually buried in her marital home. However, if she was known to have been maltreated in marriage, her community demands for her body and takes it back to her natal home for burial.

From the cases we have discussed, it is evident that there are alternative constructions of the body to those inherent in international human rights discourse. Attempts to impose contemporary notions of rights is thus likely to meet with resistance in African societies, given that the bulk of these non-indigenous notions aim at divorcing rights from their communal grounding in indigenous spheres.

Final Thoughts

On the basis of ethnographic data drawn from SSA, we have attempted to illustrate that sexual rights and notions of the body and its ownership are inextricably linked. Because notions of the body are not necessarily universally shared, any attempt to operationalize international sexual rights declarations must begin with an understanding of how the population concerned conceptualizes the body and body ownership. Our examples have

⁴ This is also the case with Ngwaland, where the term *nwa ada* has the same meaning and refers to the same categories of women.

demonstrated that, for certain populations, individual rights cannot be expressed or fully achieved individually. In the communities under investigation here, the individual is unable to pursue and realize rights by him/herself; rather, the community ascribes rights to the individual and confirms them. Thus, in our attempt to ensure the realization of sexual rights, we should be cautious about uncritically assigning the body to the individual. We should also be wary about programs that take a universal notion of the body and its ownership as their point of departure. While we share the impression that rights are realizable, we recommend that a concerted effort be made to take into account how the individual's rights are linked to the community and to understand how rights are communally expressed. In many African cultures, rights are embodied in the community and the community sees the individual as part of it. If the community is seen as owning the body, then individuals will tend to seek their rights within the communal space, rather than standing alone. In such communities, discourses that assume universality about constructions of the body are likely to foster a disconnect and meet with resistance.

Programs need to be sensitive to varying conceptualizations of the body in order to deliver the expected impact. More research is, however, needed on what kinds of programs can be delivered to respond to these issues. An exciting starting point might be the examination of body and ownership notions in our different societies to begin to reveal potential opportunities and to better understand the constraints.

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Exploring the Context of Women's Sexuality in

Eastern Turkey

Pınar Ilkcaracan and Women for Women's Human Rights

Customary and religious laws and practices are often used as tools to control women's sexuality and to maintain the imbalance of power in sexual relations. This paper describes customary and religious laws and beliefs and their impact on the situation of both rural and urban women in Eastern Turkey, based on a study among 599 women from the region, most of whom are or have been married. It shows that early marriage and polygyny are still prevalent, religious marriage still takes place earlier than civil marriage although the former is not legally binding, forced marriages still take place and arranged marriages are still the majority, though more younger women expected to be able to choose their partners. The study also finds that most women would feel unable to seek divorce if their husbands had extra-marital relationships, but many women feared the custom of so-called honour killing if they are suspected of such an affair. Next to none of the women had ever sought legal recourse against domestic violence or marital rape, though these are commonly experienced. A human rights training programme for women, a public awareness campaign against honour killings of women accused of adultery, and a campaign to alter the Turkish Criminal Code have been set up to address some of these issues.

In Turkey, which has been a secular state since 1923, the impact on women's sexuality of the imbalance of power in sexual relations is clearly visible in the Eastern region, where a high rate of female illiteracy, a desolate economic situation, a variety of customary and religious practices which are often in breach of the official laws, and specific forms of cultural violence and collective mechanisms aimed at controlling women's sexuality produce a wide range of violations of women's human rights. This situation has worsened as a result of the armed conflict between the Turkish security forces and the separatist Kurdistan Worker's Party (PKK) which started in 1984. Turkey is unique in the Muslim world with respect to the extent of secular and progressive reforms of the family code affecting women's lives.¹ In 1926 the introduction of the Turkish Civil Code, based on the Swiss Civil Code, banned polygamy and granted women equal rights in matters of divorce, child custody and inheritance. However, even several decades after these reforms, customary and religious practices continue to be more influential in the daily lives of the majority of women living in Turkey than the civil code; this is especially the case for women living in Eastern Turkey.

This article examines consent to marriage, marriage customs, polygyny and potential consequences of extra-marital relationships for women as important elements of the context of women's sexuality in Eastern Turkey. The analysis is based on data from interviews conducted with 599 women in Eastern and Southeastern Anatolia, within the

framework of a broader research study on the impact of official, religious and customary laws on women's lives in Turkey. Eastern Turkey can at best be characterized as a semi-feudal, traditional agricultural economy. The region has a multi-ethnic character. Besides Kurds and Turks, which are the largest ethnic groups, the region also includes Zaza, Azerbaijanis, Arabs, Christians who speak Syriac language and others. No precise figures on the Kurdish population in the region are available as the last population census which collected data on population by mother-tongue was conducted in 1965. In recent demographic research on the massive migration processes taking place within the region, Mutlu estimated the Kurdish population in the Eastern region at 7.046 million in 1990, about 65 % of the total population of the region.³ Most of the Kurdish population living in the region are dominated by tribal structures, organised around 'big families', which have the characteristics of clans; the feeling of group solidarity involves a large number of members of the extended family and includes responsibilities towards the community. The *airêt* (tribal system) is usually characterised by large land holdings held by a tribal leader, who is the landlord. The members of the *airêt* usually do not own land, but work the landlord's holdings.

Women in Eastern and Western Turkey

Turkey is one of the countries most seriously affected by the problems resulting from regional differences in socio-economic conditions, which are progressively worse as one moves from West to East. These have a negative impact on the overall standard of living, the effects of which are experienced more by women than men. The West of Turkey consumes most of the private and public sector resources and is also highly urbanised, while most of the population in the East lives in rural areas. Approximately three-fourths of the population in the West lives in urban areas, compared with a rate of 46 percent in the East. Although primary school education has been mandatory in Turkey since 1927, in 1990 half of the women in Eastern Turkey were illiterate compared to 21.6 percent of men. The illiteracy rates are much lower in Western Turkey, 19.7 percent and 7.4 percent for women and men respectively. As a consequence of the armed conflict in the Eastern region, the number and quality of educational institutions is declining, further reducing women's educational opportunities.

Women's participation in the labor force in Turkey has been steadily declining from about 70 percent in the 1950s to about 30 percent in 1996. Most of this decline is due to the high rate of rural-to-urban migration. When rural women actively working in agriculture migrate to urban areas, the fact that they are less educated than men virtually prevents them from finding paid employment in the official labor force. In rural areas, where labor-intensive technology is widespread, women together with their children work as unpaid family labour in agriculture. However, regional differences are also striking in this instance. In the West of Turkey the proportion of women working for pay is 40 percent, while in the East approximately 90 percent of women still have the status of unpaid family labor.

The Eastern region is characterised by the highest fertility rate in the country, 4.4 in 1992 as compared to 2.0 in the Western region and 2.7 in the country as a whole. Approximately 11 percent of women living in the East have begun their childbearing between the ages of 15 and 19, compared to 8.3 percent in the West. Regional differences in use of contraception are also substantial. The level of current use of contraception is only 42 percent in the East, whereas it exceeds 70 percent in the West and 60 percent in other regions of Turkey. Some of the reasons behind the desire for a high number of children in the region are the desire for a powerful tribe, the expectation by family elders of a boy child and the belief that Allah will provide food for each person. Boy children are valued much more than girl children, which is reflected also in the fact that mothers, when asked about the total number of their children, often mention only the number of boys, as girls 'do not count'.

In recent decades, the increased dominance of market mechanisms and the modernization efforts of the state, including the construction of large dams and irrigation projects in Southeastern Turkey, have had a profound impact on the region and a process of dissolution of traditional social and economic relations has begun. In this process, the political instruments used by the state are mainly local organizations of the central bureaucracy and cooperation with local tribes and political parties, all of which are male-dominated. Most of the projects for technical training and development are planned for men, leaving out women. As a result, modernization projects are reinforcing the traditional distribution of labor based on gender hierarchy and women's passive role in civil society. In addition, the ongoing armed conflict and the militaristic cooperation between the state and local landlords, sheiks and tribal leaders, has not only resulted in increased violence, but also strengthened the male-dominated patriarchal structure of the society.

Study methodology and participants

The field research concentrated primarily on three subject areas: 'women in the family', 'women as citizens' and 'women's bodily rights'.

A weighted, multi-stage, stratified cluster sampling approach was used in the selection of the survey sample. The sample included 599 women, aged 14 through 75, living in 19 settlements in Southeastern and Eastern Turkey (Table 1 gives background characteristics of respondents.) The sample was designed so that a variety of characteristics would be analysed for the region as a whole, urban and rural areas (each as a separate domain) and Eastern and Southeastern Anatolian regions (each as a separate region). The urban frame of the sample consisted of settlements with populations more than 20,000 and the rural frame settlements with less than 20,000.

Three types of questionnaires were used: for women living in monogamous marriages, women living in polygynous marriages and women who were unmarried. All questionnaires included common questions on background characteristics, marriage

customs, decision-making mechanisms in the family, inheritance, political, social and religious participation, mobility, migration experiences, violence against women and the Trait Anxiety Inventory (TAI). Women who were either currently or previously married were asked about their husbands' background characteristics, perceived and experienced laws and customs of marriage, divorce and remarriage, as well as reproductive behavior. All three questionnaires were tested and improved on the basis of a pilot study.

The questionnaires were filled out by the interviewers through face-to-face interviews. The interviewers were all from the region and had undergone lengthy, intensive training in all of the issues covered by the questionnaire, as well as interviewing and sampling techniques, to ensure they would use a sensitive approach towards the women participating in the research. Face-to-face interviews lasted anywhere from 20 minutes to almost 3 hours.

Table 1: Background characteristics of respondents (n=599)

Age %	
14 – 19:	21.1
20 – 29:	28.6
30 – 39:	18.6
40 – 49:	12.6
50 – 59:	9.6
60 +:	5.1
Unknown:	4.5
Education %	
No education:	45.8
Primary incomplete:	4.3
Primary graduate:	33.5
Secondary/vocational:	8.1
High school +	5.8
Other	2.6
Mother tongue %	
Kurdish:	55.3
Turkish:	32.8
Zaza:	5.6
Arabic:	3.6
Azerbaijan Turk:	2.0
Other:	0.3
No answer:	0.4
Civil status %	
Married:	62.7

Widowed:	7.0
Separated:	3.9
Divorced:	0.6
Single:	25.8

Residence %

Urban:	42.3
Rural:	57.7

The fact that 19.1 percent of the women could speak little or no Turkish at all meant they had little or no possibility of applying independently to legal institutions in case of violations of their rights within the family, as Turkish is the official language in all governmental institutions, including the judicial ones.

The majority of women were married and only a small percentage divorced, indicating the rarity of marital dissolution in the region. Seven percent were widowed, more than the average in Turkey as a whole, (4.3 percent),¹¹ probably due to the armed conflict in the region. Only 11.2 per cent of the participants worked outside the home and earned an income. The majority were homemakers (48.9 percent) or unpaid rural workers (32.8 percent).

Marriage and sexuality

According to Article 88 of the Turkish Civil Code, the minimum age for a civil marriage, which is the only legally valid marriage ceremony in Turkey, is 17 for men and 15 for women. However, the age of majority for all other legal procedures except marriage is 18. Despite this law, 16.3 per cent of women living in the region are married under the age of 15 and in a religious ceremony, although it is against the law to hold a religious ceremony of marriage before a civil ceremony has taken place.

Ninety-seven percent of women who were over 24 years of age, and all of the women who were over 34 years of age were or have been married, indicating that marriage is almost compulsory for women living in the region. The tradition of bride price, the sum given by the man to the wife's family for the realisation of marriage, is very widespread in the region and plays an important role in the attitude of men, who assume that through this payment they have gained all rights over their wives' sexuality and fertility. In fact, this tradition can be considered as the sale of women for marriage by their families. Although 78.9 percent of all married women have indicated that they are against this tradition, 61.2 percent have indicated that their husbands had to pay bride price for them.

Table 2 shows the types of marriage and related indicators. The institutions of polygyny, early and forced/arranged marriages, kidnapping and the exchange of women for marriage are widespread in the region.

**Table 2: Type of marriage and marriage related indicators
Monogamous vs. polygynous marriage %**

Monogamous:	89.4
Polygynous:	10.6

Civil vs. religious marriage

Only civil marriage:	5.8
Only religious marriage:	19.6
Both civil and religious marriage:	74.4
None	0.2

Mean and median age at first marriage Age

Mean age at first civil marriage	20.4
Mean age at first religious marriage	17.9
Median age at first civil marriage	19.0
Median age at first religious marriage	17.0

Realization of marriage

	Monogamous(%)	Polygynous (%)	Total
Arranged by the family	60.866.2	61.4	
Arranged by the couple	25.6	16.6	24.7
Ran away with her husband	5.3	2.3	5.0
<i>Berdel</i> (extended exchange of wives)	4.5	6.5	4.7
Abduction	1.7	4.5	2.0
Betrothal while still an infant	1.0	-	0.9
Other	1.0	4.0	1.3

Consent to marriage when not arranged by the couple %

Her opinion was not asked	45.7
Married without her consent	50.8
Did not meet husband before marriage	51.6

Polygyny

One out of ten marriages in the region is polygynous, although polygyny was banned in Turkey in 1926. As a result, in the case of polygynous marriages, only one wife can have a civil marriage whereas the others can only have religious marriages. A religious marriage ceremony confers no legally binding rights under the Civil Code, such as the rights related to divorce, maintenance or inheritance from the husband.

More than half of the women (58.2 percent) in a polygynous marriage lived in the same house as their husband's other wives and a majority (65.3 percent) said they had serious problems with the other wives. Despite all disadvantages of a polygynous marriage, almost half of the women in such a marriage stated that either the marriage was arranged by

themselves, or that they entered into this arrangement of their own will, which indicates a widespread acceptance of polygyny by women. The Islamic injunction that a man may marry up to four wives if he so wishes, and the cultural atmosphere which regards polygyny as a man's natural right, play an important role in the acceptance of this practice by women.

Civil and religious marriages and age at marriage

Almost one fifth of the respondents (19.6 percent) had had only a religious marriage and no civil marriage. This percentage is much higher than the average in Turkey (8.3 percent). According to the Civil Law, only civil marriages are legally valid in Turkey. Religious marriages provide women with no legal rights and a religious ceremony can only be held after the civil ceremony. Otherwise, both the couple and the religious official conducting the marriage are deemed to have committed an offence, which is punishable under the terms of the Criminal Code. Despite these regulations, as *Table 2* shows, both the mean and median age at the time of the religious marriage ceremony was lower than the age at the time of the civil marriage ceremony, i.e. The religious ceremony is often held before the civil ceremony. Early marriages are widespread in the region and holding a religious ceremony before the girl reaches the legal minimum marriage age of 15 is often a strategy applied by the families to bypass the civil law.

Forced and arranged marriages

Although under the Turkish Civil Code the consent of both the woman and the man is a precondition for marriage, women often have no influence over the choice of their prospective partner and frequently marry against their will. In fact, even in cases where women are consulted about the choice of husband, a high degree of social control over women's sexuality is maintained through a taboo on pre-marital sex, certain forms of religious and cultural practices related to marriage and severe violence, all of which limit the space for women to exercise their right to consent fully.

A majority of the marriages (61.2 percent) were arranged by the families; only every fourth marriage was arranged by the couple themselves. However, even when the marriage is arranged by the couple, the agreement of their families is very often a precondition for the marriage. One in 20 marriages was a *berdel* case, a tradition where a woman is offered as compensation to the family of her father's or brother's wife.

These marriages are based on the exchange of brides who have 'equal value', which means that if one marriage fails, the other has to fail too. Therefore, in this kind of marriage the women are more or less hostages and the families are not likely to allow women to run away or divorce. One woman was offered as a wife to a family as compensation for an offence committed against them by her male relatives, and another was forced to marry the younger brother of her deceased husband. The tradition of betrothing girls while they are still infants seems to be disappearing, although it continues to be practiced (0.9 percent).

About 5.0 percent of the women stated that they asked their husbands to kidnap them or that they eloped with their husbands of their own free will. This is a strategy applied by women when their families do not allow them to marry the partner of their choice, or when he is not able to pay the bride money requested by her family. Although this might seem to be an effective strategy that allows women to select their own partners, there may be high costs involved for the women. Yalçın-Heckmann, in her research about women's strategies in tribal cultures of Eastern Turkey, concludes that women who have been 'kidnapped by their husbands by their own will' are almost always considered to have eloped by their husband's families, which often leads to loss of prestige and status on her side and even to violence against her. More than half of the women (50.8 percent) were married without their consent and 45.7 percent were not even consulted about their partner and the marriage. Those who had not met the husband before the marriage constituted 51.6 percent of the participants.

Tables 3 and 4 show the expectations of unmarried women about their future marriages. The percentage of unmarried women who believed that they would be able to decide on their partner themselves was only 58.0 percent. Of these, only 46.4 percent responded positively to the question of whether they thought they could decide to have a boyfriend or not.

Table 3: Expectations about marriage of unmarried women (%)

Realization of marriage	Education			Total
	None/ Incomplete	Primary complete	Secondary+	
Most probably will be arranged by herself	39.9	52.1	88.7	58.0
Most probably will be arranged by her family	57.4	46.6	9.3	40.2
Other	2.6	1.4	2.0	1.8

Table 4: Consent to marriage when arranged by the family (%)

Most probably her opinion will not be asked 28.7

Most probably will not meet husband before marriage 72.4

In fact, even if the marriage is arranged by the couple themselves, it is often the case that they can meet each other only after the marriage ceremony has taken place. Nonetheless, the percentage of unmarried women who thought that they could arrange their marriages themselves was much higher than the percentage of married women who had done so, indicating a perception of increasing autonomy over the choice of partner. This view is also supported by the mothers. When asked about who would decide on who their

daughters' prospective husband would be, 52.5 per cent answered that their daughters would make the decision themselves. However, those who stated that their sons would themselves choose their partners independently was much higher at 75.5 per cent.

Of the women who thought that their marriages would be arranged by their families, 28.7 percent believed that they would not be consulted about the marriage and 72.4 percent believed that they would not be able to meet their husband before marriage.

Extra-marital relationships and honor killings

At the present time, there are no official laws in Turkey restricting the right of a woman to engage in a relationship with any man or woman of her choice before, during or after marriage. However, extra-marital relationships are an absolute taboo for women in the region, whereas men's extra marital affairs are widely accepted and even socially 'legalised' in many cases through the institution of polygyny. The customary penalty for women suspected of such a crime in the region is usually death, the so-called honor killings. 'Honor killing' is a term used for the murder of a woman suspected of having transgressed the limits on sexual behavior as imposed by tradition, specifically engaging in a pre-marital relationship with a man or suspected extra-marital affairs.

Until 1996, the Turkish Criminal Code made fornication a criminal offence and differentiated between men and women in the definition of fornication. In December 1996, the article which defined fornication by men and in June 1998, the article which defined fornication by women, were both annulled by the Turkish Constitutional Court on the grounds that the differences violated Article 10 of the Turkish Constitution, which states that men and women must be equal before the law. The annulled articles stated that for a woman, one complete sexual act with a man other than her husband was sufficient for conviction of fornication. A married man could not be convicted of fornication unless it was proved that he was living together with a woman other than his wife. Since the annulment of these articles, fornication is not considered to be a crime in the official legislation.

Table 5 summarises the perceptions of women in the region as to the consequences of adultery, which are strikingly different from what is now decreed in the official legislation.

Table 5: Adultery if committed by the husband or wife and whether divorce will be possible (%)

Backgrounds of women

	<i>If the husband commits adultery, the wife:</i>		
	Could divorce	Could not divorce	Total
Education			
None/primary incomplete	25.1	74.9	100.0
Primary complete	41.4	58.6	100.0
Secondary +	68.5	31.5	100.0

Marriage type			
Only civil	63.5	36.5	100.0
Both civil and religious	33.8	66.2	100.0
Only religious	24.3	75.7	100.0
Residence			
Urban	32.3	67.7	100.0
Rural	35.4	64.6	100.0
Total	34.0	66.0	100.0

Background characteristics of the women*If the wife commits adultery, the husband:*

	Would divorce	Would kill (wife)	Other	Total
Education				
None/primary incomplete	19.4	75.3	5.3	100.0
Primary complete	39.0	54.5	6.5	100.0
Secondary +	45.3	46.9	7.8	100.0
Marriage type				
Only civil	53.3	26.8	19.9	100.0
Both civil and religious	28.4	66.1	5.5	100.0
Only religious	17.1	79.4	3.5	100.0
Residence				
Urban	38.5	56.5	5.1	100.0
Rural	19.2	74.3	6.5	100.0
Total	27.5	66.6	5.9	100.0

A majority of the women (66.6 per cent) believed that, contrary to the law, they could not divorce their husbands if they committed adultery, even if they would have liked to. Since religious marriages are legally invalid in Turkey they ensure no right of legal divorce. Thus, more women who had had only a religious marriage (75.7 per cent) thought they could not divorce their husbands on the grounds of adultery than those who had had both civil and religious marriages, (66.2 per cent), but the difference was not that great. Although the increase in women's educational levels increased women's perception of the possibility of getting a divorce, 31.5 per cent of women who had secondary or higher education still believed they could not divorce their husbands for adultery. Interestingly, there was no difference in the perceptions women living in urban and rural areas on this issue.

On the other hand, the percentage of women who thought they would be killed by their husbands and/or their families if they committed adultery was very high, 66.6 percent. This

perception was even more common among those who had little or no education, those who had only a religious marriage and those who lived in rural areas.

Most of those who thought that their husbands would do something else other than divorcing or killing them, expected that they would be beaten up very badly by their husbands if they were suspected of an extra-marital affair.

The removal of fornication as a criminal offence in law is very recent, and although there are no provisions explicitly referring to 'crimes of honor' in the Turkish Criminal Code, this tradition is still supported in law. An extra-marital affair of a husband or wife is considered to be a 'provocation' and the sentence can be reduced by one eighth if such provocation is deemed to have taken place.

Violence against women

Violence against women is one of the main tools used to oppress women socially and sexually. More than half of all married women living in the region are subjected to domestic violence by their husbands (*Table 6*). Those who are subjected to sexual violence (marital rape) constitute 51.9 percent of the participants. As the educational level of women and their husbands increases, the extent of domestic violence decreases.

However, one third of the women who have had a secondary or higher education are subjected to emotional and physical violence by their husbands and one fourth have experienced marital rape.

Table 6: Violence against women by their husbands (%)

Type of violence	Frequency of experienced violence			Total
	Often	Sometimes	Never	
Verbal violence	25.9	50.8	23.3	100.0
Emotional violence	17.5	39.1	43.4	100.0
Physical violence	15.4	42.5	42.1	100.0
Sexual violence (rape)	16.3	35.6	48.1	100.0

The Turkish Criminal Code does not contain special provisions relating to the use of violence against women in marriage. The husband is usually charged under the general provisions of the Criminal Code, including Article 478, which provides for imprisonment up to 30 months for the maltreatment of a family member in a manner which contravenes the accepted understanding of affection or mercy. In order to make use of this law, a woman who is subjected to violence must file a complaint. However, only 1.2 percent of those who have experienced domestic violence have notified the police that it has occurred, and those who have actually filed a complaint are even less, 0.2 percent.

The most common strategies used by women against the violence of their husbands is to leave home temporarily (22.1 percent) or to ask for the help of their families, friends or neighbors (14.7 percent). There are no shelters or institutions offering help to victims of domestic violence in the region. This contributes to the helplessness of women who experience domestic violence. One of the reasons hindering women living in the region from filing a complaint is the mistrust towards security forces as a result of the armed conflict. This mistrust is not only due to the atmosphere of political and social suppression by the security forces, but also to the violence carried out by them. Those who have experienced physical or emotional violence on part of the security forces constitute 1.3 per cent and 3.4 per cent of the participants respectively. Two percent have indicated that they have experienced sexual harassment by members of the security forces.

Discussion - and some initial steps

The internalisation of gender roles by women in a particular culture is often directly related to the impact of specific mechanisms controlling women's sexuality, which are often of a 'collective' nature. The findings in this research are all reflective of a number of mechanisms of control on women's sexuality in Eastern Turkey. The social pressure on women to marry, early and forced or arranged marriages, the tradition of bride money, extended exchange of wives between families, and the extent of the threat of violence against women who transgress the limits on sexual behavior as imposed by traditions constitute some of these control mechanisms. These are supported by customary and religious practices. Most of these practices, which represent or lead to serious violations of women's human rights, still exist despite reforms banning them as long as seventy years ago, as with child marriage, polygyny or crimes of honor. The extent of domestic violence experienced by women, including marital rape, and the constant threat of violence, are bound to affect not only their sexual health and perceptions of sexuality negatively, but also decrease their chances of creating and applying strategies against the violation of their rights.

As in many other countries, most women in the region are not aware of their existing rights and there are no services they can make use of in order to be informed about their rights. The expansion of such services for women in the region is one of the ways of supporting them to develop strategies to defend their rights. Since 1997, Women for Women's Human Rights (Kadının İnsan Hakları Projesi), an NGO based in Istanbul, has begun to carry out women's human rights training programmes in the region in order to respond to this need. We are now cooperating with existing Community Centres in the region in order to establish such programmes for women on a long-term basis.

In order to raise public awareness of and to create preventive strategies against these practices, it is essential to name and integrate them into a women's human rights agenda on the national and international levels as well. For example, since 1996, an ongoing campaign carried out by women's organisations in Western Turkey has been trying to raise public awareness to put an end to the so-called honour killings. One demand, considered

to be a necessary and immediate step towards addressing this issue, has taken the form of a proposed amendment to the Turkish Criminal Code, to allow concerned women's organisations and individual women to be present at and participate in any court cases as interested parties. It is also proposed that the amendment would eliminate articles which serve as grounds for reduced punishment in the case of honour killings (eg. if the murderer is a minor). This proposal has also been submitted to the UN Committee for the Elimination of All Kinds of Discrimination Against Women, at the meeting for the periodic review of Turkey in January 1997 by Women for Women's Human Rights (WWHR), in collaboration with the Purple Roof Foundation and Equality Watch.

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Notes

1. The reform of the Civil Code, based on the Swiss Civil Code, was a major success of the reformists against the conservative forces defending the religious family code in 1926.
2. At the time of the Islamic conquests, the term 'Kurd' meant nomad. By the mid-19th century 'Kurd' was also used to mean tribespeople who spoke the Kurdish language. At present, insiders' and outsiders' views concur on the definition of Kurds as those who speak Kurdish as their mother tongue.
3. In this research, Kurds are defined as those who declared their mother tongue as Kurdish, including Zaza in the 1965 population census. Mutlu S, 1995. Population of Turkey by ethnic groups and provinces. *New Perspectives on Turkey*. 12 (Spring): 33-60.
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16. Article 237, Turkish Criminal Code.
17. Extended exchange of wives is not a Muslim or Middle Eastern tradition. The practice exists also in other parts of the world, for example in China. See Wijers M and Lap-Chew L, 1997. *Trafficking in Women, Forced Labour and Slavery-like Practices in Marriage, Domestic Labour and Prostitution*. Foundation against Trafficking in Women (STV), Utrecht.
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19. Articles 440 and 441, Turkish Criminal Code.
20. Article 462, Turkish Criminal Code.
21. İlkkaracan P, Gülçür L, Arın C, 1996. *Sıcak Yuva Masalı: Aile _çi _iddet ve Cinsel Taciz*. Metis, İstanbul.
22. See also Kandiyoti D, 1987. Emancipated but unliberated? Reflections on the Turkish Case. *Feminist Studies*. Summer: 317-38.
23. Community Centres are established by the Directorate of Social Services and Child Protection.

**Small Powers, Little Choice:
*Contextualising Reproductive and Sexual
Rights in Slums in Bangladesh***

Sabina Faiz Rashid

1 Introduction

What do we mean when we speak of reproductive and sexual rights of women, particularly in the context of extreme poverty and rapid social and economic changes occurring in urban slums in Dhaka City?

In this article, I would like to discuss some of the evolving factors which shape young women's reproductive and sexual health experiences in the broader conditions of rapid urbanisation and extreme poverty. As an anthropologist, I carried out ethnographic fieldwork among 153 married adolescent girls, aged 15–19, in a Dhaka slum from December 2001–January 2003. The fieldwork included 50 in-depth interviews, eight case studies, and observations and discussions with family and community members. The information gathered showed that there is a shift in the traditional marriage practices in urban slums, with 81 out of 153 young women having love marriages. Financial constraints compel many young women to work in garment factories to earn a living, which exposes them to men in the public domain and work environment. While on the one hand, young women have greater mobility and freedom to choose their own partners, on the other hand, the urban environment has resulted in greater social and marital insecurity. Married adolescent women, in the face of these insecurities, often rely on their sexuality as an economic resource, to hold on to spouses or to attract potential suitors. The lived experiences of engaging in sexual relations with their spouses are fraught with contradictions, as some women tolerate bad marriages and forced sex, which place them at risk of adverse reproductive experiences.

2 Background

Structural and social inequalities, a harsh political economy and indifference on the part of the state have made the urban poor in Bangladesh a marginalised group. Little is known about the combined effects of macropolitical and economic conditions and social and cultural factors on women's reproductive health experiences and their lives. Informed by critical medical anthropology, This article illustrates how the reproductive and sexual lives of young women in an urban slum are grounded in the social, political and economic structures of their lives.

The rapid entry of rural poor families into Dhaka has led to a swift increase in urban population growth, slum settlements and worsening poverty. A total of 40–70 per cent of

urban population growth is now attributed to rural–urban migration (Wood 1998; World Bank and Bangladesh Centre for Advanced Studies 1998; Islam et al. 1997). Almost 60 per cent of the urban poor live in extreme poverty, and the remainder in “hard core” poverty, in which families survive on a monthly household income (1995) of only US\$442 (Wood 1998; Perry 2000). Urban slum dwellers constituted 30 per cent of the total 14 million population of Dhaka in 2002.

Migrants are unable to find affordable housing, and live in insecure tenure arrangements, setting up or renting small rooms with mud floors and bamboo or tin/polythene roofs, in settlements built on vacant or disused land on the margins of the city, never knowing when their slum will be demolished leaving them homeless (Islam 1996). Phulbari, where this study was carried out, is typical. It has a high proportion of squatter households, with most of the poor re-settled here after being forcibly evicted in 1975 from different parts of the city (Afsar 2000). The alleyways are tiny and congested; the rooms are dark and damp and have no fans. Most of the drains overflow with water, sewage and excrement, particularly during the rainy season. Married adolescent women are particularly vulnerable in this slum environment.

3 Love affairs and changing marriage practices

Marriage is socially, culturally and religiously approved of in Bangladesh. A woman’s only source of approved status is through marriage and motherhood. Therefore, marriage is a turning point in a young woman’s life – a major rite of passage, on which her future and fortune depends (Rozario 1992; White 1992). Literature is sparse on marriage practices and adolescent women’s experiences of married life: their sexual negotiating abilities, levels of autonomy, decision-making opportunities, and communication with husbands. The few studies that exist provide useful insights into the underlying values and norms of society, which shape gender relations and female status, but present a fairly homogenous and unchanging picture of adolescent women’s lives (Rozario 1992; Khan et al. 2002; Aziz and Maloney 1985).

Despite the maintenance of many of the traditional norms such as arranged marriages by family members, it appears that there are changes occurring in the urban slums. While 72 young women had arranged marriages, 81 admitted to having a love/elopement marriage,³ without parental permission. Observations reveal that poverty pushes parents increasingly to rely on unmarried daughters to work outside the home to earn an income, and some parents are unable or do not want to get their daughters immediately married. For unmarried adolescent women, meeting potential partners is made easier in urban areas as there are more opportunities to interact with unrelated men, a finding supported elsewhere (Naved *et al.* 1997). A number of adolescent women shared experiences of actively initiating relationships and pursuing men, with some young women resorting to manipulation, while others spoke of exchanging notes and sharing kisses. Although no one admitted to premarital sex, gossip and speculation circulated about particular young

couples who were rumoured to have had premarital sex. Friends of young couples provide alibis and help them find places to meet in private. One resident in section one of the slum was known to rent out her room to drug users and young couples. As Amin et al. (1997) note, traditional values about marriage and sexuality influence young women: men sometimes use the promise of marriage to persuade young girls to have sex or to date.

Bulu, a married 17 year old, like some other young women interviewed, took the initiative with her second husband when they were dating. She said, 'Five days after he first gave me the flower, I gave him a red stone ring. I said, "Let's see your hand". He gave me his hand and I put the ring on his hand. He said, "Why did you give me this? I should be giving you the ring instead!"' According to Farida, a married 18 year old, her sister-in-law Dilu manipulated her brother into a relationship and marriage:

Everyone knows that Dilu manipulated my brother into marrying her. She is very clever... she made up her mind that she would marry my brother. She even threatened suicide if she was not allowed to marry him. My brother did not want to marry her. She said to the elders, "I am pregnant with his child. If he does not marry me I will commit suicide" ... but on her wedding night she started menstruating!

In some cases, boys belonging to local gangs in the slum were hired by adolescent women to "set up" young men in a compromising situation, so they would be forced to marry the girl. Mahmuda, an unmarried 14 year old, was desperately in love with Jamal. She explained, 'Selim [the gang leader] said to me "Give me Taka 1,000 [AUS\$40] and I can make Jamal marry you. You let us know when you meet him next time and we will pretend to catch you in a room together alone and then he will be forced to marry you".' She declined because she believed coerced marriages in such circumstances did not last very long.

Listening to adolescent women's narratives, a divergence appears between traditional gender ideologies and the new social situation young women find themselves in, where romances happen, hearts are broken, young women actively court males, even deceive them, and a few admit to having sexual relations. The case of Dilu is a telling example: she was strong-willed and very independent minded, and rather than passively accepting rejection, she was adamant to marry the young man. The interesting thing here was that she did not lose face for admitting to being pregnant; rather the man whose family lived in the slum stood to lose face in the community if he did not do the right thing by marrying her. An important factor may have been that Dilu was the daughter of a relatively wealthy landlord in Phulbari. Her father was richer and more powerful than her in-law's family, who were poorer landlords. Cases like this indicate that like men, young women are able to exert power and influence over poorer men, if they have access to valued resources, in this case, class, status and economic wealth.

This highlights the significance of these factors in understanding power relations and the level of maneuverability they can afford young women.

However, very few women are in Dilu's situation. More often, social and economic insecurity in the slum leads to tense and short-lived marital relationships, leaving young women even more vulnerable.

4 Instability of marriages

Marital instability was a widespread concern among the women in the slum and poverty, unpaid dowry demands, unemployment and drug use were all blamed as contributory factors. Of the 153 young women taking part in this study, 17 were already separated or had been abandoned by their husbands. In addition, among the 50 who had in-depth interviews, seven young women revealed that they had been previously married and that this was their second marriage. Of this group of seven, four were sharing their husbands with a co-wife. Further probing found that another three suspected their husbands had another woman or co-wife. Those who were deserted by their husbands found that working conditions, low wages and social and economic discrimination in the slum and workforce made them worse off than before, a finding supported elsewhere (Jesmin and Salway 2000). Young women spoke of the physical insecurity of living alone and the need for a male protector, be it a father, brother, son or fictive 'uncle'.

The few studies available suggest that social fragmentation and the heterogeneity of the urban population heighten marital instability. Moreover, love marriages increasingly concern only the couple rather than other family members, so the wider family and relatives are less likely to intervene when problems set in. As most families in the slums tend to be more nuclear oriented, support from the larger extended family tends to be absent, a finding supported elsewhere (Salway et al. 2003). One study found that since slums are relatively anonymous, it is easier for men as well as for women to hide their marital history, re-locate and re-marry without anyone knowing, so they are less likely to face sanctions (Jesmin and Salway 2000). While the traditional framework of arranged marriages imposes a number of restrictions on young women, love marriages in urban areas offer them greater choice and freedom; but ironically less security and certainty.

While most adolescent women claimed to be currently married, in reality, not all of their husbands were regular residents in their households nor made household contributions. Adolescent women chose to remain with their "partially absent" husbands rather than be completely alone, and were willing to tolerate their husband's second marriages, because the trade-off was at least continued social acceptance and physical and economic security. An adolescent woman with a young child, explained:

If one's husband is not there, then what work will I do? How will I look after my child and bring him up? If one does not have a husband then one is always in tension – what will happen to me? Will someone harm me? My husband gives me Taka 40 [AUS 1.00] to do shopping, if I didn't have a husband I would have to manage with very little. Will I go to the streets to find work?

Nasima, like many married adolescent women, was saddled with a young child and with limited job prospects. She preferred to tolerate her husband's second wife, rather than try and manage on her own. Some adolescent women expressed feelings of affection for their spouses, and remained emotionally wounded by their husband's infidelities and re-marriages. Most of the young women were also pragmatic about their reasons for not leaving their husbands. A common statement by young women was: 'Is it so easy to leave the husband? Can I just leave him? How many times will a girl get married in her life? What if the second husband is worse than this one?'

For women, job opportunities in the cities are few and remain in a narrow range of occupations: in garment factories, as domestic servants, or in brick-breaking work, which is common among older women and is extremely low status and low paid work. Two of the abandoned young women interviewed turned to sex work to manage their households. In the first case, the woman's family knew about her occupation and accepted it as she contributed generously to the household income. In the second case, the young woman was living alone and had no family in the slum. Eventually, once her occupation became known, she had to leave the slum after being sexually harassed by leaders. It is difficult to assess the extent of these kinds of situations because of the sensitivity of the topic, but they are probably not uncommon. Finally, unlike adolescent men, young women cannot work without fear of rape and harassment in and outside the slum. Being married and the presence of a husband or other male guardian usually entails some degree of protection from male strangers.

The discussions below will clearly illustrate how all of these factors compel young women to tolerate difficult marriages, which do result in adverse reproductive health experiences and behaviour.

5 Reproductive and sexual health-lives of married adolescent women

5.1 He wants sex all the time and I can't say no!

For married adolescent women, chronic poverty, unfavourable power and gender relations, social and cultural pressures make them vulnerable to experiencing reproductive illnesses. Discussions revealed that many women associate the onset of abnormal discharge and other gynaecological problems with early marriage, becoming sexually active at a young age and having sex frequently with demanding husbands, who refuse to back down. Discussions with young women reveal that forced sex is a common occurrence within married life. Rosina, who was 14 years old and had a love marriage, and whom I had become quite close to during fieldwork, confided that her husband would often get 'high on drugs and come home and demand rough sex', which was uncomfortable and painful and resulted in her suffering from episodes of itching and discharge. She said:

He does not listen to me at all and even if I say no, he just does not listen. My body aches after the sex. He is very forceful and does not want to take no for an

answer. He just grabs me and pushes me down. I don't scream out of shame. My mother in law sleeps next door to us. If I tell him later on why did you this to me, he hugs me and holds me close and says, "Look I won't ever do this again to you", but then again when he is high on drugs he does it again. After one incident, I was in pain, and he warmed up water and brought it for me to wash myself.

Married adolescent women perceive any kind of discharge as extremely worrying and remain anxious about perceived effects of weakness and loss of calcium and more serious consequences such as boils and cancer in the uterus, which is believed to lead to infertility. While frequent sex was blamed as a cause of discharge, discomfort and itching, adolescent women were reluctant to reject their husband's advances, fearing that they would go elsewhere to meet their needs. Social and cultural expectations are such that women are required to be sexually available and compliant for their partners. When some of the young women complained to their mothers and aunts about their predicament, they were admonished and told to bear the pain and 'everything would get better with time'. Although not as common, there were also a few adolescent women who spoke of having mutually enjoyable sexual relations with their husbands, and a further few who complained that their husbands left them unsatisfied and that in response to their hints for more sex, their partners gave excuses of weakness and physical exhaustion. However, these were exceptions. More often, women are caught in the dilemma of trying to please their husbands and meet their sexual needs against their own wishes (see also Stark 1993; Khan et al. 2002). This highlights the role of gender and sexuality structures in promoting vulnerability of young women.

5.2 Sexually transmitted illnesses and inability to negotiate

As discussed earlier, the need to hold on to one's husband is extremely important. Some of the married adolescent women admitted to overlooking their husband's behaviour and tolerating extra-marital relationships and co-wives, in exchange for security and respectability. Some of the young women also recognise their husband's sexual relations with co-wives and other women as risk factors for the onset of severe abnormal discharge and other "bad" illnesses. Discussions on sexual health are whispered: stigma surrounding sex-related disease is one reason for this silence. But the silence is also a form of denial: a way of coping with the reality of living with unfaithful husbands, and being unable to change their social and material conditions.

Ten married adolescent women shared with us that their husbands were suffering from discharge, boils and sores on the penis and itching. Only one adolescent woman shared suffering from a sexually transmitted infection ("bad discharge"). Joshna, recently abandoned by her husband who had left her with a sexual illness, said:

I didn't know he was sick. We had sex as normal and then after a few weeks, one day he had sores all over his penis and even on his balls. It itched like crazy. And pus and watery stuff came out. Soon after, I was suffering from severe smelly discharge, and itching and I went and saw this woman doctor with my mother for treatment. I didn't want to go to the local clinic in the slum, as they will only talk.

Rumours were rife in the slum that after Joshna's husband had abandoned her, she was having sexual relations with a well-known drug dealer in the slum, who paid for her expenses and took care of her. Towards the end of my fieldwork I heard that he had married her. She became his third wife.

Joshna is unusual, as most women are reluctant to share their own experiences of suffering from sexually transmitted illnesses. Conversations reveal that women appear to have a network of close family and friends who they can turn to for support, but the fear always remains of slander by other women in the slum. This is the most common reason given for keeping silent about such illnesses:

Apa [sister] you must be careful what you share with whom, because once a fight breaks out they will shout out all your secrets to the world. If people hear that I have discharge problems then they will say I have a bad character. If I tell someone else then that woman will tell someone else. Then they will discuss amongst themselves, "Look this is what she talks about? She has no shame. She must have been up to no good". Then there is all this bad talk.

Having a sexually transmitted illness (STI) is associated with promiscuity and reflects negatively on the person. In Bangladesh, family planning has traditionally been separated from other services, including STIs, which has influenced its acceptability in the community, but contributed to the stigmatisation of sexual health. Public health messages regarding STIs aimed at sex workers have meant that they are perceived as the main vectors of disease. Thus, condom use continues to be associated with promiscuity and something husbands and wives do not need to do.

The norm is that men are expected to be unfaithful and by nature 'have uncontrollable urges' and young women are expected to be loyal and faithful. Thus there exists the sexual double standard which permits polygamy for men, while women's sexuality is controlled. The reality is sometimes different: slum women alluded to young women who were abandoned or in polygamous marriages, who slept with other men in exchange for food, cash and other rewards. Although some of the married adolescent women are aware that condoms are an effective barrier to STIs, the reality of their lives makes it difficult for them to demand condom use. A wife insisting on condom use may imply that she was unfaithful while he was away or that she does not trust her husband. It is not uncommon for older men married to younger second wives to get jealous and suspect their wife's fidelity. As Sobo points out in her study on inner city US women, cultural ideals dictate that a healthy relationship (marriage) 'involves a healthy disease free partner'. She argues that the use of condoms indicates that the partners are not sexually exclusive and signals a lack of mutual trust. Thus in some ways, condom use denotes a failed relationship, and inversely unsafe sex implies a close relationship (Sobo 1997). These understandings make the awareness of and acceptability of condom use difficult to negotiate in the slum context.

In addition, most men were averse to using condoms. Only four out of 153 adolescent women's husbands took responsibility for fertility control and agreed to wear condoms during sex, and even these four used them inconsistently. Condom use in this case was seen as something related to fertility control rather than for safe sex. Practical constraints make condom use hard for young couples sharing living space no bigger than 25 square feet, with other family members. One young woman explained, 'We are poor. We all stay in the same room. You have the luxury of having separate rooms. We all stay in the one room – mother, brother, daughter, son and husband. So when my husband and I want to do it [sex], it is very quick ... and the main thing on my mind is that no one sees us!'

Poverty, sociocultural ideals and gender relations make it hard to ask for condoms, and young women do not want to alienate their husbands by insisting. The marital bed is a place where a woman's status as a desired wife (and therefore her security) is acknowledged. A husband by sleeping with his wife communicates to her that she is secure within the household and his choice of sexual partner is an acknowledgment of her value. The needs of affection, acceptance and pleasure are also met here (Stark 1993: 44). In the absence of material resources, young woman's sexuality is what she can offer and manipulate to hold on to her husband's (or other men's) affections, although young women do recognise that the trade-off is a risky reproductive experience. One health consequence of untreated STIs is increased susceptibility to HIV infections. A 1996 study of 542 men and 993 women in five Dhaka slums recorded levels of current syphilis at 11.5 per cent for men and 5.4 per cent for women, and of hepatitis B at 5.8 and 2.9 per cent, respectively, while gonorrhoea and Chlamydia were below 1 per cent for both sexes (Sabin et al. 1997).

Being young and sexually attractive translates into economic power. While reproductive health is a concern for young women, their narratives also reveal worries about their long-term desirability and sexuality in their married lives. A few adolescent women frankly shared their anxieties of having 'loose vaginas' from too much sex and from bearing children, and their husbands rejecting them later for younger females. A young woman explained:

A man wants good mal [tight vagina], and if you have sex too much then the place becomes too big. My thing [vagina] is okay ... it is just right. Men don't have similar problems as they have more power ... their bodies are not affected ... but if a woman's thing [vagina] becomes big, then men don't find enjoyment! That is why these men marry so many times.

Arguments and fights related to suspicion and jealousy, with women often accusing each other of seducing their husbands. There were always stories of women who flirted with other men, and of those who had betrayed their neighbours, friends and even sisters in eloping with their partners. Older as well as adolescent married women worried often that their husbands would leave them for younger women. A married adolescent woman, Roshonara, 19 years old explained, 'All men are dogs, they are all the same. Wherever they see a young kochi girl they go running'.

Some studies expect that a woman's autonomy and decision making varies with age and position in the family, and generally that prestige and influence increase as a woman becomes older (Stark 1993: 110). However, observations in the slum indicate that paradoxically, young women because of their youth are also advantaged, as they are able to manipulate their only assets, their bodies, to gain power. Shehnaz is 15 years old, married and shares her husband, who is 40 years old, with an older co-wife and explains why she has the upper hand in her marriage:

My husband is older than me. His first wife has big saggy breasts and because she is older he does not like her anymore [sexually] and that is why he has married again. It does not matter that I am his second wife, I have much more pull over him and he has more affection for me. She has no strength. He can never ever say no to me! He gives me two thirds of his income but he gives her so much less.

In the context of poverty and competition for men, young women can mark their superiority over older women through their youth, and their attractiveness (sexuality) becomes an important source of power.

Conclusion

Poor married adolescent women experience contradictory roles in the local systems of power in which their lives are embedded. Without economic independence and social autonomy, many engage in painful sex, as well as risky sexual relations. While gender relations are open to negotiation, they are still shaped by structural and social factors outside their control. Young women behave pragmatically, which may result in greater risk to their bodies and reproductive health, but it is in exchange for security. These decisions are taken as survival strategies, but they may eventually become "death strategies" for young women (Schoepf 1998: 107, cited in Lock and Kaufert 1998).

Poor married adolescent women construct a 'political economy of the body' in their reproductive and sexual health negotiations, often at a cost to their bodies and health (Petchesky 2001). The reproductive experiences and behaviour of the urban adolescent women in this study bring into relief issues of political economy, the structural roots of poverty, power and powerlessness, social hierarchies of age, gender and class, and cultural practices. For poor adolescent women, reproductive and sexual health cannot be separated from the social, political and economic conditions of everyday life. So what do reproductive and sexual rights mean for married adolescent women living in urban slums in Dhaka city? They mean something quite different than normally implied in sexual rights discussion: they mean something to forfeit in exchange for tenuous rights to security; they mean a short-lived power – mediated by men – over other equally poor but older women. But they very rarely mean having control over one's sexual experiences or being able to act responsibly in the interests of one's sexual health.

Notes

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1. Disease is understood as being social as well as biological, which focuses on the links between disease and social class, poverty, power and ill health, i.e. the political economy of health (Baer *et al.* 1997).
2. US\$1 = Taka 67 (Bangladesh).
3. They speak of it as '*prem*' or love marriage and in many cases, the couple may run off and get married without parental permission or in some cases someone – a relative or an aunt or family friend, may assist them in getting married. In most cases, the family eventually accepts them.
4. As strong social disapproval exists surrounding premarital sex, many young women will tend to underreport actual experiences or sexual interactions with others.
5. She was an old widow and her sons were heroin addicts and this is how she managed to earn an income.
6. The extent of actual marital breakdown is uncertain because of the social stigma attached to it. The few studies available suggest that migration from the village to urban slums disrupts the extended family system, causing instability (Jesmin and Salway 2000).
7. Women are excluded from a range of jobs open to men. These include: the transport sector (rickshaw pulling, baby taxi driving, etc.), most skilled craft-work (carpet work, mosaic work) and the majority of the service industry and retail sector jobs (shop/restaurants, hotels, grocery stores, barbers and cooks), and working in certain markets which involve movement at night (Salway *et al.* 2003).
8. Khan *et al.* (2002) also found that forced sex is a relatively common phenomenon within married life. Out of their 54 informants, 32 reported experiencing forced sex on a regular basis.
9. In another article, I focus on how young and older women perceive vaginal discharge to also lead to loss of nutrients and calcium from the body, and causing weight loss and detrimental effects on the body.
10. For young newly married adolescent women the shame and taboo associated with sexually transmitted illnesses means that they will probably refrain from seeking care and delay sharing their predicament with anyone else.
11. Khan *et al.* (2002) found that with contraceptive use, particularly condom use, it was the husbands who made the final decision on whether to use a condom or not.

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In the Name of Islam? Gender, Politics and Women's Rights in Bangladesh

Dina M. Siddiqi

Introduction

The place of women in contemporary Bangladesh reflects the uncertainties and inconsistencies of the nation's politics, both in terms of the fraught relationship between politics and religion, and with respect to the nation's location in the global economy. In the economic realm, although macro economic growth has been robust, vulnerability to global trade and the fallout from neo-liberal economic policies remain potential sites of disruption. At the same time, a political culture of confrontation and inflexibility threatens to undermine a fragile democratic process. The current government appears unable or unwilling to control rising militant Islamic activities. The ambivalent relationship of Bengali nationalist ideology to religion, more specifically to an Islamic identity, continues to be a site as well as a cover for contestation.

Where do women stand in relation to unfolding events in socio-economic and political realms? What are the implications for women's lives and of government policy toward women of the slow but steady Islamization of culture and politics? I address these and related questions in this paper. In particular, I critically analyze the practice of fatwabaji – of declaring fatwas or religious edicts in support of the public disciplining of 'immoral' women – in the context of shifting rural power structures and more institutionalized processes of Islamization.

Islam and National Politics: The State of Play

A gradual but sustained mainstreaming of Islam in public political life, in the representational practices of the state as well as in national policy and constitutional principles, began in the mid 1970s. It has continued ever since. Bangladesh's Liberation War in 1971 was articulated in terms of a struggle for a secular state in which religion had no place.¹ Taking advantage of latent ruptures in secular nationalist ideology, successive military regimes invoked religion as one way to establish their socio-political legitimacy.² Eventually, the two major parties, the Bangladesh Nationalist Party (BNP), and the Awami League (AL), began to draw on Islamic ideology in their bid to gain political support. Both

¹ The 'privatization' of religion set aside rather than resolved simmering tensions between a secular Bengali cultural identity and religious/Muslim identity.

² In the 1970's, General Ziaur Rahman deleted secularism and socialism from the Constitution. He also removed a ban on religiously based political activity. His successor, General H.M. Ershad instituted Islam as the state religion in the 1980's.

parties also sought out potential electoral alliances with the Jamaat-i-Islami (JI), notorious for its collaboration in Pakistani army massacres and rapes during the Liberation War.³ By the mid 1990's, Islamic symbols and idioms had become part of everyday political vocabulary.

By acquiescing to rather than challenging ever narrowing battles over national identity based on the religious/secular dichotomy - especially in the context of the long-term suppression of Left political alternatives - mainstream political parties closed off other available terms of debate.⁴ It came as no surprise, then that the AL, which had previously spearheaded the movement for a secular state, began to position itself as a party that valued Islam as an integral part of national cultural identity. Indeed, political leaders now compete to "out-Islamicize" one another.⁵

With notable exceptions, the majority Muslim populace has not felt especially threatened by such moves; hence state-sponsored Islamization has faced muted and intermittent resistance.⁶ More recently, a newer and explicitly violent brand of Islamist politics has emerged. A culmination of sorts came in late 2005, when a spate of bombings, including two bloody suicide missions shocked a heretofore complacent public. Carried out by a relatively unknown militant group - the *Jama'atul Mujahideen Bangladesh* (JMB) - the bombs targeted law courts, judges and other symbols of the secular state.⁷ Leaflets found at bomb sites declared the intention of the group to introduce *sharia* law in Bangladesh and promised more violence unless the secular state was replaced by an Islamic one. For

³ Participation in democratic processes after the fall of Ershad's regime and the reintroduction of a parliamentary system allowed the JI to recover fully its political respectability.

⁴ The BNP espouses Bangladeshi (as opposed to Bengali) nationalism which is explicitly Islamic in character and which distinguishes between the Bengali speaking populations of India and Bangladesh. The BNP's ideology is also resolutely anti-Indian. In contrast, the AL is projected in the public imagination as pro-Indian and pro-Hindu/anti-Islamic, attributes that have come to be collapsed with the party's version of secularism. In the circumstances, before parliamentary elections, the party leadership was unwilling to take the political risk of being labeled anti-Muslim by sticking to a purely 'secular' agenda. The BNP used the shadow of India, the ostensibly threatening 'Hindu' neighbor and regional bully, to promote its parochial religio-nationalist agenda. The AL did not resist.

⁵ Indeed, shortly before parliamentary elections in 1996, the AL leader, Sheikh Hasina performed the Muslim pilgrimage or Hajj with much fanfare. Eager to exhibit her personal piety, she emerged in public fully covered in black headdress, long black sleeved blouse and prayer beads in hand. See Dina M. Siddiqi "The Festival of Democracy: Media and the 1996 elections in Bangladesh" *Asian Journal of Communication*, Special Issue on Media and Elections. Volume 6, #2 December 1996.

⁶ For instance, the *Gono Adalat* (People's Tribunal) Movement led by Jahanara Imran and others, which held a mock trial in public of noted wartime collaborators who had been 'rehabilitated' into political life.

⁷ The government banned the JMB several months before the bombings. Many JMB members are said to be recruits from the JI and its student wing, the *Chatra Shibir*. Opinions are divided over whether JMB recruits are disenchanting former JI members or whether JI/Shibir provides a stepping stone to the more radical JMB. One theory is that the relationship between the JI and militant Islamist groups is akin to that of the BJP with other members of the *Sangh Parivar* in neighboring India.

women, the most ominous sign of danger came at the end of the year, when the JMB circulated a leaflet declaring that any woman seen in public without a *borkha* after Hajj in 2006 would be killed.⁸

In the absence of reliable evidence and investigation, it is difficult to establish the credibility of such threats. Although all political parties have condemned the violence, conspiracy theories abound. Nor is it clear who the patrons of the JMB are or who benefits from such acts. Many commentators assume that the JI and its underground allies are involved, since Prime Minister Khaleda Zia's BNP government is in power through an alliance with a coalition of Islamist parties, including the JI. Typical of the BNP, which until the bombings consistently denied the existence of religious militants in the country, the party blamed the opposition AL for instigating the violence. Equally typical of the situation, the AL in turn charged the coalition government for engineering the bombings. In the meantime, and ironically, the rise of the JMB and others may allow the JI to position itself as the moderate voice of political Islam.⁹

Islam and Women's Affairs

State gender policies have remained fairly constant over the years, and are closely linked to mainstream political trends. Political leaders may play the 'religion card,' but state officials tend to tread cautiously in the arena of gender relations. Until now, official policies toward women have been dictated as much by pragmatism and larger considerations of political economy as by ideology. The economy's massive dependence on the garment export industry, which has a highly visible and predominantly female labor force, works against the official propagation of ideologies that would limit women's participation to the domestic sphere. Eager to attract donor capital and goodwill, successive governments have accommodated international agendas into local development strategies. Needless to say, both donors and the numerous foreign and local non-government organizations (NGOs) operating in the country have long stressed the need to bring women out of the home and into the development process.

Official policies have been especially influenced by the outcome of the several United Nations women's conferences held since 1975. The 1995 Fourth World Conference on Women in Beijing proved to be an important turning point. The government of Khaleda Zia adopted without reservations the Beijing Platform for Action (PFA). Less than two years later, under the newly elected AL government of Sheikh Hasina, Parliament signed

⁸ No precise dress code for men or women is set out in the Qur'an. The injunction to maintain 'modesty' has been interpreted and practiced in a great variety of ways across the Muslim world. In Bangladesh, the *borkha* - a long cloak that covers the entire body and has a headpiece that covers the hair - has long been the conventional mode of outdoor dress for women from affluent orthodox Muslim families, especially in rural areas. Women from working class communities may wear an *orna* or long scarf over their heads to signal their respectability. The *hijab* or headscarf of the type worn by Middle Eastern women was completely unknown in Bangladesh until very recently.

⁹ See "Josh Tones & Suicide Bombers" Naeem Mohaiemmen *The Daily Star*, December 29, 2005

into law a progressive National Women's Advancement Policy. The new policy, based on the PFA, was drawn up after consultations

<http://www.comminit.com/en/sections/terms/36%2C2213/253> with feminist and human rights groups.

Critical changes to the National Women's Advancement Policy were introduced in 2004, without consultation with women's groups and without an open discussion in Parliament.¹⁰ As we will see, the revisions themselves are substantial. The revised document, which women's groups discovered by accident in 2005, was quietly approved by the Cabinet although neither the process nor the contents were publicized. It is unclear who was responsible for the substantial changes made to the original policy. No one in the Ministry of Women's Affairs is willing to take responsibility. The revision process was suspiciously undemocratic, and lacked transparency and accountability.

Contrary to the original 1997 document, which acknowledges the right to and importance of equality as a principle in economic development, the revised policy only refers to women's constitutional rights. The latter can be interpreted in fairly narrow terms, especially with respect to the private sphere and personal laws. The original policy calls for equal rights in inheritance, assets and control over land and property owned by the family and the state. The new policy denies women equal rights to land, inheritance and control over acquired resources. In terms of employment, the new policy calls for efforts to employ women in "appropriate" professions. What constitutes appropriate is left open to interpretation. Curiously for a country with a woman Prime Minister and Leader of Opposition, the provision to appoint a significant number of women to the Cabinet has been dropped. A clause calling for the appointment of women to the highest positions in the judiciary, the diplomatic corps and key administrative bodies was deleted.

The substance of the revisions to the 1997 National Women's Advancement Policy, and the surreptitious manner in which they were carried out are cause for serious concern. The nature of the changes has generated speculation that the revisions were instituted at the behest of the JI and its allies. As envisaged, the revisions enable greater control over women's labor, sexuality and economic autonomy. Limits on female inheritance rights and the reference to appropriate professions for women fit in well with Islamist ideologies of women's place in the domestic sphere.

The status of the new policy remains ambiguous. The government has neither formally endorsed nor refused the revised document. The official Poverty Reduction Strategy Paper, endorsed by donors and finalized in late 2005, retains the spirit of the 1997 policy. This suggests that the government is juggling contradictory priorities and interests. The desire to appease its Islamist allies may have led to a revision of the National Policy

¹⁰ Qurratul Ain Tahmina "Bangladesh: Women's Policy Sneakily Changed by Government" in PeaceWomen Women's International League for Peace and Freedom. July 27, 2005.
<http://www.peacewomen.org/news/International/July05/Bangladesh.html> (accessed January 29th, 2006).

for Women. The imperative to maintain a development strategy based on principles of gender equality may have provided impetus for glossing over the process of revision and leaving the status of the revised policy unclear.

Competing Readings of *Shalish* & *Fatwas*

Between 1993 and 1996, in locations across the country, *shalish* (informal village tribunals) rulings led to the ritual enactment of brutal, dramatic and public disciplining of women for alleged transgressions of the moral and sexual order. These *shalish* rulings were legitimated through the authority of *fatwas* or religious edicts. Over 60 such incidents were recorded during this period. The “crimes” generally involved conventional charges such as adultery, sexual relations outside marriage and pregnancy out of wedlock. The sentences - including stoning and caning - were not necessarily conventional but were hailed as appropriately Islamic by many local elders and clerics. The scope and scale of *fatwabaji* and related violence expanded rapidly. In scattered sites across Bangladesh, NGO run schools for girls were attacked, women’s income-generating projects destroyed, and public intellectuals threatened with death for their opinions.

The BNP government, whose parliamentary majority depended upon an outside seat sharing arrangement with the Jamaat-i-Islami, effectively ignored the *fatwa* problem; Parliament and state run media participated in a virtual news blackout. The opposition AL also refused to take a stand. Only the perseverance of feminist and human rights organizations, and the media kept the issue in the public eye.

Conventional academic interpretations of *fatwa*-related violence depict such incidents as a backlash to modernization efforts, or as a result of confrontations between the clergy and the NGOs.¹¹ Undeniably, NGO activities are now synonymous with women’s empowerment and with the destabilization of the patriarchal status quo. NGOs have thus become a prime site for playing out the ‘women question.’ The backlash argument does not, however, acknowledge the likelihood of connections between the rise of Islamist political ideology at the national level and local practice of *fatwas*. Nor does the backlash theory help us understand why ‘commonplace’ transgressions of the moral code should lead to new ‘Islamic’ forms of disciplining.

A recent study by Ali Riaz takes on the question of the relationship between Islamists at the national level and local level *fatwa* practices. Riaz contends that NGOs pose challenges to local moneylenders, by providing credit to poor women. In the process, by making women visible they threaten deep-seated patriarchy. In addition, he argues, traditional religious schools become redundant with the opening of NGO schools. Local elites thus support anti-NGO activities because they have other interests at stake. Clerics become

¹¹ For a sophisticated analysis along these lines, see Elora Shahabuddin “Gender and the Politics of Fatwas in Bangladesh” in Susan Perry and Celeste Schenck (editors) *Eye to Eye: Women Practising Development Across Cultures*. London: Zed Books, 2001.

central to this battle, Riaz states, because "the subtext of the actions was to provide a model of a society where mullahs reign supreme as the custodians of the moral order and where their authority is thereby legitimated by their 'knowledge' of 'Islamic tradition'."¹²

Interrogating the ideological affinity between rural mullahs and organized Islamists, and assessing the vocal support extended by the latter to the former, Riaz concludes that the objective of both groups was to create a society in which Sharia would supercede civil law. For, in Riaz's view, by 1993 fatwas had been transformed from tools for disciplining individuals to an apparatus to battle organizations and to implement a particular Islamist ideology. In this reading, certain fatwas were issued in an attempt to undermine existing local interpretations of Islam and to create a space for alternative readings of religious texts and practices. For instance, family planning measures have long been accepted as consistent with Islamic practices in Bangladesh. The government, in conjunction with UNFPA, has often invoked verses from religious texts to promote its family planning program. Curiously, in the early 1990's numerous fatwas declared contraceptives to be anti-Islamic, and called for the ostracization of families using birth control measures. In some areas imams practicing birth control were actually dismissed for refusing to submit to the dictates of their purportedly more religious colleagues. Indeed, evidence from a recent study indicates that many *qawmi* madrasa teachers and students actively propagate the idea that birth control is anti-Islamic and the government is wrong in promoting contraceptives.¹³

As mentioned earlier, the NGO BRAC found itself the object of Islamist wrath in 1993. Across the country, BRAC schools were burned down and BRAC women's employment projects attacked. BRAC was an obvious target for two reasons. It is the largest NGO in Bangladesh, and perhaps even in the world. The size and scale of its operations have made it a household name. As such, an attack on BRAC is a symbolic attack on all NGO activity. Second, BRAC schools focus to a great extent on girls' education. The question arises as to why other NGOs with more progressive agendas, or those run by Christian missionaries, were not subject to similar attacks. BRAC programs for women's empowerment are hardly 'radical' compared to those of some smaller organizations. Curiously, NGO workers in the field at the time reported that local imams were systematically inciting their congregations to target BRAC projects on the ground that BRAC schools were promoting atheism. Imams across the country delivered suspiciously similar sermons condemning BRAC teaching practices at the time. Aside from conspiracy theories, what factors could have accounted for such "spontaneous" coordination? The long-term - perhaps unintended-

¹² Ali Riaz. *God Willing: The Politics of Islamism in Bangladesh*. Lanham: Rowman and Littlefield, 2005. p. 82

¹³ In January 2006, after a day laborer underwent a vasectomy, the imam of a local mosque issued a fatwa during Eid prayers banning the man from entering the mosque and ordering the community to ostracize the man's entire family. As grounds for the fatwa, the imam declared that it was un-Islamic for a person to adopt family planning methods. Despite informing the local administration of his plight, the day laborer has not received any support or assistance from the state. It appears that the government is willing to let such matters take their own course, rather than intervening and risk pushing this ideological confrontation on to the national stage. See *The Daily Star Weekend Magazine* January 27, 2006. p. 6

effect of the institutionalization of Islam may have been at work. Among other things, by this time the Imam Training Academy was well-established. A separate National Imam Society had been established as well. While both institutions are modernist in their approach, and readily embrace development activities, the networks they have created allow for unprecedented levels of communication among imams who previously would have been completely isolated from one another. Incendiary rumors circulate rapidly even without the existence of formal networks. In this case, the networks would most likely have accelerated the process of rumor circulation, especially if the subject matter concerned actions that “demeaned” religious sentiments.

I agree with many of the insights offered in Riaz’s rich study, although I disagree on some details. Critical reviews of micro-credit suggest that the relationship between moneylenders and NGOs may not be as antagonistic as Riaz assumes. That is, moneylenders have not necessarily been marginalized, although their relationship with poor clients may be more complicated than in the past. Second, the precise nature of the challenge NGO schools posed to *madrasas* remains open to debate. The 1980s saw a rapid rise in the number of *qawmi*¹⁴ or non-government *madrasas*, funded primarily through foreign donations, by Saudi, Gulf, and other Muslim states vying for influence. Privately owned and operated, *qawmi* institutions have curricula that are not regulated by the government. *Qawmi* degrees are not granted the same recognition as those of government regulated *madrasas*. Since their learning is limited to religious studies, employment prospects for *qawmi* graduates are limited. It seems unlikely then that the establishment of NGO schools rendered *madrasas* redundant. Moreover, most NGO schools targeted for attack catered to girls’ education. They do not compete directly with most *madrasas*, which tend to cater to young boys.¹⁵ The real problem is that the existence and mission of NGO schools are ideologically incompatible with a narrowly defined interpretation of Islam. The secular intelligentsia has been greatly concerned about these *madrasas* since their teachings reflect the purportedly “orthodox” and extremely narrow interpretations of Islam enjoined by their donors. In addition, they are armed with a new vocabulary of “orthodox” Islamic morality. It can be surmised that unemployed *qawmi* graduates are potential

¹⁴ *Qawmi madrasas* in Bangladesh owe their origins to a religious institution set up in 1864 in Deoband, Uttar Pradesh, in what was then British India. The seminary in Deoband, established through private initiatives, was originally envisaged as an anti-colonial platform. The Deobandis also challenged the reformist and modernist agenda of the state supported *Aliya Madrasa* system based in Calcutta. Bangladeshi *qawmi madrasas* follow the strictly orthodox syllabi promoted by the Deobandis. As of 2003, there were an estimated 5000 *qawmi madrasas* in Bangladesh. For details, see *Madrasah Education: An Observation* Rokeya Kabir (ed.) Bangladesh Nari Progoti Sangha: Dhaka, 2003. pp 32-33.

¹⁵ Lamia Karim contends that a donor driven shift in policy to privatize rural primary education (placing education in the hands of NGOs such as BRAC) in the 1980’s enraged the clergy, leading them to form an alliance with government primary school teachers who feared loss of employment. The convergent interest of these otherwise separate groups, she suggests, accounts for the torching of BRAC schools in 1993-94 in a nation wide attack on NGOs. In other words, the attacks on NGO schools were not solely the work of militant Islamic groups but of different groups forming alliances with Islamists when their interests were threatened. Lamia Karim “Democratizing Bangladesh: State, NGOs, and Militant Islam in *Cultural Dynamics*, Vol. 16, No. 2-3, 291-318 (2004) p. 299.

recruits for extremist groups. Meghna Gubathakurta notes that *madrassa* students and teachers demanding integration into mainstream education to further their employment prospects were especially vocal in denouncing NGO activities in the education sector.¹⁶

Riaz argues that the scope and nature of the social institutions of *shalish* and *fatwa* were transformed to suit the political agenda of Islamists. He leaves open the question of why the *shalish* would be so open to appropriation by organized Islamists in such a short time. Why would the rural elite allow their authority to be superceded by clerics? Riaz suggest there was a convergence of interests, since the elite had other interests at stake. I will build on this and an earlier analysis in which I argued that a reconstitution of local power structures occurred with the advent of NGOs; existing relationships between moneylenders, religious leaders and other 'older' elites were disrupted by the emergence of new elites with access to alternative sources of resources and patronage.¹⁷ It should be noted here that rural clerics by themselves do not form a solid or homogenous constituency. The illiterate village imam may have limited standing, while the highly educated mufti in provincial towns may be a considerable source of religious authority. In that case, what did individual rural clerics have at stake and what were the power structures that lay beneath the relationships between the imams, the muftis and traditional rural elite?

It is important to note that while much attention has been given to effect of the spread of Islamist policies, significant changes in local structures of power as they affect the functioning of the *shalish*, have been neglected. Dynamic and fluid in nature, the *shalish* is an informal dispute resolution mechanism, called on to settle moral or material disputes in rural Bangladesh.¹⁸ In contrast to the antagonistic approach of "western" style law courts, *shalish* rulings are technically based on consensus and so reflect community norms and codes of conduct.¹⁹ Unlike village panchayats in India, membership is not permanent. Ideally local elders, landlords, and others of "good name" traditionally participate in *shalish* rulings. *Shalish* decisions fall outside the purview of state law and are non-binding. The acceptance of any particular ruling depends upon the power and/or moral authority of the assembled *shalishdars* (those adjudicating a case) to enforce their ruling. My research on the history of the *shalish* indicates that imams or mullahs were never integral to the institution. Religious voices were brought into primarily to bolster the opinion of local elders or when intractable religious problems emerged.

¹⁶ Meghna Gubathakurta. "Religion, Politics and Women: the Bangladesh Scenario." WLUMI Dossier 25 October 2003.

¹⁷ Dina M. Siddiqi. "Taslima Nasrin and Others: The Contest over Gender in Bangladesh" in Herbert Bodman and Nayereh Tohidi (editors) *Women in Muslim Societies: Diversity Within Unity*. Boulder: Lynne Rienner, 1998.

¹⁸ See Dina M. Siddiqi. *Shalish and the Quest for Gender Justice: An Assessment of Strategic Interventions in Bangladesh*. Report prepared for Ain o Salish Kendra and Research Initiatives, Bangladesh. Dhaka, 2003.

¹⁹ In 'western' style law, the parties involved are in a directly antagonistic relationship to each other. They are either guilty or innocent; they either win or lose a case. The ultimate aim of the legal system is to identify through a rigorous procedure the guilty party who is then punished. In contrast, community based forms of dispute resolution seek to promote consensus and understanding among opposing parties. The long-term objective is to restore harmony rather than to impose retributive justice. Thus, in a typical *shalish* proceeding, "guilt" and punishment will depend not only on the transgressive act itself but on the perceptions of the adjudicators of context and social implications of the act. See Dina Siddiqi. *Paving the Way to Justice: The Example of Nagarik Uddyog*. London: One World Action, 2003.

Since the early 1970's, traditional sources of authority in rural communities have been destabilized. As the center of authority has shifted, so has the composition and function of the *shalish*. Older formations of social hierarchy have given way to newer ones in which money, party politics and access to NGO resources often win out over age, reputation and lineage. Dominance through landholdings or inherited wealth no longer automatically offers the social stature required to authorize *shalish* rulings. For instance, young men have the option of joining political parties or local gangs; armed with weapons and political clout rather than with moral authority and reputation, they can be found calling *shalish*, dispensing justice and 'selling' sentences.

Moreover, partly as a result of NGO activity, some new options for dissent have opened up. Neither the younger generation, nor heretofore marginalized groups are as willing to submit to dominant "practices of ruling" as in the past. Young women are more likely to resist strict codes of conduct. Indeed, the significance of NGOs lies in their ability to provide alternate sources of patronage to marginalized individuals and groups.²⁰ In the circumstances, it is not surprising that traditional power brokers, threatened by emergent relations of power, would turn to religious leaders to bolster their authority. Arguably, the *fatwas* of the early 1990s reflect an (attempt at an) ideological shift in formal or official community consensus. Elites threatened by NGOs and overall development processes may seek to utilize religion as a means to reestablishing their authority, in specific cases and against specific targets. Meanwhile the proliferation of *qawmi madrasas*, and developments at the national level allow local religious leaders to draw on a new language of Islam to assert their authority and their identities.

The Story of Nurjahan

A close inspection of a *fatwa* case reveals a level of complexity not fully captured by the analysis above. I reproduce below the particulars of the first case to make national and international headlines, that of Nurjahan of Chhatakchara village, Maulvibazar.²¹

Nurjahan was the 7th in a family of 9 children. Her father was a poor farmer. At the time of the *fatwa* in 1993, she was living with her parents, having been abandoned by her first husband four years earlier. In late 1992, her parents arranged a second marriage for her with a fellow villager. Since Nurjahan's first marriage had ended informally, through a verbal divorce, her father obtained a *talaknama* or formal divorce papers before proceeding with the second marriage. When he subsequently went to the local Maulvi, Maulana Mannan, the latter refused to acknowledge the validity of the divorce claiming that the panchayat²² had objections. On being shown the *talaknama*, Mannan insisted he would

²⁰ See Lamin Karim "Democratizing Bangladesh: State, NGOs, and Militant Islam in *Cultural Dynamics*, Vol. 16, No. 2-3, 291-318 (2004).

²¹ For details of the case, I draw on the narrative provided in Dalis Ahmed *The Dispensation of Fatwa and Women's Progress in Bangladesh*. Dhaka: Bangladesh Freedom Foundation, 2003. pp 92-94.

²² *Panchayat* is the local term for *shalish*. The word *darbar* is also used in some localities.

need to study the document and issue a *fatwa*, a service for which he would need Taka 200.²³ Nurjahan's father scraped together the money, and the Maulana issued a *fatwa* in which he sanctioned the upcoming second marriage. Within two weeks, one of the most powerful men in the village, Monir along with several members of his *goshti* or clan and Maulana Mannan called a *shalish*. Although Nurjahan's father showed them a copy of the *talaknama* and informed them of Mannan's earlier *fatwas*, the *shalish* declared the first marriage to have been valid. This move allowed them to charge Nurjahan and her husband with adultery, and her parents of abetting such behavior. Husband and wife were to be punished by being buried waist-deep and pelted with stones 101 times. Her parents were to be caned 100 times. Wedding guests were not spared public humiliation either. They were made to hold their hands to their ears and bend down to their knees ten times.²⁴ On the pleading of Nurjahan's father, the young woman's sentence was reduced somewhat: she was to be buried knee-deep and instead stones pebbles were to be used. The parents' sentence was also reduced to 50 lashes. The punishment was carried out the following day. Shocked and traumatized by the experience, Nurjahan committed suicide soon afterward. Maulana Mannan refused to conduct burial rites for the young woman on the ground that she had committed adultery. Other villagers defied his *fatwa* on this regard. They came forward to ensure a proper Islamic burial for Nurjahan. When Nurjahan's father requested two members of the Union Parishad (formally elected members of the local council) to assist him in reporting his daughter's death to the police, they refused. The police took action with great reluctance, and only after pressure mounted following news coverage in a local daily and the arrival of activists. In February 1994, 7 of the 9 accused were sentenced to 7 years imprisonment.

A close reading of Nurjahan's story does not support conventional interpretations of *shalish*-related violence against women, in which conservative Islamists are threatened by and react to women coming out and challenging patriarchy. That is, an understanding of the case above based on a tradition versus modernity or religion versus women's rights framework would be deeply flawed. In the first place, the dynamics between Maulana Mannan and the village elite calls for further scrutiny. In his initial refusal to recognize the *talaknama*, Mannan referred to the *panchayat's* objections. Whether the *panchayat* members truly objected at that stage or whether Mannan used them as an excuse to stave off the marriage is a moot point. Mannan's gesture of deference toward the *panchayat* was indicative of his general status in the social hierarchy and of the limits of his power in relation to the social elite.

Moreover, the reasons behind Mannan's and Munir's objections to Nurjahan's second marriage may have been highly individualized. Both men were said to have had their eyes on Nurjahan. Both were apparently eager to marry her. In this light, the apparent volte-face of Maulana Mannan on the status of the first marriage does not appear as curious as it

²³ Taka 200 is equivalent to approximately \$ 3.50. It is a relatively large sum for a landless peasant in a country where around half the population earns less than a dollar a day.

²⁴ A punishment generally reserved for children who have misbehaved.

might otherwise. It is likely that Mannan was conscripted into sanctioning the *shalish* after Monir realized his proposition had been rejected. Powerful men forcing themselves in marriage to young girls from poor families is a common phenomenon in rural Bangladesh. Resistance is not always viable although the price of refusal in this case was surely unanticipated.²⁵

It is not incidental that the entire family and the wedding guests - none of whom were presumably from the affluent section of village society - were punished, and in public. The public nature of the punishment worked not only to discipline an 'errant' young woman but also to signal the consequences of resistance to other poor villagers. The fact that poor villagers rejected the *fatwa* to deny Nurjahan a Muslim burial indicates their disagreement with the initial ruling but also their relative powerlessness and fear. The reluctance of the local administration and of the police reflects the interdependence and complicity of local power structures with the state's legal apparatus. Had it not been for the media and the pressure of human rights organization - as well as a desire on the part of the government to minimize negative international publicity - the perpetrators might never have been apprehended and punished. Finally, Maulana Mannan's enforcement of orthodox Islamic practices was inconsistent, to say the least. Verbal divorces are invariably sanctioned by clerics, yet Mannan was willing to accept the annulment of the first marriage but only in exchange for a fee.

What does this case tell us about the links between local groups and organized Islamists? The right-wing media vociferously criticized the outrage of civil society over the Nurjahan case. Newspapers owned by Islamist parties claimed that attacks on *fatwas* were tantamount to attacks on Islam, and they further claimed that Islamic scholars were being denigrated in the process. Anti-*fatwa* movements were discounted as a "conspiracy of apostates" and NGOs were roundly blamed for fomenting anti-Islamic sentiments. Many Islamists invoked anti-imperialist rhetoric and a slide in law and order to defend their views. One writer claimed that the rise in *fatwas* demonstrated the gap between colonial laws and Muslim culture. Another editorialized that, "the present laws of the land were created by the foreign imperial masters. And from their successor Pakistani state, we have inherited some decrepit, westernized and inhuman laws and regulations which combine to form our inefficient and corrupt police and legal structure. That is why this is now a haven for *fatwas*."²⁶

It is probable that rhetoric of this nature provided direct encouragement and support to individuals willing to impose explicitly "Islamic" judgments in the *shalish*, particularly if they had already been exposed to the education and proselytizing of *qawmi madrasas*. It is worth recalling here that the policing and enforcement of moral codes through harsh *shalish* rulings is hardly a novel phenomenon in rural Bangladesh. The use of formal

²⁵ Anecdotal evidence also suggests that a land dispute lay at the core of the original hostility toward Nurjahan's father.

²⁶ quoted in Riaz p. 84

religious opinions in the form of fatwas to resolve potential tricky questions in shalish hearings is also conventional practice.²⁷ It is probable that practices that were earlier read as reflecting the cultural norm (which included religious understandings) were understood or recoded as explicitly Islamic during this period. The broader micro and macro context would have enabled this recasting of social meanings. At the local level, individual clerics and even other elites may have begun to position themselves as spokesmen for Islam rather than only as keepers of community morality. At the national level, the trend toward overt Islamization would have provided an impetus in this direction. In addition, the vigilance of the media and activists, and their readings of such events as signs of spreading fundamentalism would have reinforced exclusively 'religious' understandings of practices that earlier had multiple meanings. Paradoxically, once it became a national issue, the very act of reporting and publicizing a *fatwa* conferred on it a curious validation and credibility. There might very well have been a demonstration effect involved.

The *fatwa*-frenzy died down considerably after 1996, around the same time that the AL defeated the BNP in national elections. Notably, Islamist parties were absent from the new regime. Fatwas have not disappeared, however. Rather, they seem to have been institutionalized as an instrument for local manipulation in a variety of power struggles.²⁸

The Future in the Visible Landscape

To some extent, women's cultural practices today reflect the polarization of politics and of nationalist discourse. For instance, if dress is any indicator, normative Bangladeshi womanhood does appear to be headed in two entirely different directions. Of relatively recent origin, the two directions characterize the nation's engagement with a globalized and polyvalent modernity. They are informed by the contradictions of economic liberalization, by global cultural flows of people, goods and ideas, including ideas of what it means to be a proper Muslim or a hip teenager.

In exclusive shopping malls and restaurants in the capital Dhaka, young girls and women in jeans and form fitting tops slip in and out, with cell phones and male companions in tow. In the privacy of their own homes, or at late night gatherings, the fashions embraced and the flesh exposed suggest these women would be equally at ease in any other cosmopolitan city. Indeed, they inhabit a global cosmopolitan space that can only be accessed through class privilege.

Predictably enough, the larger consumer economy trades on the "visibilization," and commodification of women's bodies. Print and electronic media are flooded with images of beautiful, impeccably groomed women promoting goods that range from hair care

²⁷ I would like to thank Willem van Schendel for encouraging me to think this point through.

²⁸ See Ain o Salish Kendra *Human Rights in Bangladesh, 2002 and 2003*. Dhaka: Ain o Salish Kendra, 2003 and 2004.

products to banking services.²⁹ Beauty salons have mushroomed, catering to women of all classes and tastes. Fashion shows in swanky hotels are commonplace events.

From a gendered lens, however, the most striking transformation in the urban landscape is the practice of veiling now prominent across classes. Equally striking is the form of veiling—often in styles that appear imported or culturally alien. From doctors' offices to universities, women are attired in *hijabs* that stylistically recall the Middle East or Southeast Asia rather than Bangladesh. Billboards for *borkha* stores dot the city, advertising products arranged by national origin—Kuwaiti or Irani or Pakistani style *borkhas* and *hijabs*—for sale.

Until recently, veiling, especially wearing the *borkha*, was a relatively uncommon feature of Dhaka's public face (except for the Old City). In the city, the *borkha* signified a rural mentality, a visual reminder of the absence of modernity. Its use was limited mostly to the rural middle classes and to communities in old Dhaka. Its emergence in the public sphere marks a considerable shift in veiling practices from 20 or 30 years ago. Patterns of labor migration, the globalization of political Islam and the strategies of local Islamists have all played a part in producing this shift. Migration to the Middle East—conventionally understood to be the site of authentic Islam—has exposed Bangladeshi workers to alternative ways of being and acting like Muslims. Many return with new ideals about what it means to be a good, authentic Muslim, including ideas about proper dress for women. Given that such items of clothing are generally expensive, the wearer can simultaneously exhibit wealth and piety. It is quite likely that the circulation of images of Muslim women in other settings also informs demands and desires for specific types of covering.

Moreover, in the past two decades, Bangladeshi society has experienced a hardening of religious and social identities. By extension, public practices of religiosity, not just in deportment, are on the rise among all segments of society. For instance, mosques—previously all male spaces in Bangladesh—are beginning to accommodate women. Women from affluent neighborhoods, with otherwise westernized lifestyles can be found fully veiled and busily organizing Quranic reading circles and other religious activities.³⁰

Little research exists on this privatized process of cultural Islamization, especially among the elite.³¹ Nor is it clear why numerous university students, mostly from lower middle class backgrounds, have chosen to take on the *hijab* in some form or other. At one point, rumors circulated that Islamist parties offered monthly “stipends” to indigent female students in exchange for donning the *borkha*. Such a claim cannot be verified easily. The rumor itself, however, indicates a desire to rationalize or render comprehensible an action that otherwise appears “irrational.”

²⁹ Indeed, it is hard to escape the numerous hoardings and TV commercials for hair treatments, all ostentatiously exhibiting the long, silky tresses of Bollywood actresses and other mobile beauties. The fetishization of hair as a commodity and a visible asset for women is all the more striking given the Islamist emphasis on concealment of a woman's hair.

³⁰ The wives of ambassadors from Middle East and Gulf countries are said to have provided the initial impulse for organizing these reading groups.

³¹ Exploring the reasons for this increase is beyond the scope of this paper.

Curiously, the one million or so female factory workers who form a ubiquitous feature of Dhaka's cityscape appear to be at the margins of this process. Most of these workers have always covered their heads with large *ornas* as they commuted to work. Only a few wear the full veil or the *borkha*. Their public presentation does not appear to have changed appreciably over the last decade.

Until now, the struggle over appropriate dress for women has not been as Manichean or stark as political debates at the national level. As the discursive and political terrain narrows, however, this may change. The JMB threat to eliminate women who refuse to wear the *borkha* appears to be a first step in this direction.

Conclusion

The rise of *fatwa*-related violence against women in Bangladesh cannot be understood as a simple backlash to modernity, that is, as a clash between a traditional religious leadership and modern development actors such as NGOs. In order to understand the phenomenon, one must ask why it is that formerly "commonplace" transgressions of the moral code, which previously resulted in conventional forms of disciplining, generate explicitly Islamic forms of punishing women (and men associated with them) at this particular historical juncture. I suggest that shifts in the nature of the *shalish* and disruptions in local power structures, along with the rise of *qawmi madrasas* with their new vocabulary of orthodox Islam and larger political shifts at the national level have all enabled and sustained this process.

The political alliance between Islamist parties and the current government does not bode well for the future, although such alliances are by nature provisional and may shift any time. In this respect, the upcoming parliamentary elections later this year could be a critical turning point. If voters reject candidates who run on an explicitly religious platform, they will send a strong message to political parties about the desirability of alliances with Islamists. Equally important, the steady consolidation of a functioning democratic system should enable politicians to distance themselves from religious nationalism as a means of securing state power.

Reproductive and Sexual Health Promotion in a Sensitive Socio-Cultural Environment: Developing a Module for the Grassroots

**Hashima-e-Nasreen, Kathy Cash, Mushtaque Chowdhury
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Executive Summary

The general population of Bangladesh is in poor health, has little access to health facilities, has increasing incidence of STDs and is in close proximity to countries with high rates of HIV/AIDS. Up to date, little has been done to educate rural Bangladesh citizens about STDs including HIV/AIDS, RTIs and other sexual and reproductive health problems. In 1997 a sexual and reproductive health project began in a rural community under the collaborative research model of two organizations, the International Centre for Diarrheal Disease Research (ICDDR,B) and the Bangladesh Rural Advancement Committee (BRAC), an indigenous non-governmental organization which pursues integrated rural development strategies. The goal of this project was to improve the sexual and reproductive health of rural women, men and youth in Bangladesh.

The target population was a representative sample of the rural poor. Initial qualitative in-depth interviews with 65 different women, men, boys and girls revealed significant sexual health problems and experiences and little knowledge about treatment and prevention. Data from these initial interviews was transformed into a series of flip-charts which contained both sex education information and picture stories that mirrored risk behavior. Because of the sensitive nature of the topics, only those who had perceived legitimacy to talk about sexual health were identified and trained. Sixty eight health providers and 1890 community people were trained.

Qualitative evaluations of health providers revealed significant changes in their knowledge and beliefs about sexual health and disease. Health providers integrated the program into their ongoing work. Furthermore, they reported improvements in their self-confidence, business, personal interactions with their family members and with their clients due to this program. In conclusion, this program demonstrated that a gender-sensitive sexual and reproductive health initiative could be a positive force for change in a rural Bangladesh setting.

Historical Background

Bangladesh, with a population of approximately 120 million, is one of the poorest countries in the world. An estimated half of the rural population is malnourished, in poor general health and living where public health facilities are severely inadequate and

inaccessible. Though bordering countries like Nepal, India and Burma have high rates of HIV/AIDS, Bangladesh currently has an estimated rate of 0.03% HIV infections which is comparatively low (World Bank 1995) (WHO 1998). This is no cause for complacency.

The relationship between the prevalence of STDs and risk of HIV/AIDS transmission is well known. Prevalence studies point to a high number of Bangladesh women with RTIs and STDs. A clinic-based study found 60% of women suffering from RTIs, including 4% with gonorrhoea, and less than one percent with syphilis (Chowdhury et al., 1996), while a rural study found 56% of women had RTIs of which 23% had STDs (Hussain et. al. 1996). Among 240 CSWs in Bangladesh 57.1% were found positive for syphilis, 14.3% had gonorrhoea, 20% had chlamydia, 20% had herpes, and 5.7% were carriers of HPV (Chowdhury et. al. 1989). A study in Matlab (the research area) found less than one percent were infected with gonorrhoea and trichomoniasis and 1.2% with chlamydia (Hawkes 1997). While infection rates in rural Matlab appear low, recent migration between rural and urban areas is high. Dhaka, now considered the fastest growing city in Asia, hosts a large number of recent urban migrants, many of whom are never married boys and girls working in the industrial labor force.

There are many deleterious physiological, psychological and social consequences of RTIs and STDs for women. Untreated RTIs/STDs lead to ectopic pregnancy, infertility, fetal wastage, low birth weight, congenital infections and chronic pelvic pain. At the same time an aura of silence and shame surrounds women's sexual and reproductive health problems. Women do not seek out treatment or prevention of sexual diseases from medically trained health providers because these providers are often unacceptable and inaccessible to them. Furthermore, there have been few attempts to educate people about RTIs, STDs particularly in rural areas.

In 1997 a sexual and reproductive health project began in Matlab, ICDDR,B's demographic surveillance area, under the collaborative research model of two organizations, the International Centre for Diarrheal Disease Research (ICDDR,B) and the Bangladesh Rural Advancement Committee (BRAC), an indigenous non-governmental organization which pursues integrated rural development strategies in income-generation, credit, enterprise development, and in health and education programs. BRAC had previously developed an innovative community-based approach to sexual and reproductive health by providing an integrated RTI/STD/AIDS service through its Reproductive Health and Disease Control Program (RHDC) since 1997. Also ICDDR,B's community health workers have promoted condom use, but have not necessarily related this promotion to the occurrence and transmission of STDs including HIV/AIDS. But these approaches do not reach children or never married adolescents, nor do they follow a gender-based approach to sexual health (Arole 1994).

Preventive education and services often focus on condom promotion and facts about HIV/AIDS. In a country like Bangladesh, where HIV/AIDS is still not visible, where other

sexual health problems are more immediate and apparent, and where most women are impoverished and illiterate, a broad, gender-based approach to sexual health is needed. A sexual health initiative needs to focus on gender determinants of risk which would include the relational and social context within which vulnerability for rural women, men and youth is experienced.

Purpose

The purpose of this study was to investigate and understand the socio-cultural context of risk and vulnerability among a representative sample of rural Bengali men, women, girls and boys, and out of this understanding to develop an effective sexual and reproductive health intervention. Because so little has been done to address rural people's sexual health needs in this socio-cultural context, the intervention was essentially pioneering into uncharted territory. For this reason, it was important to proceed with caution and deliberation.

Goal

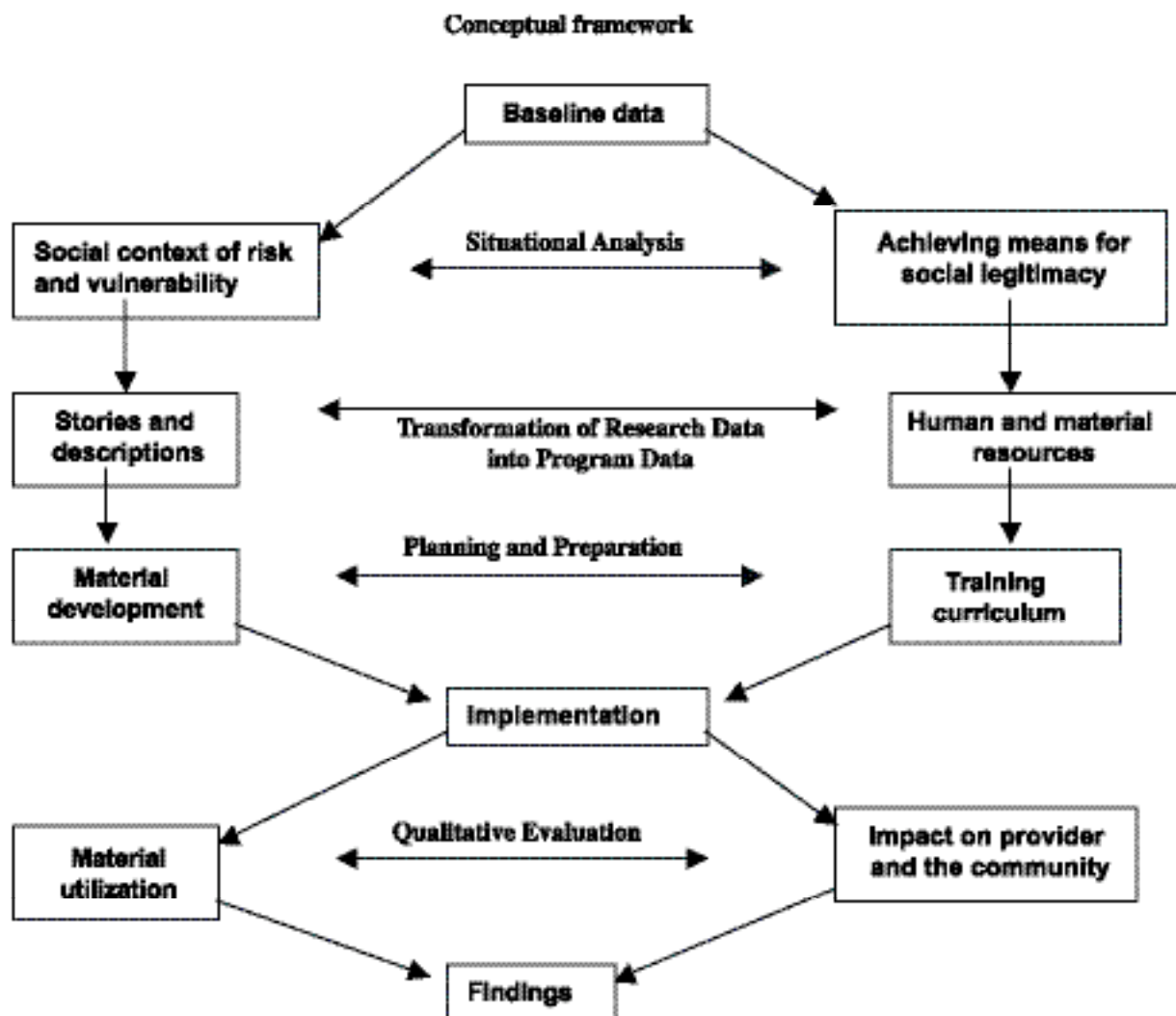
To improve the reproductive and sexual health of rural people in Bangladesh, especially women and adolescent girls.

Objectives

The objectives of this study were to:

1. Understand the nature and extent of communication about sexual and reproductive health among women, men and adolescents in a representative rural area
2. Identify the circumstances, behaviors and the community and family response to gender-related and family violence or those circumstances that put women and female adolescents at risk of RTIs/STDs/AIDS.
3. Train community health workers to integrate sexual and reproductive health education and services into their work duties and responsibilities
4. Train village doctors, pharmacists, and traditional healers to improve education and services for the treatment and prevention of RTIs and STDs including HIV/AIDS
5. Train village women, men, boys and girls to be sexual and reproductive peer educators and counselors
6. Improve communication and enhance the community and family response about behavior that augments risk and vulnerability
7. Compare the impact of the integration of sexual and reproductive health education into a health services delivery program with a development program.

II. METHODOLOGY AND ACTIVITY DESIGN



Explanation of Conceptual Framework

Baseline Data

This study was conducted in Matlab, where ICDDR,B has been operating a demographic surveillance system (DSS) since 1966. Therefore, extensive baseline data was available. In summary Matlab has about 142 villages with a population of 150,000 which are involved in the collaborative research and programs of ICDDR,B and BRAC. Approximately one third of the population are under 15 and 10% are over 60. The farmers of Matlab, representative of the rural poor in Bangladesh, own less than two acres of land and 30% are landless. About 45% of the males and 73% of the females have no formal education. Contraceptive use is widespread but condom use is very low (BRAC and ICDDR,B 1994).

Situation Analysis

The Social Context of Risk and Vulnerability In depth interviews were conducted with a representative sample of the rural poor in Matlab which included 20 married men, 20 married women, 13 never married boys and 12 never married girls. Eight single sex focus group discussions were conducted with a total of 50 married adults and 20 never married adolescents.

These qualitative interviews focused on questions related to the broad parameters of sexual and reproductive health e.g. on how people learn about sex, extra-marital and pre-marital sex, sexual communication and expressions of sexual feelings, family violence, knowledge of reproductive tract infections and sexually transmitted diseases including HIV/AIDS and sexual dysfunction. Questions were adapted to differences in knowledge and status between married and never married people's expected sexual experiences. Researchers also collected stories, jokes and parables respondents told about other people's sexual behavior.

Means for Achieving Social Legitimacy Given the sensitive nature of the content within the conservative rural context of Bangladesh, it was important to determine what human and material resources would support the development of the intervention. Researchers identified individuals in the community who had the social license to speak and give counsel about sexual health including the diagnosis and treatment of sexual diseases. Different health providers were identified ranging from those who had reached their expertise through dreams to those who had some medical training—though all had publicly recognized legitimacy to discuss sexual health problems. Fifteen health providers were interviewed about their beliefs and their client's beliefs about sexual health problems, reasons clients sought out their services and advice they gave about prevention and treatment. These health providers also documented 27 cases over a three month period as part of the preliminary research. Researchers also identified the accessibility and availability of material resources, e.g. condoms, antibiotics.

Transformation of Research Data into Program Data

Stories and Descriptions Data from in-depth interviews, focus group discussions and participant observation was analyzed for repeated story themes and descriptions. These stories and descriptions were categorized under the following headings: extra-marital and pre-marital sex, expressions of sexual feelings, sexual communication, learning about sex, sex education, forced sex, rape, sexually transmitted diseases, reproductive tract infections, sexual entitlement, sexual dysfunction, treatment and prevention, sexual attraction, fears and anxieties, family and domestic violence. The data revealed consistent patterns of gender-related experiences, beliefs and attitudes about sex and sexuality.

Human and Materials Resources Researchers identified four different groups of people who the target population recognized as having expertise in sexual and reproductive health. These were traditional birth attendants (TBAs), *Shasto Shabikas* (community health workers), pharmacists, village doctors, and *Kabiraz* (traditional healers). These health providers had both different and overlapping jobs, expertise and reputations. For example, *Shasto Shabikas*, who were women, went door to door discussing reproductive health problems and selling condoms. Pharmacists, on the other hand, who were men, were stationary, sold condoms, dispensed antibiotics and prescribed medicine.

Preliminary research identified sister-in-laws and grandmothers as those most likely to communicate information about sexual health to a never married or just married adolescents. Therefore, sister-in-laws were identified as the most appropriate people to educate youth.

Planning and Preparation

Materials Development The selection of appropriate content and format for the materials was based on two considerations. First, many of the target population are not literate. Second, people in rural communities communicate information, lessons and morals about sex through stories and parables. Therefore, picture stories were the most appropriate means to mirror the social context of risk and vulnerability and to encourage active participation of the target community.

Representations of sexual health issues and problems in the form of picture stories and informational pictures were developed. These representations were presented as flip-charts. The flip-charts included sex and reproductive health education and problem-solving stories about pre-marital and extra-marital sex, forced sex, rape, impotence, family abuse, drug and alcohol addiction, sexual and menstrual hygiene, partner notification, family and partner communication and men having sex with men. Each problem-solving story ended with suggested solutions. The front of the flip-charts had only pictorial representations and no written words while the back had simple explanations that some health providers could use to explain the content.

Training Curriculum A total of 68 health providers (village doctors, pharmacists, male and female *kabiraz*, TBAs and *Shasto Shabikas*) and 1890 community people (women attending VO and NFPE meetings, sister-in-laws, and young adult males through general arrangements) received training. The training curriculum focused on explanations of the content, explanations and discussions of how, when, where, and with whom to use the materials. Role plays were conducted to give participants practice using the materials. Training groups were separated by sex and expertise. The training curriculum was flexible so that, *Shasto Shabikas*, for example, participated in the training as long as was needed for them to understand the flip-charts and express confidence using them. Usually three hours were needed to train participants to use one volume of the flip-charts. There were five volumes all together.

Implementation

After training, health providers integrated the messages, materials and lessons learned from the training into their regular work activities. The way health providers integrated this program into their work activities was up to the health provider. During the evaluation, it became clear that health providers as well as sister-in-laws chose some very inventive and interesting ways to introduce the program to the community—ways that were not necessarily covered or predicted during the training program.

Qualitative Evaluation

A random sample of health providers and sister-in-laws were interviewed about their knowledge of RTIs and STDs, their understanding of the relationship between personal and social relationships and risk, e.g. domestic violence and risk behavior, and their general knowledge of sexual health. The sample included 17 pharmacists and village doctors, four male and female *Kabiraz*, five TBAs, nine *Shasto Shabikas*, 17 women (including sister-in-laws) who attended the VO meetings.

Materials Utilization In depth interviews with health providers (excluding sister-in-laws who did not receive the flip-charts) focused on how the materials were used, what information or stories the providers chose to emphasize and why, negative and positive reactions from the community and how providers coped with these reactions.

Impact on Provider and on Community Evaluation interviews also focused on the health provider's perceptions, beliefs and interpretations of how the program affected them, their families and their communities. Questions focused on how the program influenced the behavior, business, the interpersonal relations and the self-image of the health providers and sister-in-laws.

Findings

Findings were analyzed for persistent patterns or themes. Generally speaking, knowledge related to sexual disease needed the support of follow-up activities since many participants forgot the information they had learned during the training. Providers used creative ways to utilize the materials and the individual, family and community response to the program was very positive. This information will be highlighted in a subsequent section.

Problems and Limitations

Most of the problems and limitations were related to the sensitivity of the content. Researchers found it difficult to interview adults and adolescents near their households or in their respective communities. First, it was difficult to ensure privacy. Second, household responsibilities are a priority for women and girls so that anyone could call them away from the interview at any time. Third, respondents felt inhibited to discuss these sensitive issues so close to their households. Once interviews were moved to the BRAC office, respondents became surprisingly frank and animated during the interviews—in direct contrast to their behavior during the interviews in their villages.

Discussing sexual health publicly with never married adolescents was also a problem. In one focus group discussion with adolescent girls, jealousy emerged and after the interviews, one girl tattled to adults about what other girls had said. The next day the parents prohibited researchers from talking to their daughters. In another incident with boys, they told the interviewer, “We will never talk to you”, after the male interviewer had tried to discuss sexual health with them on the previous day. Surprisingly, one boy contacted the researcher privately and told him that he wanted to discuss his problems with the researcher. Again, it was far easier and more fruitful to interview adolescents individually and privately in the BRAC office away from their families and friends.

Interviews with married men were sometimes problematic because of their need to present themselves as moral citizens. Other studies have highlighted the difficulties of interviewing married men about their sexual behavior.

During initial interviews and the training, health providers reiterated their need for economic compensation regarding their involvement in this program. They were sometimes resistant to help the project with extra tasks, e.g. keeping indicators, evaluation activities. In Matlab, it is prohibitive to provide economic compensation to participants in any research program. The program staffs were able to motivate the participants by providing training, snacks during training and some travel allowance.

The VO (Village Organization) meetings at BRAC were initially considered to be a suitable venue for introducing the program and materials to sister-in-laws. Women gather at the VO meetings to discuss income generating activities. Some women at the VO meetings were reluctant to participant in this program’s activities because of their

expectations regarding these meetings and because they did not want to stay beyond the expected time. Project staff found that the NFPE meetings (meetings of parents who have children attending BRAC schools) were a better venue for introducing this program to sister-in-laws and other interested adults.

A major problem was the lack of time between the end of training and the final evaluation. Health providers did not have the time to sufficiently implement the program. Because of the sensitivity of the materials and length of time it took to field test and publish them, and because of the length of time needed for each training session, some health providers had only one month between the end of training and the final evaluation to implement the program.

Throughout the project there was some negative reaction to the pictures of nude figures. Some said, "The flip-charts contain some *nangta chhabi* (pornography) which are like blue films." Some parents commented, "If children have access to these books, they will learn "bad things" and will become involved in these activities"—thus repeating an often heard mantra that sex education will increase sexual activity among youth. But, as one male *Kabiraz* explained, "These pictures not encouraging sex. In one village the younger generation are drug addicts. Everything is going on. They are used to negative attitudes but we must dialogue with this younger generation." These pictures were not eliminated from the materials because most participants were not negative and it was hoped that by using the pictures selectively and discussing the materials persuasively, health providers would be able to convince people of their significance.

Evaluation interviews were conducted primarily with health providers. Because of the sensitivity of the subject matter it was impossible to interview the clients of pharmacists, *Shasto Shabikas*, TBAs, etc. to determine the accuracy of the health provider's reported experiences.

III. RESULTS

Accomplishments

The absence of quantitative data reflects concern over the sensitivity of the subject matter, and over how this project might influence other projects in the area or reflect on the reputation and achievements of ICDDR,B and BRAC. The innovative programs of BRAC have not always been fully accepted by local communities. For example, in the 1990s in Matlab some BRAC schools were burned. Qualitative research helped develop a more personal rapport with respondents and gave the project staff the means to deflect and counter negative or poorly informed reactions to the program.

Preliminary qualitative research findings revealed that all groups of health providers and sister-in-laws and adolescents had a poor understanding of reproductive tract infections, sexually transmitted diseases including HIV/AIDS, sexual hygiene, the relationships between domestic abuse, family disharmony, forced sex, and sexual health problems, and the importance of good communication between family members. Furthermore, this data showed that the target community had experienced RTIs and STDs, as well as domestic abuse, forced sex, rape, pre-marital and extra-marital sex and other behaviors that made them highly vulnerable to sexual health problems.

The following gives a brief description of the duties of each group of health providers and summarizes the general knowledge each group gained from the program:

TBA (Traditional Birth Attendant): The traditional birth attendant attends the delivery of babies and gives counseling to the mother about nutrition and immunizations for the baby. She can be a resource person about sexual problems as they relate to obstetrics and gynecology. These women have easy access to families and to unmarried boys and girls.

The TBAs were given only the first two volumes of the flip-charts. Volume one summarized the main messages and contained pictures of the external and internal development of males and females, the reproductive system, development of the fetus and abortion. Volume two had pictures describing RTIs, STDs, AIDS, sexual and menstrual hygiene, and a story about partner notification and impotence.

The TBAs demonstrated increased knowledge of STDs including HIV/AIDS, could identify symptoms and knew the difference between RTIs and STDs. They knew the relationship between family disharmony and risk behavior. They reported that they refer people with symptoms to the village doctor and advise people to take treatment and to use condoms for prevention. "Now", as one TBA stated, "I understand the relationship between STDs and sexual behavior. Before I didn't know this." On the other hand, one TBA reported that if anyone has a nutritious diet, there is less chance of contracting an STD.

Shasto Shabikas (Community Health Workers): The *Shasto Shabikas* (SS) are community health workers that work for BRAC. All are women. They earn money indirectly by selling 10 different kinds of medicine, soap and contraceptives including condoms . They go door to door. They are also supposed to provide information about family planning, child nutrition, immunizations and water sanitation. *Shasto Shabikas* earn money by buying medicine at a low price from BRAC and selling it to village people. They are supposed to visit 15 houses everyday and a total of 300 households are under their jurisdiction.

Shasto Shabikas received all the materials. During the training, *Shasto Shabikas* spent five days on five volumes and then, because they still had difficulties understanding the material, the training was repeated for another five days.

Their knowledge of RTIs and STDs including HIV/AIDS had improved. They understood the signs, symptoms of sexual diseases, how to use condoms, the importance of condoms for contraception and disease prevention. In their work they referred STD patients who needed medicine, gave good advice about appropriate medical facilities, partner notification and demonstrated how to use condoms. They said they explained to people, "If you don't seek treatment, then you will get other health problems." During the interviews *Shasto Shabikas* said things like, "I understand that STDs can be worse for women than for men. Women try to hide these problems because of the social consequences." And, "they feel shy to talk." "I understand you cannot tell these diseases by looking at a woman. If they suffer a long time without treatment, they might deliver a dead child or deliver a child with congenital abnormalities." *Shastho Shebikas* explained that a male partner can see different women and if one woman is infected, then he can transmit this disease to others. One said, "I teach that multiple partners is high risk behavior." They also reported that they talk openly about reproductive hygiene now telling women to wash their genitals and how to wash them. These conversations, they reported, have become familiar now. They said that they also stress the importance of good communication between husband and wife and how this is related to good health.

On the other hand, a few stated things like "AIDS can be transmitted by air" and "if someone is dirty, they get AIDS".

Kabiraz (male and female traditional healers): The *Kabiraz* treat many different diseases with homemade remedies, herbs, incantations, religious water and holy oil. They received their expertise through dreams and trial and error, though some had studied ayurvedic medicine. They acquire their reputations through their entrepreneurial skills and their ability to give good advice and counsel. Usually they treat clients in their house, but many also travel to a client's house. One male *Kabiraz* had an interesting payment procedure. He reported, "When patients visit me, I sometimes prescribe medicine or name a medicine they can buy in the market. If they are cured, they then give me money for curing them." The *Kabiraz* were given the first two volumes of the flip-charts.

After the training they could name specific signs and symptoms of STDs including HIV/AIDS. Some suggested that STDs should be diagnosed in a laboratory which is

contrary to the syndromic management of STDs. Some said they are referring STD patients to the pharmacy or village doctor and others said they are treating STD with their own herbs, incantations and holy water because as they say “these make the blood clear”. They said, “If STD is untreated for a long time, then one becomes massively thinner.” They said that they now knew why an STD was dangerous for a female “because of women’s isolation and her fear of social consequences”. All talked about using condoms, not practicing “illegal sex”, treatment for both husband and wife, and keeping clean. After the training, they said that they advised every STD patient to use a condom, and using the flip-charts, they showed patients how to use a condom and how to dispose of the condom after sex. They said they also advised patients to take their partner for treatment, “otherwise the patient will be reinfected”. They said that “if anyone has more than a single sexual relationship, that person has a chance of getting an STD”, and “if anyone has an STD, it will spread to everyone”, and “during the drinking of alcohol, if anyone reuses the glass, then STDs will spread”.

The *Kabiraz* explained that since the training they give advice to every woman and unmarried girl about menstrual hygiene, e.g. to use clean menstrual rags, clean them regularly, etc. as explained in the flip-charts, and how to wash genitals from forward to back without touching the anus.

Kabiraz also spoke about the importance of family harmony and good communication within families in order to prevent sexual health problems. They said things like “within a family everyone should talk in a right way and others should listen very carefully. Parents should talk to and listen to their children very carefully. Then the children will obey the parents. Mothers and grandmothers should teach their daughters about menstrual hygiene.”

But *Kabiraz* also adhered to some of their former beliefs. One said there was no such thing as male to male or female to female sex.

Pharmacists and Village Doctors: All pharmacists and village doctors are male. Pharmacists and village doctors diagnose, prescribe and sell medicines like antibiotics and other pills, capsules and give injections. Pharmacists give a prescription if the patient seeks treatment without having to go to a doctor. Some village doctors have their own pharmacy. Both pharmacists and village doctors are stationary and are located in the town of Matlab. The pharmacists and village doctors were trained in and received all of the flip-charts.

While the pharmacists’ knowledge increased, some of their practices did not improve. Many increased their knowledge of the signs and symptoms of STDs, but did not strictly follow the syndromic approach. They continued to give the VDRL test which is contradictory to the syndromic approach. Most understood that STDs are dangerous for men and women for different reasons: “for men because they have sex with many women and spread the disease and for women because they don’t go for treatment and if infected, never disclose this to their husband.” Both pharmacists and village doctors explained the importance of good communication in a family and saw this as a means to decrease STDs.

Most could openly discuss the importance of good communication in families. Pharmacists understood how women's anatomy might increase their risk of RTIs. Most said, "Now I have a good attitude towards condoms and I like to use the flip-charts to show people how to use the condoms." For STD patients they reported that they counsel patients about taking the complete dosage, about partner treatment and condom use. They also expressed a clear understanding of sexual and menstrual hygiene. Some expressed the idea shown in one of the flip-charts that poverty can increase women's risk and earnings for men can increase their risk. They also understood that male to male sex could be one way of transmitting STDs including HIV/AIDS.

Nevertheless, one pharmacist reported that there is a cure for AIDS in Dhaka. Another stated, "If an AIDS patient urinates in one place and if another person urinates in the same spot, AIDS will be transmitted."

Village Organization Members: The village organization members are BRAC members who attend these organizational meetings to discuss economic issues as part of BRAC's credit program. Most of the members are women. They received training but were not given the flip-charts to take home. It was suggested that VO members could become community educators to never married adolescents.

Generally speaking the VO members demonstrated the poorest understanding and knowledge of the content as compared with the health providers. While some understood ways that STDs could spread, others either forgot the information or could not remember the details. Some knew the signs and symptoms of STDs. Most said that people should avoid multiple partners, practice hygiene, use condoms, and be faithful. Others remembered the importance of partner notification and partner treatment. One said that the patient and his/her partner can have sex during the treatment period but they must use a condom. Most remembered basic facts about HIV/AIDS. VO members, though they had attended the training session at BRAC, thought that they understood things much better because of the household visits of the *Shastho Shebikas*.

Outcomes of the Activities and Intervention

Materials Utilization Generally speaking, each health provider integrated the information and materials he or she received during the training into their ongoing activities. The traditional birth attendants explained the materials to people in their own households. One TBA commented, "Though I do not directly benefit from this, I feel motivated to show these pictures to unmarried boys and girls. I see a positive impact on them." Married women borrowed materials from the TBAs, took the materials to their house and returned them the next day. The traditional birth attendants explained, "All females come and ask me if they can use these materials." Similarly a male *Kabiraz* explained, "Some married women have collected the flip-charts from me. They sat together and talked and then they asked me to join them. There was no problem from their husbands." Another traditional birth attendant said, "I explain these things to the wife and the wife explains these things

to the husband. Some say give me the books and I will show these pictures at night to my husband." The *Shastho Shebikas* explained that she has talked to over 50 females and males using the materials. She said, "People like the stories about domestic violence. These stories are raising awareness among village women and men." One *Shastho Shebika* said, "The problem is for unmarried males. They explained to me that they cannot talk in front of older people so they asked me to give them this information separately. I told the boys to go to the BRAC school and I will meet them. So they stayed there and I met them and trained them." Another *Shastho Shebika* reported, "Village girls come to me for abortions and I try to counsel them about sex education. I give this education using the flip-charts and tell them, "if you follow this, you will not have problems". A male *Kabiraz* explained, "More than 100 people have seen these books. I show them whenever people visit and I use them at community gatherings. One unmarried girl had white discharge. Her father invited me to come and talk with this girl. Without problems I could teach that unmarried girl using the pictures." Most explained that they use the flip-charts with both female and male clients: "After counseling using these materials, this raised people's awareness about their "bad" behavior and now they share their problems with me." Another stated, "Sometimes I start a discussion and those that have a better understanding, raise questions and share their experiences."

Pharmacists and village doctors explained that they use the pictures when they think the patient does not understand or is shy and trying to hide his/her problem. Most of the pharmacists showed the flip-charts to as many as 60 patients since the training ended. One pharmacist explained, "I use these pictures to give awareness or when a man is too shy for me to see his genitals. Then this man points to his symptoms. Another stated, "I use the pictures in the backroom with men and women."

A number of health providers described initial negative reactions to the flip-charts and ways they coped with these reactions. One *Shastho Shebika* commented, "I had an initial negative response so I decided to fix the meeting place at the community leader's house. By having meetings there, I never received any negative reaction because the leader protected me."

A female *Kabiraz* reported, "At first I received some negative reaction because people started laughing, but I explained and now they understand." A male *Kabiraz* said, "The pictures of sexual intercourse initially caused some shyness, but with more explanation, people accepted this. I now teach these things to unmarried boys and girls." A staff member reported, "When teaching VO members, some people said this is shameful and a bad thing for women. But I convinced them and they agreed to stay. Then VO members said that males should be educated about violence and prevention."

Impact on the Health Provider and VO member: Most of the health providers felt that the program had a positive impact on their businesses as well as on their self-image and personal lives. Most said that they had increased their income as well as their skills and knowledge. One TBA said, "Other people know I got this training that's why they call me

more for childbirth.” One female *Kabiraz* said that she now buys condoms, teaches people how to use them and sells them in the village. All health providers who sold condoms and antibiotics reported an increase in their earnings that they attributed to their participation in this program which included an increase in their knowledge and skills, and their effective use of the materials. One provider said that he believed there had been a 50% increase in his income due to his participation in this program.

Health providers also reported improved communication between husband or wife, with children and other household members. A TBA commented, “Women come to my house regularly, bring these pictures to their house and show these books to their husbands. The wife shows the books and tells her husband, “If you practice risk behavior, you will suffer STDs and the impact will be very bad.”” And then she added, “These wives tell their husbands that they have to change their behavior.” One *Shastho Shebika* said, “I benefited by being able to talk about these things.” Another *Shastho Shebika* said, “I counseled my brother and sister-in-law about STDs. The treatment was very expensive for them but they took it.”

Most health providers showed the materials to their spouse and benefited from their subsequent communication. One TBA said, “My husband said, ‘This is very useful information for boys and girls who go outside.’ Our communication about sex and sexual disease has improved. Before this, we never communicated about these things.” A female *Kabiraz* stated, “My husband is very cooperative. I showed the flip-charts to him and discussed the training with him.” A male *Kabiraz* commented, “My wife and I now clean ourselves before and after sexual intercourse. I never did this before in my life and now we are doing this and maintaining this washing.” A VO member stated, “After this education, I feel I have more decision-making power with my husband during sex. If my husband feels desire and I don’t, I can now tell him that this is not good. If I can motivate him, he will listen to me.” Another stated, “Though I use injection now, I could argue with my husband to use condoms and if we used these, they will provide protection from pregnancy and disease—I would probably argue that injection is not good for my health.”

Most of the pharmacists and village doctors reported improved confidence in their practices and increased awareness. One said, “I feel greater confidence in myself in talking about these problems by having these pictures.” Another stated, “I feel confident and people ask me questions now.” Only one homeopathic doctor reported that he did not benefit from the training because he no longer sees STD patients.

Impact on the Community: Most of the health providers felt that the word had gotten out into their immediate communities and beyond about their expertise as a result of this program. A *Shasto Shabika* proudly commented, “Even the village doctors come to me and say they want to see the books. They said this to me, “You have gained a lot and have these books to prove it.” The community now saw the health provider as a resource person and someone they could talk to about their sexual problems. As one *Shastho Shebika* stated,

"In my village since this program, people are more aware than before. If anyone thinks they have an infection, they report it to me. I have seen 15-20 people coming to me with symptoms like itching, ulcers... I try to counsel them and refer them to village doctors for treatment." A TBA reported, "After the training, rural women came to know me. They had heard about me and came to ask me about white discharge. After listening to me, I refer them to a village doctor or counsel them and give them advice."

Health providers also sometimes received visits from neighbor girls or boys who needed counseling about a potential or ongoing pre-marital relationship. A TBA reported, "In my village I tried to convince an unmarried girl and boy not to have a physical relationship. I said to the girl, 'You must tell the boy--if you love me, marry me.' Now they are successfully married to each other." One VO member stated, "I told my daughters in Class 9 that this is a nice project. If I educate youth, then they can give out this information to their friends. This is important because pre-marital sex is common and this is useful information for adolescents." Another TBA explained, "Though I do not directly benefit from this, I feel motivated to show these pictures to unmarried boys and girls and I see a positive impact on them."

Unanticipated Outcomes

Most unanticipated outcomes involved actions that health providers and VO members took to adjust and adapt the program to their circumstances. Other outcomes challenged the expected. For example, it is a commonly held belief that parents do not talk to their own children about sex. Usually this information is provided by a sister-in-law or grandmother. Nevertheless, a number of health providers either chose to teach their own children about sexual health or the child requested that the parent teach them. And the parent did. One *Shasto Shabika* reported, "My daughter displayed these books inside a showcase in our house. My daughter said to me, 'I cannot join these activities so can you tell me about these materials face to face?' So I showed my sons and daughters these materials." A female *Kabiraz* said, "Yes, I discuss these things with my son. This is my duty. If I am teaching others, why not my own son?"

Another unexpected outcome was the number of women and unmarried youth who requested that the health provider either teach them about sexual health or lend them the materials (as in the case of married women) so they could teach their husbands in private. This was a commonly reported occurrence.

Finally a number of health providers (on their own) chose to expand the program and become community advocates. One male *Kabiraz* explained, "My neighbors have benefited from my wife. She is kind of a common grandmother. People come to her for advice and now I have trained her and she is participating in these activities. She showed these materials to our daughter, our daughter-in-law and other women. Even my daughter has started training others." One pharmacist reported that on his own he spoke to a number of religious leaders about the positive benefits of this program.

IV. DISCUSSION OF FINDINGS

Interpretation and Discussion of Results

In reference to the conceptual framework and the initial goal and objectives, the results of this intervention are highly favorable though other follow-up activities are necessary. First, the program demonstrated that health providers would adapt, adjust and integrate a sexual health program with their ongoing work. Second, the program not only improved the skills, expertise and business of health providers, but it also improved their communication with their husband or wife, children and other household members. Contrary to project staff expectations, health providers reported significant changes in their communication with their spouses and subsequent behavioral improvements with their husband or wife, and children. Third, through various means health providers not only got messages out into the community, but the community, itself, sought out the expertise of health providers or found ways to use the materials to communicate with members of their own households about sexual health issues. Fourth, while some health providers experienced negative reactions to some of the pictures, all were able to overcome these obstacles and support the continuation of the program. Fifth, some health providers and VO members tended to forget the messages or described sexual health problems correctly. Most suggested that follow-up activities are necessary to help them remember the information. It was expected that the retention of sexual health information would be difficult particularly for the non-literate audience (sister-in-laws) who did not have the materials at their disposal. Sixth, though most of the objectives were met, the last objective, "to compare the impact of the integration of sexual and reproductive health education into a health services delivery program with a development program"—this objective needs to be researched further. Because of the sensitivity of the materials, it took much longer than expected to produce and disseminate them. As a result, some of the health providers did not complete or receive all of the books. For example, only the *Shasto Shabikas*, pharmacists and village doctors received all of the flip-charts. The TBAs and *Kabiraz* received only the first two flip-charts and VO members did not receive any of the materials.

Nevertheless, it appears when looking at the results of the qualitative interviews, the *Shasto Shabikas* and *Kabiraz* were the most effective participants. *Shasto Shabikas* and *Kabiraz* work at the village level and conduct house to house visits. While TBAs work at the village level, they do not conduct house to house visits. Pharmacists and village doctors are stationary, provide medicine and some counsel. Most of their patients are men and there is a low rate of partner notification and compliance in their practices. The VO members were trained uniformly without selecting out those that were the most competent and willing. Some VO members felt that they learned most from the *Shasto Shabikas* household visits rather than from the VO meeting.

The most effective strategy favors a combined development and service delivery approach. *Shasto Shabikas* and to a lesser extent, *Kabiraz*, both provide services and education. *Shasto Shabikas* deliver medicine, condoms and soap door to door and also provide

education. This is not strictly a service delivery approach because *Shasto Shabikas*, in particular, are BRAC members and also participate in VO and health forum and other BRAC meetings. They have a far more active role in the community than most service delivery programs per se. Thus one would probably characterize their involvement as more appropriate to development than to a strictly health delivery program because they are a part of BRAC's development strategy.

In addition, one of the complaints of pharmacists and village doctors is that patients do not complete the treatment, do not bring their partner in for treatment and may not notify their partner at all. Because *Shasto Shabikas* are intimately involved in community life and move from house to house, they could become the best means for counseling people about completing treatment, about notifying their partners and about referring partners for treatment.

Usefulness

The intervention was very useful for a number of reasons. First, it demonstrated that a program of this nature could be adapted to a conservative rural setting without undue negative reactions. Second, it was not only useful in enhancing awareness and communication about sexual and reproductive health problems, but health providers reported concrete behavioral changes among the target community and among themselves because of this program. Third, while there was some misinformation and misunderstandings in knowledge, what was most significant was that the target community demonstrated increased awareness, improved communication, sought help and treatment, bought and were hopefully using more condoms. Fourth, health providers reported improved communication with their families, improvements in their businesses and improvements in their self-confidence. Fifth, health providers have not only become their own advocates, but have also on their own become program advocates. Sixth, it is useful to know that house to house visits might be the best means for women and never married youth to receive this kind of sexual health education. Seven, by introducing a material that had a legitimate appearance and information, village women used these materials as their social license to speak about risk behavior with their husbands and other household members.

Expansion and Sustain-ability

All project participants felt that this program should be expanded. A number of the health providers suggested concrete ways to improve and to expand the project. First, all of the health providers requested more training and copies of all the flip-charts. This is interesting because in the initial stages of the project, some health providers were resistant to attending a training program. Second, a number of respondents suggested expanding the project to *Shasto Shabikas* in other *Thanas* (districts) to test its efficacy in other communities. One respondent suggested including the village defense fund and *fokirs*

(another type of traditional healer). Others suggested training school teachers, older villagers, influential people and young educated males. Third, respondents suggested an advocacy program. A number of advocates emerged during the course of this intervention who spoke favorably with community and religious leaders about this program. But most health providers thought that advocacy should be incorporated in a more systematic way. Fourth, respondents suggested that a clinic or health center should be opened to treat sexual health problems, specifically STDs, in Matlab.

Generally speaking, program staffs believe that this program should be expanded outside the current area to other *Thanas* (districts) and with other *Shasto Shabikas* and health providers. An expansion should include an advocacy component. In addition, because of the lack of time, health providers in the current project area did not receive training in all the materials. It is important to continue follow-up training in order to determine how well a program like this can sustain itself and how much training health providers require to sustain the program. Program staffs believe that a one year extension of this program would provide data that is currently lacking. Given this needed information, BRAC has the ability to sustain and expand this program nationwide.

V. CONCLUSION AND RECOMMENDATIONS

Main Conclusions

Research

Conducting sexual behavior research with a representative population from a rural “conservative” society is possible given the following:

1. If the respondents, particularly the female and never married respondents, are assured privacy and confidentiality. This is best achieved outside the village setting where a female person or adolescent can easily be called away from the interview by her family and where unwanted attention can be drawn to her as she participates in the interview.
2. Focus group discussions provide some data on the public presentation of sex and sexuality but limited data that can inform the intervention. Generally speaking it is difficult to achieve this kind of discussion with women, men, boys and girls.
3. Face to face, in depth interviews are the best means to conduct sexual behavior research with this population.
4. Because of the sensitivity of the issues being addressed, initial research should follow a qualitative research format.

5. While extra-marital and pre-marital sex seemed relatively common, these sexual interactions do not seem to occur at stationary brothels, but between households or with women in a village who cater to the sexual needs of male adolescents. Therefore, the network of risk behavior seems quite localized. On the other hand, the increase rates of urban migration may significantly change this pattern.
6. Gender plays a very significant role in how people experience, interpret and report sexual behavior. Males and females had both similar and sometimes contradictory responses to the same questions.
7. Respondents' perceptions of sexual health demonstrated some awareness of the relationships between partner/family communication and risk/vulnerability to sexual health problems. Respondents did not necessarily describe women's vulnerability, for example, as isolated from household/family problems.

Intervention

1. The target population responded very favorably to the stories exemplified in the flip-charts. They felt the stories mirrored their social context of risk and vulnerability and at the same time were very interesting and captivating. The flip-charts were an effective learning tool.
2. Health providers adapted the materials to their abilities and the circumstances of their villages. Health providers, for example, sensed potential obstacles and tried to mitigate them.
3. Health providers thought that their experiences in this program enhanced their confidence, and contributed to improved communication with their clients, within their families and with their communities.
4. Health providers felt that they now had a language with which they could communicate about sexual health.
5. The business of health providers improved in that they began to see more clients and condom sales increased.
6. While community people sometimes initially felt shy to discuss some of the sexual health issues in public, women and adolescents found their own strategies to introduce sexual health information to their spouses or (as in the case of adolescents) to find a time and place where the health provider could educate adolescents alone or in groups about these health issues.

Lessons Learned

Follow-up Training

While this program can work with a representative population from a “conservative” rural area, follow-up training is essential since this population with low literacy skills tended to forget or misunderstand some of the messages. In addition, health providers found it difficult to apply the syndromic approach. Most health providers requested follow-up training, and an expansion of the program so that all received a complete set of materials. Health providers also expressed interest in learning about other health problems, specifically how to manage unwanted pregnancies and to discourage unsafe abortions.

Unexpected Strategies

By demonstrating through this program that formerly private, hidden issues could be made public in a controlled learning environment, rural people felt that not only was awareness increased, but the target population’s ability to communicate and to seek help about these problems improved. People, who otherwise would have found it difficult to speak openly about sexual health problems, found strategies to learn about the issues and to take the materials home and show them to their spouse or other family members who they felt needed to know this information. Most Shasto Shabikas said that they selected the volumes that they took door to door by the demands of their clients. This demonstrated a sensitive response to client needs. In addition, health providers on their own became program advocates, realizing this was an important step in gaining acceptance for this program.

Sexual Health Materials

The content of the materials was very straight forward, and the format was colorful and beautiful to look at. There are very few written materials or picture books in the villages of rural Bangladesh. Clearly the materials not only brought status and increased business for the health provider who possessed them, but also suggested to the viewer that the issues being addressed were important and legitimate. Though these are demonstration materials and would be too costly to distribute nationwide, there are ways to significantly reduce the cost and still maintain the attraction and value of these materials.

Legitimacy

Legitimacy must be understood in light of the credentials of the person delivering sexual health messages, the presentation of the materials and the formal and informal community leaders who advocated for the program. Gatekeepers were less concerned about the flip-charts than about being consulted about giving their stamp of approval to the program (before it was initiated). Legitimacy conferred acceptance and status on both the program

and on the health provider. How this legitimacy was attained is interesting. Health providers felt more confident because they attended the training. The beauty of the materials also conferred legitimacy as well as the past reputation of the health provider. And if none of these were enough, the health provider enlisted community leaders to help him/her. Some women, who borrowed the flip-charts, demonstrated that they could discuss sexual health issues with their husbands who might otherwise discount or reject this communication. These women had some visible credentials to manage this discussion: the flip-charts.

Relationships and Communication

Respondents and community participants showed particular interest in the flip-charts having to do with domestic violence and rape. Most understood the relationship between violence and the risk of STDs transmission. Health providers learned that human relationships and communication can have a positive as well as negative influence on sexual health. In turn health providers have requested more training to prevent and treat sexual health problems which result from various personal interactions within families. The emphasis on improving human relationships and communication as an aspect of sexual disease prevention promotes a more gender-sensitive approach.

While health providers could not always repeat knowledge about STDs and HIV/AIDS correctly, they did have a more holistic approach to sexual health. This in the long run might do more to prevent the spread of STDs including HIV/AIDS than the more traditional messages of use condoms, treat STDs, and do not have multiple partners—none of which speak to gender issues and the social context of risk and vulnerability of many target populations.

Service

A number of health providers requested a clinic or some means of making services related to RTIs/STDs treatment and prevention more accessible to the rural population. One *Shasto Shabika* said that it was a priority that their community has a clinic to diagnose and treat sexual diseases and other sexual health problems. Participants were well aware of the need for better services as well as an education program.

Advocacy

While advocacy was not built into the program design, it evolved due to the efforts of individual health providers who perceived this as an important need for this program. As the next step in the expansion of this project, health providers felt that advocacy should be a significant part of the project plan. Advocacy would become an important means of communication with opinion leaders and pave the way for the project's future implementation and expansion.

Recommendation

Policy

Too often HIV/AIDS and STDs prevention programs focus on a narrow range of sexual health problems. Worldwide the AIDS epidemic prevention messages, which have focused on multiple partners and condom use and treatment of STDs, often exclude the needs of women and never married youth. Therefore, it is important to integrate sexual health education that includes a gender and broad-based approach into development programs and existing health services. Public health policy-makers should consider a more holistic approach to HIV/AIDS prevention that focuses on human relationships, communication and family and direct this education to the needs of women and men as well as to never married youth.

Program

The program should be based on research that reflects an understanding of the social context of risk and vulnerability. Therefore, the development of a program must be part of a process that can transform research data into program data and ultimately into an effective intervention. In a program of this nature, research and program strategists must work together from the inception of the project.

Where HIV/AIDS is not a visible problem for the target population and where gender plays a significant part in determining risk and vulnerability, programs should incorporate many aspects of sexual health. A broad-based sexual health program includes an understanding and awareness of how human relationships and communication affect risk and vulnerability.

Program planners must also consider how a program of this nature will achieve legitimacy. Because sexual issues are usually sensitive issues, it is important for planners to think about how they will achieve community acceptance--how leaders, advocates and participants will gain legitimacy in the eyes of the community so that the program can expand and sustain itself. It is recommended that this be a critical aspect of project design.

Research

Qualitative research should adhere to a participatory research strategy whenever possible. These strategies will encourage people to accept and support a program of this nature. This kind of project is often time-consuming and does not lend itself initially to quantitative research. But after being established and participants report acceptance, survey methods could be introduced.

Furthermore, research and program strategies should be integrated. Research should be geared towards informing the intervention and vice versa. Initially contextual data is the

most important kind of data to obtain. But research must continually reassess its significance in light of its application so that research and intervention continually focus on the process of implementation and evaluation rather than strictly on the outcome.

Advocacy

Because of the sensitivity of the content, a program of this nature needs a well-planned advocacy component. While advocacy grew out of the ad hoc individual efforts of health providers, advocacy was not a planned part of the program. In the future, it is recommended that advocacy become an integral part of a sexual and reproductive health program.

A participatory research design lends itself to an advocacy approach. While it is difficult and not always useful to implement an authentic participatory design, active participation of the target community from the inception of a project will assure a strong and effective means for achieving advocacy. Thus, advocacy is a natural outgrowth of research.

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VII. APPENDIX

1. Flip-charts and training manual
2. Articles for publication

Sex Workers' Human Rights: Experiences of Brothel-based Sex Workers

Nasheeba Selim

Introduction

Sex work has been identified as the oldest profession known to humankind, but it has often not been identified as work. During all these centuries, women have primarily been engaged in this work. Sex work has, however, taken different forms in different societies, and over the years, both its content and the process have undergone significant changes.

In Bangladesh, women in the sex trade face a dire situation. Society pushes them to the periphery of life because of their work and the social stigma attached to it. For example, in 1991 the national census of Bangladesh categorized them as beggars and vagrants under the heading of "miscellaneous." Estimates of the numbers of prostitutes in Bangladesh vary greatly. An estimated 100,000 to 150,000 sex workers are currently working in Bangladesh. Several studies show that the floating sex workers are largely available in the capital and other major cities in Bangladesh. (CARE, 2004; WHO, 2001). The age groups of sex workers vary greatly, with both women and children working in this trade, and many working as child prostitutes, floating prostitutes, commercial prostitutes, and women in forced prostitution (Tahmina & Morol, 2004)

The impact of sex trade and work on women is well known. It first of all robs their basic human rights and dignity and deprives them of making choices that have influences on their lives. In this profession, women become properties of pimps, madams, people, and institutions that control the business. In economic terms, they are exploited, with a major part of their income taken away by others. Most sex workers also lack a decent standard of living. Moreover, their health is at risk, and they suffer from malnutrition, ill health, sexually transmitted diseases, tuberculosis, and other diseases. They also often become subject to complications related to their reproductive health including abortion. Socially, prostitutes live the lives of untouchables, and they are socially excluded. Furthermore, they live under constant personal insecurity - beaten up by madams, pimps and customers, robbed of money and their other belongings, and bought and sold many times. In recent times, they have also become the major carriers of HIV/AIDS as well as victims of it. The various dimensions of sex workers' status such as economic, social and political are totally interlinked and their low status in each dimension basically reinforces each other.

This paper is specifically focused on brothel-based sex workers. The broad objectives of the research that the paper draws on were two fold and interconnected. First, understand

the social context of sex workers' lives in the brothel: the power structures, the interactions with clients and with each other etc. Second, given the social context, understand how sex workers' basic human rights are being violated by the different power structures on a daily basis.

The next section of the paper briefly discusses the methodology used for the research and provides some insights on the challenges of working in a brothel setting.

Methodology

The Study was based on qualitative research (in-depth interviews, focus group discussions and observations) in one of the brothels that is in a BRAC intervention area. The data was collected over a period of six months (January, 2006-June, 2006) when the researchers visited the brothel several times.

Study Site:

This study focused on the brothel in Madaripur, as mentioned above to gain detailed insight into the context of the sex workers lives in the brothel, which impact their health, well-being and their knowledge and practices regarding condom use.¹

The brothel is located at the heart of Madaripur and half a kilometer away from the police station. It has 21 houses and 200 rooms in total.

Study Population:

The research team conducted 15 in-depth interviews with sex workers and madams. From these 15 women, 5 case studies were developed based on multiple interviews and repeated visits with women who were available and accessible to the researchers. The target groups included in the study were:

Sex workers- The research team interviewed sex workers² both older and younger.

Madams/Sardarnis - Relationships vary greatly among sex workers, their employers and other third parties, including even those defined as "traffickers". Slavery is at one end of the continuum and very good business arrangements are at the other. It was thus important to speak to the madams, sardarnis in the brothels to understand what role they play in sex workers' lives. Among the sex workers we interviewed there were four madams or sardarnis.

² BRAC staff assisted our research team to gain access to the brothel, however all interviews and discussions took place privately and not in front of staff and key stakeholders, wherever possible.

² Sex workers included independent sex workers, former chukris, and madams.

BRAC³ Intervention Staff

It was crucial that we interviewed the staff at BRAC HIV/AIDS programme to understand the nature of the HIV/AIDS prevention programme, and the successes, challenges and lessons learned thus far. We interviewed both brothel based BRAC staff and staff from the HIV/AIDS programme area office in Madaripur on several occasions.

Tools & Techniques

This research study had three main components:

- Informal discussions
- Open ended, loosely structured questionnaires with possible themes to explore
- Repeated in-depth interviews/case studies with selected sex workers

Our main methodological approach was in-depth and open ended interviews. Repeated in-depth and open ended interviews as a qualitative data gathering technique allowed us the opportunities to clarify and discuss relevant information with the interviewees. Through in-depth interviews we were able to learn from the respondents and let their experiences speak for themselves, and furthermore, to let them describe and construct explanations about their own situations, their inability to use condoms effectively and point to some of the health issues and concerns that are relevant to their everyday working lives.

Challenges faced by Researchers

We gained access to the brothel through the BRAC intervention programme. During initial visits to the Madaripur brothel, we were greeted cautiously by the brothel dwellers.

In the beginning of our research, we spent some time getting acquainted with both the physical brothel structure as well as some of the social structures that exist in the brothel. During the initial visits, it was difficult to conduct intensive interviews as we were constantly followed by women in the brothel, especially the BRAC programme staff (condom promoters, cleaners etc.) We actively tried to build rapport with some of the women we were introduced to so that on our consecutive trips we could approach them for interviews. It is important to mention that being associated with the brothel based BRAC staff worked to our advantage in both approaching and building relationship with women in the brothel. On the other hand, sometimes we lost respondents because they left the brothel or did not want to talk to us a second time.

The BRAC support system inside the brothel opened a platform for us to interact with people in the brothel and conduct our field work. Furthermore, the issue of sex work is still

³ In efforts to prevent HIV/AIDS, in 2001 BRAC stepped in targeting the rural people along with the high-risk population in six brothels in four districts (Khalna, Madaripur, Jamalpur and Faridpur). The high-risk people include the brothel based sex workers, drivers and helpers of buses, trucks and lanches, industrial laborers and substance abusers, through education awareness, selling of condoms at a lower cost than the market price, and referring patients with infections to clinics.

taboo in our culture and approaching the women in the brothel was thus, a sensitive issue. Given that the brothel was a foreign environment we had to be careful to abide with social and cultural norms of the brothel, such as never visiting the brothel after dark. This sometimes created barriers to gaining entry to the brothel and also in terms of gaining the trust of women in the brothel.

Everyday Lives of Brothel-based Sex Workers

Sex workers are one of the marginalized groups in the Bangladeshi society. Their occupational choices and experiences, like those of everyone else, are shaped by numerous structural, cultural, economic, and social factors. The age groups of sex workers vary greatly, with both women between the ages of 20 to 35 years old and children as young as 11 or 12 years old working in this trade. There are various types of sex workers such as child prostitutes, floating prostitutes, commercial prostitutes, and women in forced prostitution. Furthermore, especially within the brothel context, there is a social hierarchy among sex workers, ranging from landladies and madams to bonded sex workers. There are 14 brothels in the country with 4,192 women and children in the sex trade. There are also approximately 1,492 children of sex workers who live in the brothels.

The Madaripur brothel is situated in the relatively older part of the city namely the old bazaar area. The brothel is on the main road with pharmacies, doctor's chambers and other stores lined on either side of the brothel. Women often frequent the pharmacies and some of the small convenience stores to buy cosmetics, daily necessities that they cannot get from the inside stores. The wall attached to the back entrance on one side has a few rooms that were occupied by one madrasa and a couple of rooms as a mess. However, the brothel is very much a part of the larger community and does not stand out as something socially taboo. It is part of the natural environment and the entrances are merged with the adjacent markets, rather than being separated by a wall or gate from the rest of the community.

The brothel is divided into three alleyways. Each alleyway contains lined up rooms on either side of the road, and there are small pathways between the rooms that lead into small compounds. Each compound has approximately 10 or 12 rooms, with one occupied by the landlady of that compound. The sanitation within the compounds is ill maintained. There is usually one bathroom per 10 or 12 rooms. The water supply within the brothel is poor and often erratic. There is one visible tube well set up near the main entrance for women to collect water for drinking, cooking, washing and cleaning. The alleyways are divided by economic status, where one alleyway in particular has higher status, and houses the younger and prettier girls who have a high client flow. The rooms in the brothel are of different sizes and the rent varies accordingly.

The everyday life of a sex worker in this brothel starts from 10am in the morning and goes on until the late hours of the night. The women I spoke to mentioned having clients as early as 9am in the morning and as late as 3am in the morning. But in most cases, the peak hours are around 11am to 1pm and then again from 4pm until 10/11pm.

The women in Madaripur don't have pimps, they usually line up along the alleyways for customers. However, even within that, the high end workers don't stand on the street. There is one alleyway known as the posher one with prettier and younger girls who are in high demand. Many of the girls from this alleyway told me that they don't need to display themselves as men come to their door to ask for their company.

Apart from entertaining clients, life in the brothel is very similar to women living in the Dhaka slums or other communities. The women chat with each other during free times, cook in their rooms, hang out with each other etc. There is a sense of belonging, and comradeship among the women. They often compete for clients with each other but apart from rivalry for work, they are like a family. They help each other out during hard times and even intervene when clients become violent with women.

Daily costs incurred by sex workers can be quite high. The daily rent for rooms range from Tk 80 to Tk. 100. Then they have to pay for food and other daily expenses which is usually Tk 100 a day. So for an independent sex worker with no bonded sex worker under her, costs can be anywhere between Tk. 150 and Tk 200. For madams, it's a little higher because they usually have two rooms, one for themselves and another for her *chukri* (bonded sex worker). The Daily income varies greatly according to status, age of the worker and times of the day, client flow etc. Usually younger women and the young *chukris* earn high incomes. Their rates can be anywhere from Tk. 100 to Tk150 per client. But for women who are older and live in the poorer sections of the brothel, daily earnings can be as little as Tk 50 a day. The madam's earnings are dependent on the clients received by the *chukris* and they usually have a higher income. The peak hours bring in more money and also times such as *Eid, Puja* and other festivals bring a higher client flow.

The women in the brothel live a very unsafe life where they don't know what the next day will be like. Many of the women I spoke to talked about economic insecurities where one day they might live like a queen and another day without any clients like a pauper. The bonded sex workers are the worst off as will be discussed later in the paper. Violence is an everyday occurrence where younger sex workers are beaten by the madams, sex workers are harassed by the police and local thugs, and often women are abused by the clients.

Clients: Regular, Fixed, and *Babus*

As mentioned earlier, the women in the brothel live within an environment where there are strong community attachments but at the same time there is competition among the women for clients, more money and higher status. Clients play an important role, if not the most important role in their lives. The socio-economic and political culture of the brothel is largely influenced by the clientele, their interaction with the sex workers, the landladies and some of the shopkeepers in the brothel. In the next section, I briefly discuss the clients, their role in the women's lives and how they influence the social context of the brothel.

The client flow in the Madaripur brothel varies among the different alleyways. The posher area with the younger and newer girls sees more clients than the other alleyways. As we observed and were told by the women as well, most of the clients in the brothel are regular clients, rather than first time visitors to the brothel.

The clients are divided into four or five categories according to the women in the brothel. There are the regulars who frequent the brothel regularly and go to different women. The fixed clients are similar to regulars, but usually are more comfortable to be with one woman and may or may not have emotional attachments with that woman. As one young girl in her early twenties working in the posher alleyway explained to us, there is a fine difference between fixed and regular clients. As she told us, "fixed clients are more like *babus*⁴ but may not be as exclusive as *babus* tend to be, and regulars are clients where there is no emotional attachment, but a customer becomes comfortable with one woman and prefers to see that same woman when he visits the brothel." As another woman related her own perceptions about *babus* and fixed clients, "the difference between the *babu* and fixed clients is that the *babu* is the beloved one, and the fixed clients are the good friends with whom they have built a good friendly understanding."⁵

Usually women see 4 to 5 clients during the day. However, the client flow differs for the different types of sex workers. The younger women entertain a larger number of clients, usually 15 to 20 men in one day, while the older and less attractive women might only entertain 2 or 3 men in a given day⁶. There is high competition for clients in the brothel. During our repeated visits, we observed women lining up on the main streets as early as 10 am for clients and trying to lure them into their rooms with evocative remarks and sexual overtures etc. As many of the girls in the brothel told us, "if I refuse him, someone else will take him without condoms and usually earn twice the money than I would by insisting on using condoms." There is also jealousy among the women over clients. As one of the younger girls informed us, "I have no problems spending on my clients, but I will never spend on the other women here. Because if I spend any extra cash I get from clients on the women, they will try everything to grab that client for themselves."

Most women we spoke to told us that physically they could on average tolerate 4 to 5 men, but as one woman told us when they first join it is harder to work with a lot of men, but as time goes by one gets used to working with a number of different men. For example, the

⁴ *Babus*, as will be explained in detail in later sections, are fixed clients who are treated as husbands by the women. Women have an emotional attachment to their *babus* and see the dynamics of their relationship goes beyond sexual intercourse and payments.

⁵ Women usually do not use condoms with *babus* and in many cases they do not use condoms even with fixed clients. The section on women and condom use discusses this issue further.

⁶ While a higher number of clients mean the woman is considered attractive which translates into higher social prestige in the brothel, it also increases the risks of not using condoms during every sex act, as after a few times the condom can in fact become painful for the woman. Thus this increases the risk of STDs and HIV/AIDS. Thus, while women look at higher number of clients as pride, researchers and others see high client flow as a risk of higher STDs. There is marked difference in the perceptions between the women and others and this contributes to the ineffective condom use in brothels.

usual customer flow for one of the young sex workers is 4 to 5 persons a day and highest is 7 to 8. But, she expects to have 'non-stop' client flow. She physically can tolerate 4 customers comfortably at daytime and 2 at night.

The peak hours in the brothel as already mentioned are during the mid morning hours, as well as, late afternoons. Not a lot of men frequent the brothel at night. Mostly *babus* come to the brothel at night and stay overnight with the women.

Lastly it is important to mention that despite their line of work, women develop relationships and friendships with their clients that go beyond the sexual interaction. The women I spoke to talked about having a relationships with their clients where they shared their dreams with each other, fought like other couples and lived a conjugal life similar to those outside the brothel.

Babus

Babus are partners for women who are treated as husbands. The *babus* are usually emotionally attached to the woman. Our in depth interviews revealed that most of the sex workers with *babus*, felt that *babus* are like husbands and thus, there is no need to use condoms with them. Many of the younger sex workers with *babus* know about them having a family and accept it as part of the relationship. In some cases, the sex workers believe that though the men have families outside the brothel, they are the ones the *babus* truly love and care for. As one young sex worker Jahnara (late 20s) told us, "I know he has a wife, but he has no physical relationship with her." Women who have a *babu*, in most cases, see the *babu* as a way to escape the life in the brothel.

Interestingly, while older women prefer to have *babus*, the younger girls are less inclined to be tied down to one man. As an older independent sex worker explained, having a *babu* gives women a sense of security and gives her the feeling of being special and loved. No matter what, as she said, "with a *babu*, at least I won't go hungry." Younger women on the other hand do not prefer to have a *babu*. One young girl told us that, she doesn't want one because she thinks they are too controlling and with a *babu* one does not have the freedom to be with other men. If she was ever to have *babu*, she would prefer to be with someone who is not from this area and who would be gentle and caring with her. It would not matter to her how he looked as long as he had a good heart. Other women also confirmed that in a *babu* they are looking for a good man with a big heart and kindness rather than looks. As one of the youngest girls exclaimed about her friend's *babu* (who was dark skinned), "*kalo hole ki hobe, o onek bhalo ache.*"⁷ Another young sex worker told us that she does not wish to have a *babu*. "The *Babu* can only give pain in the long run. At first he will care and love a lot. But, as time passes, the relation gets changed and the *babu* starts to go to other women. It causes pain. One can not even blame the other women to whom the *babu* will be going, as they will tell, '*I didn't invite him, he came by his own will.*' Moreover, the *babu* takes most of the money and contrarily doesn't pay for the sex act, gets impatient with regular clients of his woman and abuses them. Therefore, it's not healthy to have a *babu*."

⁷ So what if he is dark skinned, he is a really good man.

The Power Structure in the Brothel

The social power structure among the women within the brothel is headed by the *bariwalis* (landlady), followed by the *sardarnies* (madams), independent sex workers and *chukris* are at the bottom of the social ladder. The other powerful groups within the brothel are the local elite who own most of the houses in the brothel and often are attached to one woman in the brothel, the *babus* (clients who are usually faithful to one woman and is viewed as a husband to that sex worker)⁸, the police (the local constable, the police chief, the commissioner), and local politicians.

According to the BRAC officials working in the brothel, there are 316 women living in the brothel. Among them 66 are *sardarnies* or madams, 107 are independent sex workers, 116 are *chukris*, and 27 are landladies. Apart from the women, 42 *babus* also reside in the brothel for running their businesses or keep shops in the brothel⁹.

While the *sardarnis* and the landladies enjoy a certain level of autonomy within the brothel structure, and even independent sex workers have a certain amount of freedom in their lifestyle, *chukris* are treated as bonded slaves and do not have any rights over their bodies, their economic earning or in social settings in the brothel. *Chukris*, for example are not allowed to talk to any outsiders, they are isolated within the brothel and only interact with clients in doing work (sexual encounters).

Sardarnis (madams), Bariwalis (landladies) and Chukris (bonded sex workers)

The landladies and *sardarnis* are all ex sex workers. Many of the wealthier *sardarnis* and landladies claim to have inherited their land and houses from their mothers/predecessors. *Sardarnis (madam)* buy girls from Dhaka and their home districts.

Women have to register once they enter the brothel. It is illegal to work in the brothel without registration with the local authorities and theoretically, anyone under 18 is not allowed to register to work as a sex worker. One has to register with the local police station and pay a certain fee (though there is a fixed rate, the local policeman often extorts extra cash from the women). Once the women obtain the license to work as a sex worker, they can start earning through taking clients in the brothel. It is important to mention that the *chukris* are registered through their madams¹⁰.

The new girls are introduced either as daughters or sisters of the *Sardarnis*. They then become the *chukris* or bonded sex workers. The *chukris* work for the *sardarnis* in return of shelter, food and clothing. At any point if the *chukris* wish to become independent they

⁸ These men include both those who live in the brothel and those who live with families outside.

⁹ Important to mention that these numbers are not static as women change status very quickly and many women leave the brothel (according to BRAC staff, 10 to 12 women leave the brothel every month) while new entrants (mostly *chukris*, according to the BRAC programme officer) are come in on regular basis.

¹⁰ The madams pay the local police a certain amount to have their *chukris* registered. Often the *chukris* are under aged and the madams have to pay exorbitant amounts to the local authority to have a false registration issued where the girls are stated to be 18 or above.

have to pay a certain amount of money to buy their freedom. The *chukris* are the most exploited within the system. They are usually treated like slaves by their *sardarnis* and since the *chukris* tend to be young and new in the business they also have a high in flow of clients. The *chukris* are usually kept hidden within the brothel, as more often than not they are under aged and their legal registration with a false age is done through bribes paid to the system by their madams.

Despite the low status of *chukris*, the position and the bargaining power of *chukris* within the system have shifted to a certain extent in recent times. As some of the madams reminisced about being *chukris* themselves in earlier days, "when we were *chukris*, all we got from the *sardarni* when we started work was a face cream, a sheet of bindis and a lipstick. Now days, if a *chukri* likes the top we are wearing, we have to take it off and give it to her to keep her happy. We will wear torn clothes if need be, but we have to make sure the *chukri* has nice clothes and her demands are well met."

Nevertheless, despite some of the changes, the *chukris* still remain at the bottom of the social structure of sex work within the brothel. The abuse faced in the hands of their madams has not changed much from the older days either. As one independent sex worker related her experience as a *chukri*, she mentioned "is she (her madam) human or what? I don't know how one human being can act in this way with another. The *sardarni* forced me to stand by the street side to grab clients even though I was terribly sick and was running a high temperature. When I finally declared not to work under her (*sardarni*) anymore, the *sardarni* kicked me out and took back all the things I was using even the saree I was wearing at that time." Another woman mentioned that as a *chukri* in the Faridpur brothel, she faced physical and mental abuse in the hands of her *sardarni*. Thus, as mentioned earlier in this section, the *chukris* are treated as sub-human in the brothel and they can rarely leave the brothel once they become brothel workers.

Conclusion:

As seen throughout this paper, women in the brothel do not have the basic human rights such as access to clean water and food, access to health care or even the right to keep their earnings. This is especially true for bonded sex workers who are often forced to work with 15/20 clients a day, are confined in their rooms without any outside interaction, are tortured by the madams and the clients and are forced to work even when they are sick. The power structure dictates that the *sardarnis* and the *bariwalis* act as gatekeepers who guard their *chukris* with vigilance. Often independent sex workers, who were *chukris* before, buy *chukris* themselves and treat them in the same manner they were treated as *chukris* in the past. This reproduces the system of *chukris* and continues the cycle of domination and oppression within the brothel structure. But even the powerful women within the brothel have to answer to their patrons, *babus* and to the police and local influential. Thus, sex workers remain vulnerable. Any further intervention by civil society, donor organizations or NGOs would need to pay attention to the human rights dimensions for claiming sex workers rights as human rights.

¹¹ This can be comparable to the mother-in-law and daughter-in-law social relationship, where the mother in-law used to be the oppressed daughter in-law once upon a time, and now that she is in a position of power she can treat the new bride the same way she was treated when she first came to the brothel.

Human Rights Interrupted: An Illustration from India

Sumit Baudh

There is a wide spectrum of sexual acts, practices and identities the world over. The existing language of sexuality and human rights (as it has evolved out of judicial review in cases from outside of India), is largely in the context of lesbian, gay, bisexual and transgender (LGBT) people. In turn, and as precedent case law, it seems to cater only to similar such or analogous identities. The challenge is to make human rights accessible to all. In an identity-focused model, non-LGBT and indigenous groups who do not conform to these identities might lose out. For example the *Hijras* of South Asia who are an indigenous community of transgender people comprising of biological male and intersex individuals. The notion of transgender does not exactly translate or apply in the case of Hijras because they might view themselves as neither male nor female but a third gender. The ambiguity over their gender identity might then leave them in the lurch. For that matter, all those who do not subscribe to sexuality as an identity may find it hard to negotiate their rights. There is therefore a need to expand the human rights discourse for it to go beyond narrow notions of identities, and to secure a firm foundation for sexual rights.

In this essay I will use the example of the British colonial law, Section 377 of Indian Penal Code 1860, which makes illegal what is termed ‘carnal intercourse against the order of nature’.

“377. Unnatural Offences.

Whoever voluntarily has carnal intercourse against the order of nature with any man, woman or animal, shall be punished with imprisonment for life, or with imprisonment of either description for a term which may extend to ten years, and shall also be liable to fine.”

An assault on the personal liberty of every free Indian, Section 377 violates people’s autonomy, independence, free will and sovereignty over their own bodies. It remains a valid law in India, a menace and a source of constant human rights violations. Although a plain reading of the law does not sanction any given sexual identity, homosexual or heterosexual, it effectively criminalizes all forms of consensual same-sex sexual activity. Due to its own lack of focus on identities, Section 377 is an opportunity for a conscious pause and a re-look at the existing language of human rights in its application to sexuality and sexual rights.

Section 377 and Sexuality

What does Section 377 have to say about sex, sexuality or sexual orientation? Nothing. Not on the face of it. A plain reading of the law reveals little and is actually quite ambiguous. To begin with, what does “carnal intercourse against the order of nature” mean? For ease of reference I will use the acronym CIATON.

The available case law makes frequent references to bestiality, buggery and Biblical notions of the sin of Gomorrah and the sin of Sodom. That in itself is of little help. The meaning of sodomy has varied across centuries, continents, and cultures. Even its legal interpretation varies from one jurisdiction to another. Legal definitions of buggery and bestiality are similarly difficult to capture. There is a hint in the statutory explanation appended to Section 377. It states that “penetration” is sufficient to constitute carnal intercourse, but does not clarify penetration of what and *by what*? From a reading of case law, it appears that penile penetration (of the anus or the mouth) is what is being alluded to. Even penile masturbation of one person by another is considered ‘penetration’.

A study of Indian judgments under Section 377, a total of 46 cases, reveals that 30 cases (65%) deal with child sexual abuse by men. Of the 30 cases, twenty involve male children and ten involve female children. Even in those cases that do involve consenting adults, there is no judicial discussion of the element of consent. Some men in these cases are referred to as “habitual sodomites/catamites” but the judgments are emphatic that prior sexual history, or the fact that the accused male wore female attire, is of no relevance. Gender and sexuality have thus found little open articulation in the Indian judicial discourse. It is consistently and implicitly held that *only* penile-vaginal penetration that bears the potential of procreation conforms to the order of nature.

Consider the following two incidents, both involving heterosexual couples. In a divorce case, a woman alleged ‘cruelty’ caused by repeated acts of penile-anal penetration by the husband. It was held that a husband could indeed be “guilty of sodomy on his wife if she was not a consenting party”. Although it was a civil case, as opposed to a criminal prosecution under Section 377, it is a significant remark on the element of consent. Does Section 377 apply if a woman consents to ‘sodomy’? The question has apparently not caught the judicial imagination. There was a public scandal in Delhi in December 2004 over an oral sex episode between a boy and a girl, both in their mid-teens. The boy recorded the act on his mobile camera-phone. Later through multi-media messaging service (MMS), he circulated the video clip to some of his friends. The clip eventually found its way on the internet, and was available for public view and purchase. There was a police investigation and the boy was arrested. It did not catch media attention, or police investigation, that penile-oral penetration is a form of CIATON, and that the girl was *equally* liable. Had it been a boy in place of the girl, it might have had some very different implications. They could *both* have faced an imminent and real risk of prosecution under Section 377.

In January 2006, four men were arrested in Lucknow (the capital of the most-populated state in India, Uttar Pradesh) under Section 377. Without any instigation or complaint by a member of the public, the police traced the phone number of one of the accused on a gay website, and arranged a meeting. The police then forced him to call many of his friends, three of whom actually turned up. All four were arrested under a false accusation of having sex in public. In this sting operation, four innocent persons were thus prosecuted in an obviously fabricated case *only* because of their perceived sexual identity.

As evidenced in the oral-sex episode in Delhi, a consensual heterosexual act that involves penile-oral penetration is unlikely to be the subject of a prosecution under Section 377. On the other hand, the four men in Lucknow are currently facing prosecution because of their (homo)sexual identity. The underlying and unquestioned premise being that heterosexuality is 'normal' or 'natural'. Conversely, all that is outside of this heterosexuality is abnormal or unnatural. By sanctioning what is unnatural, namely non-heterosexual sex, the law makes it implicitly compulsory that sexual activity be sought exclusively within the boundaries of heterosexuality – between a man and woman. Section 377 in effect imposes compulsory heterosexuality.

Human rights arguments, generic limitations

There is a wide spectrum of gender and sexual identities in India. There are 'men who have sex with men' (MSM). There are *Hijras* who claim to be a third sex, defying a strictly dichotomous gender identity. There are *Kothi* men who display feminine mannerisms, and prefer anal penetration by more masculine men. They also identify as non-English-speaking and coming from middle, lower income, and working class backgrounds. There are LGBT, who (in India) are mostly urban, English-speaking, middle and upper-middle-class men and women. Within the given diversity, there is one common element. They are all likely subjects of Section 377.

Laws like Section 377 have been a subject of judicial review the world over. The European Court of Human Rights declared sodomy laws as violations of the right to privacy. A similar stand was later taken by the United Nations Human Rights Committee. The Supreme Court of the United States has held that such a law violates the right to privacy. The Constitutional Court of South Africa has held that such a law violates the right to privacy, the right to equality, and also the right to human dignity.

The three broad strands of legal arguments that emerge out of judicial decriminalization are thus privacy, equality and human dignity.

- (i) Under the privacy argument, everyone's choice of sexual conduct is seen as a private affair, which does not warrant undue state intervention. It is the classic argument that the state has no business to be in your bedroom
- (ii) Under the equal rights argument, sexual orientation is seen as an immutable status, similar to the phenomena of race or sex. For this argument it is necessary to conceptualize and articulate identities like LGBT. A claim of equality follows between the homosexual and the heterosexual as two different classes of people.
- (iii) Under the human dignity argument, people with non-heteronormative desires are seen as a permanent minority. This minority is understood to have a long and shared history of oppression, which in turn is seen to have brought them extreme disfavour

and disrepute. As a set of people they are seen to be especially vulnerable to the violation of their right to live with human dignity.

Applying the privacy argument to challenge the penalisation of CIATON, sexual acts like anal or oral sex are rightly argued to be a matter of fundamental choice, a choice exercised by individuals in the privacy of their bedrooms which the state should not interfere with. Whether people choose to insert a finger or a penis in their anus, it is none of the state's business.

The equality argument would hold the penalisation as discriminatory among distinct sexual orientations. Arguably, penile-vaginal penetration is considered *natural*, in turn lending substantial legitimacy to a heterosexual act. But if the heterosexual is naturally inclined to penile-vaginal penetration, the homosexual is seen to be similarly inclined to penile-anal penetration; thereby evoking a claim of equality between the respective and inherent natures of the heterosexual and the homosexual. Further, all heterosexual activity is not necessarily limited to penile-vaginal penetration. Heterosexual couples are known to engage in oral and anal sex. How can it be that oral and anal sex is OK between heterosexual couples, but not between homosexual couples? A law that penalises homosexual acts exclusively is therefore discriminatory based on sexual orientation.

The human dignity argument rests on the vulnerability of a class or a community of people having non-heteronormative desires. Their vulnerability is in part seen to have been caused by the penalisation of their sexual acts. The stigma of criminality is an affront to their right to live with human dignity.

Of the case law that contributed to the three arguments, all cases without exception arose in the context of what are called 'homosexual', or 'gay' men. The three arguments have done well in creating a language of sexual rights, but not without some generic limitations. There is a precondition of placing people into neat categories – heterosexual *or* homosexual, lesbian, gay *or* straight.

(i) In the privacy argument it is implicit that most people are heterosexual, there are a few who are not but they should be allowed their private space.

(ii) The human dignity argument is founded on their seemingly cohesive minority status. It implies heterosexuals are the majority, and that there is a neat and clearly identifiable minority that has a *shared* collective history.

(iii) The equality argument places a homosexual on the same footing as a heterosexual, but the necessary comparator being the heterosexual. Again, the unmistakable premise being that if the heterosexual does this, so can the homosexual. What if the heterosexual does not do what the homosexual *wants* to do? That will not be permitted. It is the heterosexual who sets the standard. The homosexual may comply with it, but is not allowed a new standard. An entirely new and different way of just being herself as she is.

Heterosexuality clearly emerges as the norm. It is this heteronormativity that remains unchallenged in the judicial human rights discourse. Far from being challenged, it is not even acknowledged. Not just that, heteronormativity is actually reinforced through the ways in which judgements (on issues of sexuality) are worded and framed.

Human rights interrupted

Sexual diversity in India poses a challenge to the identity based model implicit in the three legal arguments. Those who do not conform to prescribed sexual orientation identities will fall beyond its purview. For example, Hijras could be men who cross-dress, castrated men, or intersexed individuals. A complex indigenous identity, Hijra is not a sexual identity but more to do with gender. The 'third sex' as it is sometimes called. Neither man, nor woman, a Hijra's sexual acts (for instance, with men) then defies understanding of both heterosexual and homosexual. Further, as a community Hijras have a unique and indeed much longer history that cannot be so easily clubbed with the comparatively infantile LGBT identities in India. Lastly, in some regions, the sexual activity of Hijras occurs in what are called *Hamams* (public bath houses). Perhaps closest in comparison to brothels, the status of Hamams in the privacy argument is left in the lurch. Another difficulty with privacy is that not everyone can afford it. Hijras and Kothi men who indulge in sex work, may solicit on the streets, leading to sex in public toilets or public parks. Far from motivated by a toilet-fetish or the excitement of outdoor sex, it happens due to lack of available 'private' spaces. Within the strict sanitization of the privacy argument, where and how does one accommodate the realities of Hijra lives? Is it best ignored because of the complexity Hijras pose? What then of Hijra's sexual rights, their human rights? Neglected, avoided, or indeed interrupted.

The currently pending Writ Petition (of 2001, in the Delhi High Court) challenging the constitutional validity of Section 377 has emerged in the context of Section 377 being an obstruction to carrying out HIV/AIDS outreach work amidst the MSM. It broadly relies on claims of privacy, equality and human dignity. It includes arguments to the effect: (i) that the law is 'arbitrary' in its classification of natural and unnatural sex; and (ii) that it causes a serious setback to HIV/AIDS outreach work, thus violating the right to life. The Writ Petition mentions MSM, homosexual and gay men in the equality argument and in the context HIV/AIDS outreach work. It is indeed implausible to articulate the equality argument without first setting in place a cohesive identity like Gay. Similarly, the HIV/AIDS argument must have 'high risk groups' like MSM and gay men as points of reference. There are also non-identity focused arguments: of violation of privacy; and that the law is arbitrary in its classification of natural and unnatural.

When it comes to sexual identities, the petition is perhaps on a weak wicket. Foremost, it is a Public Interest Litigation. It is not a direct claim by an affected real person, but a claim by a Non Governmental Organization (NGO), Naz India Trust. Before it could be taken up on its merits, the Delhi High Court dismissed the case on the ground that there was no *real*

cause of action and that the NGO had no *locus standi*. However the Supreme Court of India (in an appeal later) set aside the dismissal and sent it back to the High Court for its consideration. That is where it is at this stage.

More recently, on November 22, 2006, Voices Against 377, a coalition of individuals and NGOs based in Delhi, filed an intervention pleading itself as an interested party. Although it supports the main Petitioner's aim (to decriminalize private and consensual same-sex sexual activity), Voices' position can be set apart in two ways: (i) it brings to the court the context of same-sex desiring people including those who identify as LGBT, *Hijra* and *Kothi*. – thus widening the set of people (identities) affected; and (ii) it argues that the law effectively violates the right to know and be informed of important sexuality issues. Although in some way, Voices is representing the cause of affected people, it is not a real person. The personhood of a directly affected 'victim' is still missing.

Formulation of sexual identities in India is a challenge, not only in the courts. There is an emerging politics around issues of sexuality, which in some ways differs from the LGBT movement of the West. Whether it could (or indeed should) ever be the same, is another matter. A prominent difference, for example, being that most of the MSM do not necessarily subscribe to 'sexual orientation' identities. One could gasp why they would not, one could lament that they should, or one could take the reality as given and accordingly address it. The legal challenge to Section 377 should therefore be grounded in the context of people to whom the pink triangle means nothing or very little. Beyond this, it would be far too speculative to comment on the outcome of the litigation. Until it is decided (hopefully favourably), the human rights of LGBT and non-LGBT people affected by Section 377 lies in a state of suspension, interruption, and uncertainty.

Ways forward

Sweden's International Policy on Sexual and Reproductive Health and Rights, February 2006 is the first of its kind and a pioneer in advocating a progressive language. In its strategic areas (for Sweden's international work), the focus on homosexual, bisexual and transgendered people begins with open acknowledgement, and indeed a critique, of heteronormativity. It goes on to a refreshing take on transsexual and intersexual persons, which could be useful in grappling with *Hijra* realities. Further, the policy states that LGBT "[...] definitions are not universal. LGBT persons do not always identify themselves by such labels, but use the language and identities that have emerged in the particular contexts within which they live their lives. Heed must therefore be paid to the existing conceptual nomenclature for sexual orientation and gender identities in different societies." This is all very good, and useful for addressing some of the concerns raised in this essay.

The Swedish policy creates a wider canvass for articulating sexual rights. In particular, that "all people [...] have a right to their own body and sexuality". This is a claim most useful in the context of Section 377 in India, where the law blatantly intrudes into consenting

people's liberty by telling them *what they can (or not) do with which part of their bodies*. There is a need for human rights language to reflect such a progressive approach, and to acknowledge and indeed promote people's autonomy, independence, free will and sovereignty over their bodies.

Decriminalization of consensual sexual acts is only one aspect; there is a need to strengthen anti-discrimination laws that protect people with alternate sexualities. In this regard the Constitution of South Africa is exemplary in providing for sexual orientation as a stated ground for protection against discrimination within its Bill of Rights. However, while the South African constitution is very progressive and must be appraised as a model to be followed, inscribing 'sexual orientation' in the legal text also runs into the problem of defining rights on the basis of identities. Sexual orientation does not cover gender identity or gender expression. It may also be the case that many people who experience same-sex sexual desires and conduct do not feel covered – neither by sexual orientation nor by gender identity. That is why a more universal ground to articulate human rights and sexuality is very important.

The advances of human rights made on the basis of the right to privacy, equality or human dignity are most significant and needs to be applied in more and more cases the world over. Alongside these advances, however, there is a need to expand the boundaries of our thinking. There is a need to expand the human rights discourse, for it to go beyond notions of identities, to secure a firm and a more generic principle that bolsters sexual rights. Manifestations of sexuality might depend on a range of factors: personal temperament, conservative or liberal values, a sense of propriety or impropriety, morality, and so on and so forth. Regardless of its manifestation, dormant or otherwise, sexuality remains an integral component of human experience. Aspects of human life, such as health, livelihood, and shelter, are being increasingly articulated in a rights-based language. Sexuality is an undeniable strand of human experience. What then keeps it from having its own place, its own articulation in the spectrum of human rights? Indeed it should find its rightful place in the bill of rights of every constitution, of every human rights charter. Its exact content and form might still be debatable, but there is a need to start this debate.

Can a *right to sexual autonomy* be a stated human right? It would include providing legal protection to permit individuals to identify with a particular gender identity or sexual orientation. Both the private and public aspects of one's sexual and gender identity could be protected as a legitimate choice of sexual self-determination. Using sexual autonomy as a conceptual framework avoids the problems of exclusion, for example of the Indian MSM who are often left outside of categories of protection based on sexual orientation (because they might view themselves as heterosexual). This framework can also harmoniously coexist with identity-based models. It is entirely possible to have a nondiscrimination clause based on sexual orientation and to construe the right to privacy to include aspects of a person's sexual identity.

Defining a right to sexual autonomy could possibly challenge Section 377, but it is purely academic at this stage. Building on it would nonetheless be useful for a rights-based approach to a spectrum of issues – contraception, abortion, marital rape, sex work, sexual diversity, gender identity and expression, pursuit of pleasure, etc. Each of these, and the right to sexual autonomy in particular, could well be an independent discourse. For present purposes, I will conclude by saying that laws like Section 377 that impinge upon sexual self-determination are unjust and iniquitous. The Indian CIATON offers an opportunity to question surveillance, scrutiny and subjugation of our bodies, without necessarily marking ourselves with available labels of sexual identity.

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Notes

- ¹ Ranchhoddas R. and Thakore D.K., *The Indian Penal Code*, 29th ed., Wadhwa and Company, Delhi (2002), p. 1818. A general comment states that "[t]his Section is intended to punish the offence of sodomy, buggery and bestiality. The offence consists in carnal knowledge committed against the order of nature by a person with a man, or in the same unnatural manner with a woman, or by a man or woman in any manner with an animal." A much older commentary, by Sir Hari Singh Gour states "This Section punishes what is 'unnatural' carnal intercourse, and which is accounted a great crime since the destruction of Sodom and Gomorrah. But in spite of the high penalties to which it is justly subject, it is a crime which seldom comes to light, though it is notoriously widespread even in high society, and it is certainly not confined to any age or nationality, though it is a crime often detected amongst school boys and prisoners." Gour H.S., *The Penal Law of India*, 4th ed., Vol II, Butterworth & Co. (India) Ltd, Calcutta, (1928) p. 1936
- ² My analysis is limited to consensual sexual activity between adults (ruling out rape or child abuse), and to judicial protection of human rights.
- ³ "In various times and places everything from the ordinary heterosexual intercourse in an atypical position to oral contact with animals." Boswell John, *Christianity, Social Tolerance and Homosexuality: Gay people in Western Europe from the beginning of the Christian era to the fourteenth century*, University of Chicago Press, Chicago (1980), p. 93
- ⁴ *Lohana, Vasanthlal, Devchand v. State*, AIR 1968 Gujrat 252
- ⁵ *Brother John Anthony v. The State*, 1992 CriLJ 1352
- ⁶ Narrain A., *Queer: Despised Sexuality, Law and Social Change*, Books for Change, Bangalore (2004), p. 55
- ⁷ *Grace Jayamani, Petitioner v E.P. Peter, Respondent*, AIR 1982 Karnataka 46
- ⁸ <http://www.hindu.com/2004/12/20/stories/2004122008600100.htm>

- 9 From an unpublished fact finding report written by Blavathi Manohar of the National Campaign on Sexuality Rights (NCSR), Tulika Srivastava of Association for Advocacy and Legal Initiatives (AALI), Lucknow, Jashodhara Dasgupta of Sahayog, Lucknow, Maya Sharma of Parma, Baroda, Vivek Divan a human rights lawyer from Bombay, and Arvind Narrain of the Alternative Law Forum, Bangalore. Some of the on-line published reports of the incident can be accessed at:
<http://hrw.org/english/docs/2006/01/11/india12398.htm>
http://www.ilga.org/news_results.asp?LanguageID=1&FileCategory=1&ZoneID=3&FileID=734
- 10 Menon, N., 'How natural is normal? Feminism and Compulsory Heterosexuality', in Narrain and Bhan (Ed.), *Because I Have a Voice: Queer Politics in India*, Yoda Press, New Delhi (2005), p. 33-39
- 11 The stated diversity (of gender and sexual identities and conduct) is not exclusively specific to India. There many other and indeed many more examples that could be stated from other countries, like Brazil and Indonesia.
- 12 Nanda S., *Neither Man nor Woman: The Hijras of India*, Wadsworth Publishing Company, Belmont, California (1990), p. 115
- 13 People's Union for Civil Liberties, Karnataka (PUCL-K), *Human Rights Violations against the Transgender Community: A study of Kothi and Hijra Sex Workers in Bangalore, India*, PUCL-K (2003), p. 19-21
- 14 *Dudgeon v. United Kingdom*, (1981) Ser. A, No. 45; *Norris v. Ireland*, (1988), Ser. A, No. 142; *Modinos v. Cyprus*, (1993), Ser. A, No. 259
- 15 *Toonen v. Australia*, (Communication No. 488/1992) U.N. Doc CCPR/C/50/488/1992 (1994)
- 16 *Lawrence & Garner v. State of Texas*, <http://www.supremecourtus.gov/opinions/02pdf/02-102.pdf>; Also see decision of the Kentucky Supreme Court in *Commonwealth of Kentucky v. Jeffrey Wasson*, 842 SW 2d 487 (Ky 1992)
- 17 *National Coalition for Gay and Lesbian Equality v. The Minister of Justice* (1999) 1 SA 6
- 18 I have borrowed the first two from Winemute's (1995) classification. See Winemute R., *Sexual Orientation and Human Rights*, Clarendon Press, Oxford (1995) p. 17. I have done away with Winemute's third classification called 'sex discrimination argument' because none of the cases relevant to this essay makes any reference to this argument. I have replaced it with the human dignity argument from the South African judgment, *National Coalition for Gay and Lesbian Equality v. The Minister of Justice* (1999) 1 SA 6
- 19 Senbrook J., *Love in a different Climate: Men who have sex with men in India*, Verso, London (1999), p. 180
- 20 Sweden's International Policy on Sexual and Reproductive Health and Rights, Ministry for Foreign Affairs, Stockholm (February 2006), p. 17. Available on line:
<http://www.sweden.gov.se/content/1/c6/06/14/89/712f7e0c.pdf>
- 21 *Ibid.*, p. 8
- 22 Section 9 (3), Constitution of South Africa. Available on line:
<http://www.polity.org.za/html/govdocs/constitution/saconst02.html?rebookmark=1#9>
- 23 Katyal S., *Exporting Identity*, 14 Yale J.L. & Feminism 97 (2002), p. 169-171
- 24 *Ibid.*, p. 172-173

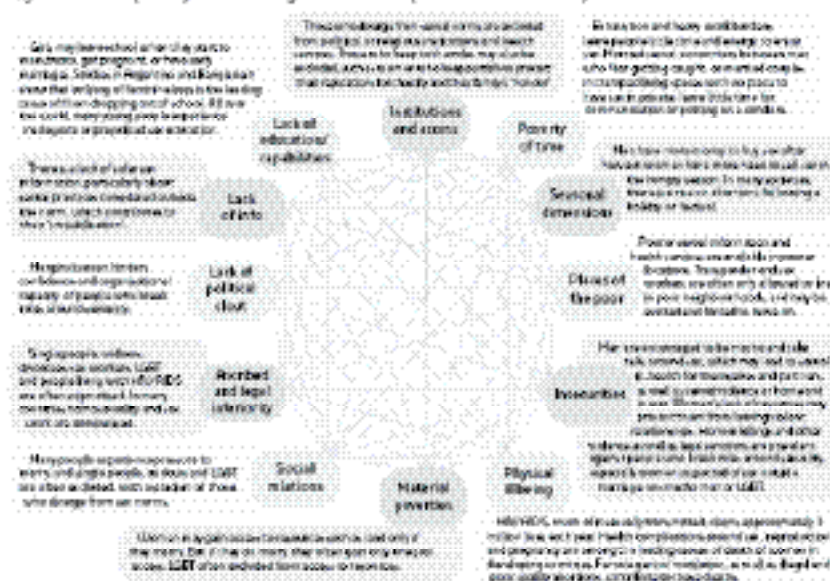
Sexuality and Development

Susan Jolly

Development has generally treated sexuality as a problem - considering it only in relation to population control, family planning, disease and violence. However, sexuality has far broader impacts on people's well-being and ill-being. Using Robert Chambers' framework of the multiple dimensions of poverty, this IDS Policy Briefing highlights the many links between sexuality and poverty and suggests constructive ways to engage with sexuality as a development issue. It looks at how we can take a broader and more positive approach to sexuality, and how we can foster an environment that enables people to live out healthier, happier sexualities free from violence and fear. It gives examples of action which shifts the focus from negative to positive, from violence to pleasure, and shows how development can approach sexuality through health, human rights and sexual rights, gender, and religion.

Although sexuality and gender is a defining characteristic of each and every one of us, development policy and practice has tended to ignore sexuality, or deal with it only as a problem in relation to population, family planning, disease and violence. The idea of sex as a form of pleasure, intimacy, closeness, fun, love or indeed a way to survive the harshness of economic circumstances simply does not enter the picture. However, the need to respond to HIV/AIDS and the adoption of human rights approaches have created openings for a franker debate on sexuality and more resources in this area. But all too often, this has simply sustained the perspective that sex and sexuality are a problem that development agencies need to tackle, rather than a 'super force' that can be channelled to bring about positive well-being.

Figure 1 Web of poverty's disadvantages – with examples related to sexuality



Is sexuality a development issue?

Development should be about increasing people's well-being, particularly of those who are poor or marginalised. So where does sexuality come in? Social and legal norms and economic structures based on sexuality have a huge impact on people's physical security, bodily integrity, health, education, mobility, and economic status. In turn, these factors impact on their opportunities to live out happier healthier sexualities. The intersections between sexuality and poverty can be analysed using Robert Chambers' Web of Poverty's Disadvantages. Some examples from a variety of contexts are cited in Figure 1 to illustrate the connections.

How should development approach the issue of sexuality?

If sexuality makes such a difference to our ill- or well-being, then it is important that development organisations include sexuality in their analysis of local contexts and the realities of people's lives, and that they take action accordingly. How can this be done?

Health services and health education is one important entry point given the scale and impacts of sexual and reproductive ill-health, and the lack of accessible services for treatment and prevention. Those who break rules around sexuality such as women having sex outside of marriage and lesbian, gay, bisexual and transgender people (LGBT) face particular obstacles in accessing appropriate services. An example of an initiative being taken to respond to such exclusion is the DFID-supported 'Chengdu Gay Men's Community Care Organisation' in China, which trains doctors to offer appropriate and respectful treatment for men who have sex with men.

Human rights/sexual rights: Rights-based approaches are increasingly seen as useful in seeking to ensure that development projects and programmes are guided by the priorities and needs of the primary stakeholders. Many people are denied their basic rights by social rules around sexuality, whether they conform to or diverge from these. Supporting rights around sexuality could help redress such injustices. This has been done at the level of the UN and international agreements, such as the Cairo Convention endorsed at the International Conference on Population and Development in 1994 which understands reproductive health to include that 'people are able to have a satisfying and safe sex life' and the Beijing Platform for Action from the Fourth World Conference on Women in 1995 which asserts women's rights to 'have control over and decide freely and responsibly on matters related to their sexuality'. It is also being done at many other levels. For example, the organisation Women for Women's Human Rights in Turkey has run a human rights training course for over 4000 women which includes discussion of 'sexual pleasure as a woman's human right', one of the most popular parts of the course! They have also succeeded in bringing about a major reform of the national penal code so that it now supports women's sexual and bodily integrity. At a regional level in the Middle East and South East Asia, the Coalition for Sexual and Bodily Rights in Muslim Societies works to promote rights around sexuality.

Gender: Gender power relations have a major influence on our lives, including our sexualities. This is the case whether for women, men or transgender people, although how we are influenced will differ according to our gender, as well as many other factors such as family position, class, race, religion. In many societies, sexual norms encourage men to be macho and take risks and women to be passive and ignorant. This makes safer sex which pleases both partners more difficult. Girl Power Initiative in Nigeria tries to counteract such influences by training adolescent girls to be more knowledgeable, confident and assertive in making their own choices around sex. Similarly, Programme H, a collaboration between four NGOs in Brazil and Mexico, works with young men in low-income settings to challenge oppressive gender norms around sexuality. They organise young men's groups, and have run a successful social marketing campaign promoting the idea that it's cool to be gender equitable, non-violent, use a condom and be a good father. Gender norms also penalise LGBT and intersex people, who may be seen as neither 'proper men' or 'proper women'. In many parts of the world, transgender and intersex people are made invisible. In other regions, such as South Asia and Latin America, there are more visible and established transgender cultures and communities (which sometimes include intersex people), although they are often stigmatised and harassed, and their options for earning a livelihood may be limited to sex work. However, LGBT and intersex people are increasingly mobilising for rights, and some development programmes are beginning to take on these issues.

Religion: Many fundamentalist schools of belief presume only particular forms of sexuality are acceptable – generally heterosexual sex within marriage – while anything outside this is immoral. Such thinking is influencing US development policy and funding with new conditions being imposed, including dissociation from abortion services, promotion of abstinence and condemnation of sex work. Consequences are wide-ranging such as closing of clinics and undermining of safer sex education programmes. These stances have been challenged on many levels – for example Brazil's rejection of US\$40 million of US HIV/AIDS funding due to the conditionality on condemning sex work, and last year's World Aids Day statement by 22 European Union member states dissociating themselves from the abstinence agenda promoted by the USA. However, within each religion there is diversity both in interpretations of religious texts, and in the ways individuals practice their faiths on a day-to-day level. Much work has already been done to reconcile religious frameworks with greater tolerance for different kinds of consensual sexuality – for example Catholics for a Free Choice works internationally to promote Catholic thinking and teaching which supports women's moral agency and free choice around abortion. In some Muslim contexts, a pragmatic rather than moral approach is taken to 'forbidden' sexualities. In the Islamic Republic of Pakistan, for example, the National Aids control programme has supported peer education initiatives among men who have sex with men and sex workers, as well as working with religious leaders, to promote safer sex.

From negative to positive, from violence to pleasure: Development work has tended to focus on sexuality only in relation to disease and violence, on the risks and dangers rather than the pleasures and fulfillments. This one-sided emphasis on the negative reinforces the stereotypes and fears around sexuality that prevent people from making active choices to

be safer and choose the sexual relations they want rather than those imposed by dominating partners or social expectations. How could development programmes instead take a more empowering and positive approach that creates possibilities for change?

Promoting sexual well-being and pleasure is no simple thing. Opportunities to seek or even think about sexual pleasure, as well as how it is experienced, are influenced by many factors - including gender power relations, class, race, and the globalised media. Nevertheless, in spite of the complexities, there are ways forward. On a conceptual level, the issues are being explored in such forums as the on-line discussion on 'Sexual pleasure, Sexuality and Rights' hosted by the South and South East Asia Resource Centre on Sexuality, and in the Journal 'Feminist Africa'. On a practical level many interventions are already promoting the pleasures of safer sex: some churches in Africa are promoting better sex among married couples to discourage people having sex outside of marriage; in Kerala, India, a sex workers forum organises an annual 'festival of pleasure' to promote sex workers' rights and safety; the International Community of Women Living with HIV/AIDS has produced 'Sexual Healing', a book that combines erotica and health messages for HIV-positive women to ensure that pleasure remains accessible to them after diagnosis; and numerous interventions aim to eroticise and make more pleasurable both male and female condoms in order to promote their use.

Ways forward

Development policymakers and practitioners have allowed their own prejudices and embarrassments to block the realisation of the connections between sexual rights and well-being. This tendency is now reinforced by a conservative backlash around sexuality spurred by fundamentalist influences. At the same time, however, new possibilities are opening up with the urgency of responding to the HIV/AIDS crisis, and with increasing activism around sexuality worldwide. If they are to effectively promote health and well-being, policymakers must now engage with sexuality. The following steps are needed:

- To recognise sexual rights as human rights, and repeal repressive laws, penal codes and personal codes. The Beijing and Cairo conventions constitute good starting points for this. Human rights approaches offer a promising basis for poverty, health and social policies and programmes to address sexuality as a development issue.
- To realise that sexual rights are more than the right to be free from violence and coercion - they also include the right to seek pleasure and fulfillment and an enabling environment in which to do so. A positive approach to sexuality and health will empower people to make safer happier choices around sex and relationships.
- To challenge gender norms which make men macho, women passive, and transgender people marginalised. This can be done by promoting and supporting more equitable and fulfilling heterosexual relationships, and countering prejudice and marginalization of those with same-sex sexualities and transgender identities.
- To work with the more progressive strands of mainstream faiths and religions to promote enabling and supportive views of human sexuality.



Why the development industry should get over its obsession with bad sex and start to think about pleasure

Sexuality has always been an issue for the development industry, but it has largely been dealt with in hidden, heteronormative, and negative ways.

- Population
- Household models
- Violence against women
- HIV/AIDS and sexual and reproductive ill-health

Sexuality only seen as a problem

In this negative approach to sexuality, women are usually stereotyped as victims, men as perpetrators, and transgender people (eg. hijras) largely ignored.

Why does this matter?

Because these negative and gender stereotyped approaches are

1. disempowering
2. hamper efforts to promote safer sex
3. dovetail with discourses of the religious right

Wanted sex, good sex and right to enjoy sex is not something that is covered in many intervention programmes...How do we expect young women to understand the importance of consensual sex and negotiating skills if education is only limited to prevention of pregnancy, STIs, and sex being a no go area in many societies?

(Namibian participant, Young Women's Dialogue, in International Community of Women Living with HIV/AIDS, 2004)

There are increasing indications –from developing as well as developed countries –that public health outcomes may benefit from a greater acceptance of positive sexual experiences...greater comfort with one's own body will enable greater ability to communicate wishes to others, and to be less 'pressured' into unwanted sexual relationships.

(Ingham2005, p1)

Convergences with conservative religious discourses

- Indian feminists' images of Indian women as chaste and vulnerable to sexual exploitation echo the Hindu right's portrayal of virtuous Indian womanhood (Kapur 2005)
- Some US feminists ally with the Bush administration to mobilise against prostitution and trafficking (Crago2003)

People have a right to pleasure, desire, sexuality, as well as a right not to experience these if they don't want to. How can we tell if these rights are being realised? We don't need to measure sexual pleasure, which would be quite difficult! Instead we can measure rights, and there has already been a lot of work done on how to do this. (Armas 2006)

How should development address the complex mix of pleasure and danger in sexuality?

- Tackle the exploitation and inequalities which underlie sexual violence, stigma, and discrimination, as well as tackling problems around sexuality directly
- Celebrate the pleasures of sexuality to positive effect. The positive effects can include empowerment and affirmation, greater safety in sex, and form part of a more comprehensive challenge to conservatism
- Promote the right to sexual pleasure, not just because of the positive effects, but because sexual pleasure can be a delight in itself!

Thankyou!

Talking in the Affirmative: Initiating Conversations on Sexuality with Community Based Groups in India

S. Vinita

The concept of sexuality and sexual rights are inter-connected with several development discourses and there have been various efforts at various points in time by academics, activists and development workers to define and broaden the concept of sexual rights.

While there is some academic understanding on sexuality and sexual rights, organizations working with communities are increasingly attempting to understand what sexual rights mean to their work and how they interlink with development and rights. It is important here to acknowledge the work of people and organizations who have strived to address issues of sexuality in their work and have expanded scholarships in this field. This, in turn, has reiterated the significance of formulating strategies that engage with sexuality in an inclusive manner and shape the way ahead.

This paper has emerged as a result of CREA's work around sexuality and how this translates into its work with community based groups. Within CREA's work with community based groups, the focus here is on one of the initiatives within the program – the Institute on Human Rights in Hindi. This paper will also refer to examples from trainings and workshops organized by CREA with community based groups in order to exemplify linkages between sexuality and development.

CREA: Vision and Overview

Founded in the year 2000 in India, Creating Resources for Empowerment in Action or CREA, empowers women to articulate, demand and access their human rights by enhancing women's leadership and focusing on issues of sexuality, sexual and reproductive rights, violence against women, women's rights and social justice.

One of CREA's core beliefs is that women face added oppression because of the interplay of their identities of race, age, caste, class, disability, sexual orientation etc with their gender. Therefore, CREA believes in creating opportunities for women to learn from and interface with social movements so that these social movements can become more inclusive and look at feminist discourses and articulation of development issues.

CREA engages with the concept of leadership in achieving this goal. The concept of leadership is an ever-changing one where it is not a personal trait or a person's power over another. Leadership is the ability to understand, deconstruct, question and challenge one's context in order to bring larger social change.

CREA recognizes that in making sense of the meanings of women's experiences, it is important to analyze the overlaps of gender and sexuality since this is one of the dimensions based on which women, and people at large, face oppression. This understanding connects with CREA's position affirming the concept of sexual rights and is reflected in its work at all levels: local, regional and international.

Why Community-Based?

The founding members of CREA while laying the terrain of work, had a strong conviction of working with community based groups solely because they had learnt all their concepts in development from the communities they worked with. From the same experience of working with communities, they realized that multiple factors like social, economic, political and cultural factors have different and gendered impacts on women and in order to work towards larger social change, there was a need to include women from grassroots levels in discourses and get their voices into strategizing in this work. To participate in development discourses, it was important for women to build their own understanding of these social, political, cultural, and economic factors in relation to their own realities. This has been the conviction behind not only CREA's work with community based groups, but with the entire body of CREA's work towards enhancing leadership of women.

The Community Based Leadership Program (CBLP) began with the idea of getting together women activists from middle management level community based groups and create a space for learning and sharing of experiences which would enhance their own level of learning and therefore inform their work. After a series of field visits and meetings with women activists, CREA staff and the women activists developed a plan of what the space and ground rules would be.

Another layer in the CBLP is derived from the experiences of CREA staff and from the conversations with women development workers during site visits that women face further marginalization within community based organizations – most of the decision making positions are held by men; because of issues related to mobility, women workers are limited in their ability to access opportunities of learning. The CBLP addresses this aspect by focusing on working with women led groups, and further, engages with women occupying middle management positions.

The CBLP began in 2002. In the next four years a group of women (who named the group *Ibtida* – Urdu for 'beginning') met regularly throughout the year and challenged each other by engaging in different issues and questioning their beliefs. From starting as a group of 8 organizations, it grew to 16 member organizations and today it has 13 organizations that are a part of this group. While on one hand, *Ibtida* is characterized by the multiplicity of issues that these organizations work on that lend diverse perspectives to group processes, on the other, all the organizations that CREA engages with in this process have informed and critically questioned CREA's body of work. More importantly, experiences with *Ibtida* have helped CREA chart its further course of work with communities. CREA's

attempts to enhance the existing resource base on gender, sexuality and human rights in Hindi, bear the imprint of CREA's work with *Ibtida*. This diverse group of active players has pushed CREA's own boundaries and has given it the confidence to expand the scope of the CBLP, which now includes engaging with communities at multiple levels. Today, the Community Based Leadership Program has organically grown to not only encompass CREA's work with *Ibtida*, but also includes more recent work with development practitioners working at the grassroots level. The CBLP now includes:

- *Ibtida*
- Human Rights Institute in Hindi
- Sexuality Institute in Hindi
- Basic training on gender and sexuality in Hindi
- An expanding resource base of material in Hindi on issues of gender, sexuality, human rights. This includes academic journals, training manuals, pamphlets and leaflets.

Using the Space to Experiment

Through all this work, the CBLP has been able to provide space to CREA to link its international work to community-based work in India and vice versa. More importantly, this program has seen the interplay of CREA's experiences and beliefs, and as a space to evaluate academic constructs in relation to community realities.

The most important learning from this work was that there was a dire necessity to create and build opportunities of learning in Hindi and make it accessible to women working with communities. CREA's work with *Ibtida* has also informed CREA's strategies for future work and has lent perspective to the emerging trends and needs within community based groups at large.

With the objective of creating a learning opportunity for women who are excluded from larger development discourses, CREA organized its first institute on human rights in Hindi, named *Adhikar, Vikas aur Sangharsh - Ek Adhyayan*¹. This institute is also inspired by CREA's work on a similar institute in English – Institute for Rights Activism and Development - which is an annual weeklong institute that began in 2004.

The first Institute was held in 2006 and was a turning point in CREA's engagement with community based groups as it provided an opportunity for CREA, as well as the participants, to explore theoretical constructs and draw critical linkages to their work.

One of the key features of the Institute was its focus on social and local movements that were demanding rights for various sections of people. The focus here was on the basic

¹ A week long Institute for 25 women working in development. It aims to build a deeper understanding on international human rights treaties, analyze local movements and contexts and, at each step, question what this approach would mean for the environments in which they work.

principles and concepts of human rights and how this connects with social movements. There was a definite intention on having this focus rather than only looking at the UN systems as the only valid way of claiming rights. In addition, by bringing together various development issues on the table, the Institute aimed at identifying the linkages between various social movements and highlighting the need to interface and dialogue across movements.

Talking about Sex

The Institute brought together activists from various fields who came and taught from their experiences of working with communities and/or expanding academic understanding on development issues. One of the areas that was covered was Sex Workers' Rights. This session focused on the perception around sex as a means of livelihood and the biases against this notion that informs one's position around this issue. Participants also discussed that when they see someone is 'forced' into sex work, this is a zone of comfort for them (recognizing at the same time that this is rights violation). However when they come across instances of people choosing sex work as a profession, their own belief system prohibit them from accepting this comfortably. At the end of this session, participants were very uncomfortable in addressing issues of sexuality and were questioning the organizers on why sexuality was such an important component for an institute on human rights, as they could not see the linkage between sexuality and development.

This notion saw a shift during the session on issues around sexuality. The session began with challenging common perceptions about relationships as only heterosexual and reducing it to marriage and reducing sex to only as a means for reproduction. Participants were questioned about the existence of 'pleasure' in this paradigm. In addition, the concept of heteronormativity was also explored and by analyzing participants' responses and bringing forth that common assumption of everyone being heterosexual. Beliefs around sexuality were also challenged by the session on 'homosexuality and violence'. Participants were given case studies of lesbian women who had to face different kinds of violence because of their sexuality. During discussions, participants came across clearer perspectives on how rights are violated based on one's sexuality and how silencing the issues of sexuality can result in people having limited or no space to experiment or claim homosexual identity.

Sessions that followed the one on homosexuality were facilitated to expand participants' understanding on applying concepts of sexuality to various fields within development. This was done by breaking the class into four groups and asking each group to discuss strategies to include sexuality in four areas of work, namely, violence, law, communalism, and, health. This session was crucial in exercising participants' understanding of sexuality and identifying linkages between sexuality and their own work. At the end of this session, participants were clearer on how to apply sexuality in their work and this also strengthened the belief that sexuality is not something that has been invented in the recent past - it has been one of the key dimensions based on which oppression and privilege take place. Therefore, it is not removed from reality and can be addressed by organizations working at the grassroots if their strategies take cognizance of issues of sexuality.

Such concepts were also discussed during sessions on communalism and fundamentalism, and issues of Kashmir. For example, one of the key areas of discussion during the session on communalism was around women as markers of communities, and by inflicting sexual harm on them, one community marks their victory by humiliating the other community.

Another striking debate at the Institute revolved around the issue of the death penalty in relation to rape. The issue of 'rape' came up in the discussion of the reading "*Yauni Matra*" or "only the vagina", written by Maitreyi Pushpa². Participants in favor of the death penalty gave the argument that rape is an offence that should receive the most severe punishment. Participants were questioned about why rape has been assigned so much significance and whether this significance also reflects the paramount importance one places on a woman's vagina. The facilitators brought forth questions about why parents teach girls that no one should touch their vagina, whereas there is no such thought given to other parts of the body. Taking this logic forward, as counselors who work with rape victims, does one attempt to de-stigmatize rape for victims and counsel them on carrying on with one's life along with seeking legal action?

Participants working on cases of violence against women also narrated examples from their work, which did not make necessary connections with sexuality. For example, one participant said that it was often difficult to bring forth issues of sexual violence that women faced from their husbands, or how single or widowed women were always expected not to have sexual partners. Another participant who works on micro finance issues said that it was often a challenge to collectivize women into self help groups, because their husbands or other male members of their families always doubted that an increase in women's mobility or independence would lead to them having sex with other men. During the Institute, participants acknowledged that notions of 'the good woman' always had to do with her sexuality, and this was used against women by restricting their mobility, decision-making capacities and access to services.

During the one week long Institute, a significant shift was perceived by participants and organizers on the levels of comfort in relation to sexuality. Beginning with a sense of hesitation and a lack of clarity around linkages between sexuality and rights, participants re-looked at their own personal and professional experiences and began to articulate their concerns and opinions differently. In addition, many participants related with sexuality in their personal lives and recognized ways in which they were restricted in their sexuality. This relation to sexuality also helped in recognizing that sexuality was not something that people could not relate to, and that it was a significant aspect of a person's identity and lived experiences.

² This paper discussed the case of Hetal Parekh, a 13 year old girl who was raped and killed by the liftman of her apartment - Dhananjay - who was trusted by her family. Dhananjay was awarded the death sentence. The article points out that attention shifted from the pain of felt by the family to the death penalty, to Dhananjay, who in turn was given a 'hero' figure by the media.

Using Multiple Spaces

As stated earlier, the Institute on Human Rights in Hindi is one of the initiatives within the CBLP. It is also important to emphasize here that the content, design and issues that the Institute have addressed are also derived and inspired from the larger body of work of CREA with community based groups, especially with the experiences of the *Ibtida* members. Within the diverse areas of work of *Ibtida* members, there has been a scope to link not only sexuality to the issues they work with, but also identify the inter-linkages between various social movements. In this process, it has taken a lot of time to introduce concepts and issues of sexuality. For instance, the first training on sexuality was clubbed with reproductive health so as to begin with a comfortable zone for participants. All the trainings that *Ibtida* partners have participated in, such as on communalism, human rights, violence against women, etc, there has been an attempt to link all these issues with sexuality. This process has challenged CREA and pushed it to locate inter-linkages and break sexuality into the lowest common denominator for people to relate to it.

During the training on reproductive health and sexuality, one of the participants belonging to a Dalit group asked why was it so important to address issues of homosexuality when only a small number of people are affected by it. The facilitators made a connection with this concept of 'a minority being affected' to issues of Dalit people and emphasized that if one used the number of people affected as the logic, then the issues of Dalit people would also go unaddressed. It was therefore important to not look at the numbers and look at marginalization of even one person as an issue of rights violation.

Another challenge in initiating conversations on sexuality has been with relation to include concepts of agency, choice and pleasure with community based groups. In CREA's experiences, it has been easier for participants to understand issues of sexual violence and violations (and more so in heterosexual contexts) than issues of pleasure, choice and consent. For example, in one of the communities that a Community Based Group (an *Ibtida* partner) worked in, when a girl got pregnant, the community workers of the organization planned to bring the man to Court accusing him of rape. During this process, none of the workers had spoken to the girl and asked whether she had consensual sex, if she had sex with the promise of marrying the man, if she had sex solely because she wanted to have sex and never wanted to marry the man, or a host of other possibilities. When faced with these questions, the workers were initially unable to accept these as realities and then accepted that they had never thought of such possibilities because they had 'assumed' that this woman was victimized. Similar examples came up in many discussions with *Ibtida* members and in many workshops and trainings facilitated by CREA. It is always challenging to introduce multiple layers to sexual practices, identities, desire etc.

One of the accomplishments for CREA in this process is that one can perceive the change in *Ibtida* members in the articulation of issues and in the way they view their work. *Ibtida*

members working on issues of violence against women view the notion of violence in a way in which it challenges power structures and gender stereotypes and includes perspectives on women's sexuality in a more inclusive manner.

Initiating such conversations or complicating existing conversations on sexuality is something that CREA adds on to every process that comes in its purview of work. In publications, exchange programs, and international dialogues, there has always been an attempt to bring together these dimensions when discussing sexuality and sexual rights. In addition, in participating in debates and discourses on reproductive health and rights, HIV/AIDS, violence against women and other such themes, attention is drawn towards what sexuality means in these discourses and how sexuality is more than just a subset to each of these discourses.

In discussing issues related to sexuality, gender, and rights, one of the concepts that has great significance in CREA's beliefs and work, is that of Intersectionality. Intersectionality is a feminist theory, a methodology for research, and a springboard for a social justice action agenda. It starts from the premise that people live multiple, layered identities derived from social relations, history and the operation of structures of power. Intersectional analysis aims to reveal multiple identities, exposing the different types of discrimination and disadvantage that occur as a consequence of the combination of identities. It aims to address the manner in which racism, patriarchy, class oppression and other systems of discrimination create inequalities that structure the relative positions of women. It takes account of historical, social and political contexts and also recognizes unique individual experiences resulting from the coming together of different types of identity³.

In this framework therefore, gender and sexuality are one of the dimensions based on which oppression and privilege operate. In this process, it is important to recognize sexuality not only in terms of violence or 'leading to oppression', but also as an aspect that can be a position of privilege, like the identity of 'married heterosexual woman'.


More importantly, gender and sexuality also inter-play with other factors such as race, age, class, caste, and ethnicity which can culminate in or lead to a multitude of human realities.

Conclusion

The concepts of leadership, gender and sexuality and intersectionality are key elements in CREA's beliefs and strategies. By focusing on including women in social movements and by reiterating the significance of gender and sexuality in understanding human experiences through an intersectional approach, CREA also wants to push the idea of various social movements coming together and interfacing with each other. By understanding each other's issues and by sharing ownership and experiences, various social movements are and will not only build coalitions, but also find more grounded strategies for their respective movements.

³ AWID. "Intersectionality: A Tool for Gender and Economic Justice". *Women's Rights and Economic Change* No. 9, August 2004

The Ethics of Research with Human Subjects: Universal Principles and Historical Particularities



Richard Cash, MD, MPH
Adapted from
Daniel Wikler, Ph.D.
Harvard School of Public Health


Ethical Issues in Health Research

Dates: 30 July 2007


Origins of Contemporary Research Ethics




In the dock in Nuremberg



Dr. Mengele, 1943



Two of Dr. Mengele's twin pairs



Freezing experiment, Dachau



Low oxygen experiment



Mid-20th Century Abuses

- Nazi concentration camp experiments
- Japanese bio warfare experiments
 - US cover-up
- Postwar Great Power abuses:
 - USA: Tuskegee, Radiation, MK-Ultra
 - USSR: KGB poison experiments

Research Ethics: Philosophy vs History

What is the source of today's ethical codes, ethical review, and regulation of experimentation on human subjects?

- Philosophy: a set of universal, timeless principles?
- History: a reaction to specific historical events that we resolve never to repeat?

Nazi Abuses: 2 Interpretations

- Dr. Leo Alexander, Nuremberg advisor:
 - well-being of the individual subordinated to the well-being of the group
- Alternative:
 - Racism; unequal treatment
 - Nazis presumably would have rejected a random medical draft of "Aryan" Germans.
 - Note: similar pattern with Japanese bio warfare abuses and Tuskegee

Abstraction from History?

1. History of research abuse is the history of racism, class injustice, and other forms of bias and discrimination.
2. Ethical starting point is not individual vs. society, but equality and human rights.

What is ethical review for?

- Protect Human Subjects?
 - Individual over group?
- Treat Human Subjects *Fairly*?
 - No risk-taking without consent and without scientific justification
- Treat Human Subjects *Equally*?
 - No discrimination (racism, bias)

Principles

- Ethical Theories vs Ethical Principles
- We do not agree on any one theory
- We accept many principles, but we do not always agree on their priority
- There are many plausible sets of principles, differing in content and in number

Fundamental Principle

- "Respect for the Individual"
 - Each person matters, regardless of position, ability, or wealth
 - No person should be valued merely as a means to further the interests of others.

Principles: *The Belmont Report*

- Respect for Persons
- Beneficence
- Justice

Respect for Persons

- Informed consent:
 - Information: risks, benefits, alternatives
 - Voluntariness: no coercion
 - Freedom to withdraw
- Special protection for those lacking capacity for self-determination

Beneficence

- Benefit maximally, harm minimally
 - Eliminate unnecessary risk
 - Emphasis on safety
 - E.g. avoid human subjects if possible
 - Risks to subjects require justification
 - Research must require risk-benefit
 - High likelihood of significant benefit to others
 - Full voluntariness
 - No brutal or inhumane treatment,

Justice

- Fair procedures for recruitment
- Subjects should not be selected because of their vulnerability
- Benefits of research should be fairly distributed

Principles*

Based on the following paper: "What Makes Clinical Research in Developing Countries Ethical? The Benchmarks of Ethical Research" by EJ Emanuel, D. Wendler, J. Kilian, and C. Grady, *JGIM*, 2004;119. (1 March)

- Scientific validity
- Fair selection of study population
- Favorable risk-benefit ratio
- Independent review
- Informed consent
- Social value
- Respect for participants and communities
- Collaborative partnerships

Social value

- Who will benefit
- Value of research for each prospective beneficiary
- Mechanisms to enhance social value
- Research should not undermine health system

Scientific validity

- Scientifically valid in terms of study design (correct sample size, lab tests, unbiased measurement, etc.)
- Useful in solving local health problems
- Neither deny services nor request services that are not possible
- Study doable within the scientific, social, and political environment

Fair subject selection

- Select population to ensure valid science
- Minimize risk
- Develop collaborative partnerships with the communities
- Protect vulnerable populations

Favorable risk-benefit ratio

- Risk-benefit ratio must be favorable within the context of where participants live
- Ratio for the community must also be favorable

Independent review

- Insures public accountability and minimizes conflict of interest
- Insures proper ethics and study design
- Independent and competent
- Transparency
- But there's no procedure for settling differences with other review boards

Informed consent

- Local community should help develop procedures for recruitment etc.
- Disclosure of information should be sensitive to local norms
- Spheres of consent may be required
- Procedures should be locally acceptable
- Participants must know of their right to withdraw at any time
- Understood consent or informed consent

Collaborative partnerships

- Partners needed in the developing country
- Shared responsibilities for planning and conducting the study and disseminating results
- Mutual respect
- Minimize disparities
- Fair benefits to the study community
- Fair distribution of rewards of research among partners


Principles: ICMR (India), 2000

1. 1. Essentiality
2. 2. Voluntariness, Informed Consent, Community Agreement
3. 3. Non-exploitation
4. 4. Privacy and Confidentiality
5. 5. Precaution and Risk Management
6. 6. Professional Competence

Principles: ICMR (India), 2000

7. 7. Accountability and Transparency
8. 8. Maximization of Public Interest and Distributive Justice
9. 9. Institutional Arrangements
10. 10. Public Domain
11. 11. Totality of Responsibility
12. 12. Compliance

About Aahung



- Aahung is a not for profit organization
- Established in 1995
- Based in Karachi, working at the national level

Mission and Objectives



- To enhance the scope and improve the quality of sexual health (information, education and health) services
- To advocate for an enabling environment where Sexual Rights are respected, protected and fulfilled


Why SHR in Pakistan



- 125 out of 144 on the Gender Development Index
(UNDP/ICIM 2002)
- Literacy: 42% Women; 62% Men
Population Reference Bureau 2004
- IMR: 81 per 1,000
- Maternal Mortality Rate = 340-500/100,000
Pakistan Medical Association, 2006
- Of every 31 women who give birth, 1 dies
(UNICEF, 2006)
- Number of Induced Abortions per year: 890,000
Population Council, 2005


Why SHR In Pakistan

Violence Against Women & Children



- Every 3 hours, an average of 1 rape against a woman or child is reported
(UNDP, 2005)
- 80% of women in Pakistan subjected to domestic violence
(Ministry of Women Development)
- Estimated that 15-25% of children are abused in Pakistan
(UNICEF, 1999)
- 80% of reported child abuse cases are from family members or people with access to home
(Raza)

Why SHR in Pakistan



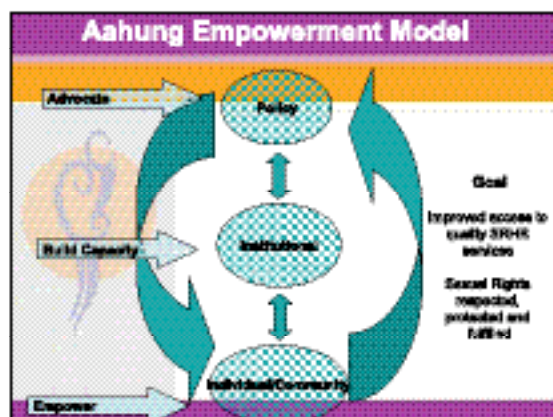
- Hepatitis B and C extremely prevalent
(UNAIDS)
- Concentrated HIV/AIDS epidemic amongst high risk groups such as IV drug users (prevalence = 28% in Karachi)
- Other high risk groups: men having sex with men; female sex workers; blood transfusion recipients; migrant workers

Sexual Health Framework



- Freedom from organic disorders, diseases and deficiencies
- Freedom from fear, shame, guilt, false belief and other psychological factors
- The capacity to enjoy and control sexual and reproductive behaviour

WHO definition



Strategies

Awareness Raising: Media

- Panel discussions, TV interviews, articles in the national print media, radio shows on various issues related to SRH
- Street theatre campaigns in urban and rural areas on themes such as gender equity; sexual harassment; HIV/AIDS, intravenous drug use
- Sessions on HIV prevention conducted with 160 young people
- Awareness raising sessions with students and parents

Strategies

Capacity Building

- Residential course on sexuality and sexual rights; workshops on prenatal information; Life skills education; training for allopathic & non-allopathic health care providers
- Workshops and follow-up activities with national-level organisations
- National seminars and workshops with large consortia
- Seminars for UNAIDS

Strategies

Research & Advocacy

- Research on the Medico-legal sector in Karachi
- Community-based IEC project on post-abortion care
- Partnerships with organisations with school networks
- Initiative on integrating sexual health into medical curriculum
- Participation in national, regional and international advocacy events, conferences and seminars

Strategies

Resource Development

- Culturally appropriate materials in local languages for health care providers, teachers, community workers
- Teaching module on "How to take a sexual history" for faculty of medical universities
- Documentaries
- Curriculum on puberty and responsible behaviour developed and distributed to schools
- Developed guideline for parents on preventing child sexual abuse
- Pamphlet for sexual violence survivors

Challenges

- Lack of knowledge
- Lack of Communication Skills
- Vocabulary
- Values (regarding gender, etc.)
- Lack of understanding of sexuality and sexual health from a religious perspective
- Policy
- Resources
- Quality of services (availability, accessibility, affordability, acceptability)
- Lack of Research

Impact of our Work

Individual Level



- Increased confidence, comfort and self esteem
- Increased awareness of risks
- Improved communication skills
- Empowered to make better decisions

Impact of our Work

Individual Level


I recently got married but as is common in Pakistan, and my wife and I did not have enough information about sexual relations and marital life before our marriage. After we were married, we felt embarrassed when we realized that we did not know anything about sex. A colleague gave me your pre-marital pamphlets, which are most helpful. I'm so happy and surprised to see your work here in Pakistan."

"The thing I liked most about this workshop was that you could not tell who was male and female. In an environment where men and women are not even used to sitting in the same space, we were working together and learning from each other without any problems at all."

Ashung Member Pakistan

Impact of our Work

Institutional Level



- Core group of service providers trained
- FP organizations integrating SRH
- Schools that have participated in Ashung training have begun incorporating LSBE into their teaching
- Local, culturally appropriate IEC materials on SRHR developed

Impact of our Work

Institutional Level

"Ashung is addressing a very important and fundamental need in a sector where people are often hesitant and embarrassed to talk about such issues. Ashung's work has been beneficial to us as an academic institution and to society at large."

Maham Hasan, Dean, Faculty of Eastern Medicine, Mansuet University

"Ashung's workshops with have been very good and informative and taught us new things. The comfort level of young doctors in taking sexual histories has increased."

Ute University, Hyderabad: Head, Gynaecology and Obstetrics

Impact of our Work

Policy Level



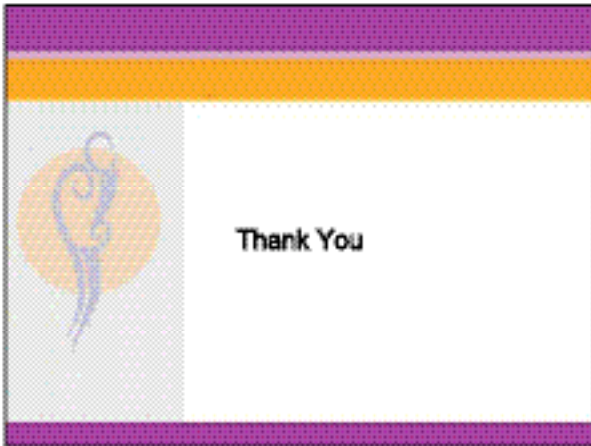
- Increased discourse on SRHR
- Ministries of Population Welfare recognizing need for SRH training
- Ashung requested to provide input at provincial and national level meetings and seminars with policy makers on SRH

Impact of our Work

Policy Level

"If Ashung shares (culturally and religiously sensitive) IEC material with the government, we can share it with our communities through our centres. Ashung can also train MOPW faculty at our regional training institutes, rural health centres and master training centres that focus on reproductive health."


Director General (Training), National Ministry of Population Welfare



International Sexuality and Right Workshop
30th July 2007

Organized by : BRAC University


Presented by
Shale Ahmed, Executive Director
Bandhu Social Welfare Society



Supporting sexual health and well-being of Males

Layout of the Presentation

- Sexuality
- Gender
- Sexual behaviors and patterns of male to male sex
- Social Exclusion, Stigmatization
- Prejudices and Size estimations
- WHO statement on Sexual Health
- Achievement and Challenges of Bandhu



Supporting sexual health and well-being of Males

Sexualities

A term to describe a number of things:

- Sex of person (male, female)
- Sexual orientation (same sex, other sexes)
- Sex activities (what we do when we have sex)
- Sexual attractions (types of partners)
- Sexual interests (SM, sex outside, monogamy)
- Sexual rules and laws (age of consent)
- Cultural and historical influence (religion)

How we understand ourselves as "sexual persons"



Supporting sexual health and well-being of Males

Gender 1

A term used to describe:

- What sex we are born as- male, female
- How our society treats us from birth
- What rules apply as a result- social, legal, economic, cultural- at society level, in organizations and families.
- How we dress, behave, work, play, have sex etc.




Supporting sexual health and well-being of Males

Gender 2

Gender includes any systematic differences in the way we are treated by society, based on whether we are men, women or transgender

- Gender is a system




Supporting sexual health and well-being of Males

Thinking about sexualities 1

Sexualities act on three levels:

- Individual- what we like and do in sex, what we want sexually, whom we want sexually, what our bodies can do sexually
- Relationships- us and our partners (partner, wives, clients) how our relationships happen, what we enjoy sexually with others together, what risks we face in sex with others.
- Society- what is "okay" or "not okay" sexually how that affects us sexually, how vulnerable we are in sex as a result of society's rules and ideas.



Supporting sexual health and well-being of Males

Thinking about sexualities 2

In HIV and AIDS we need also to understand:

- Sexual networks-how we seek or meet sex partners (may be pass on HIV/STI)
- Where we have sex (how to get condoms there)
- Differences between genders in sex (men with many partners, women greater risk of HIV/STI)
- Difference between ages/generations
- Influence of media, globalization, economics (sex trade, sex tourism, sex work)

 Supporting sexual health and well-being of Males

Thinking about sexualities 3

In HIV and AIDS we need also to understand:

- Hidden sexualities, stigmatized sexual groups and how they occur/happen/lives and are vulnerable to HIV/STI
- How these groups are treated by society and why!!!!

 Supporting sexual health and well-being of Males

Thinking about sexualities 4

All this means that we need to understand that sexualities are more than just who each person is sexually and what his or her behavior is, but also how people and societies are sexually connected together

 Supporting sexual health and well-being of Males

Sexual behaviors and patterns of male to male sex-1

• MSM

Usually an acronym for Men Who Have Sex With Men, the term *men* can be problematic in the context of differing cultural definitions of Man, Masculinity, and Manhood. In the context of the society MSM to mean Males Who Have Sex With Males.

 -Being of Males

Sexual behaviors and patterns of male to male sex-2

• *Kothi*

A self-identifying label for those males who feminize their behaviors (either to attract "manly" male sexual partners, and/or as a part of their own gender construction, and usually in specific situations and contexts), and who state that they prefer to be sexually penetrated usually and/or orally. *Kothi* behaviour is often performative socially and publicly. Self-identified *kothis* call any male who is sexually penetrated, even when their behaviour is not feminized. This is the primary and most visible framework of MSM behaviours. *Kothis* state that they do not have sex with other *kothis*. *Kothis* may also be married to women.

 Supporting sexual health and well-being of Males


Sexual behaviors and patterns of male to male sex-3

• *Pankhi*

A *kothi* label for any manly male. Male to male sexual behaviours are usually highly gendered in terms of sexual roles. Most male to male sex in Bangladesh appears to follow this pattern, where a *kothi* is not defined as man, which enables the penetrating partner to still see himself as manly. A *pankhi* is by definition a man who penetrates, whether it is a woman and/or another male. *Pankhis* may also be married to women.

• *Parik*

A *kothi* label for the "husband" of a *kothi*. The *parik* may also be married to a woman and/or be having sex with women.

 Supporting sexual health and well-being of Males

Sexual behaviors and patterns of male to male sex-4

■ Hijra


A self-identified term used by males who define themselves as "not-men/not women" but as a "third gender". Hijras cross-dress publicly and privately and are a part of a social, religious and cultural community. Ritual castration is part of the hijra identity. Sex with men is common. They also have their own language, known as *Udi*.

 Supporting sexual health and well-being of Males

Social Exclusion

Because of particular sexual behavior and body language of Kothi they are often very stigmatize in the society:

- Lack of appropriate sexual health
- Can't access mainstream sexual health service
- Not even get proper Job opportunity
- Sometimes suicide tendency is high....

 Supporting sexual health and well-being of Males

Prejudices and Size estimations

Relationship with sexual partners:

Strangers	- 72.50%
Friends	- 36.76%
Relatives	- 30.26%
Neighbors	- 28.68%
Domestic Servants	- 9.23%

So very difficult of size estimations of MSM population.....

 Supporting sexual health and well-being of Males

But according to GOB

- The lowest range # 40,000
- Highest range # 150,000
- Estimated HIV+ # 450

National Serological says the infection level is >1%

 Supporting sexual health and well-being of Males


WHO statement on Sexual Health

Sexual Health is the integration of physical, emotional, intellectual and social aspects of sexuality in a way that positively enriches and promotes personality, communication and love

 Supporting sexual health and well-being of Males

Significant Achievements

- Individual reached more than 75,988
- STI treatment over 17,994
- Taking up MSM issues at National HIV/AIDS policy as well as National strategy of the government
- Creating a sense of community particularly among Kothi identified MSM which has increased their self-esteem towards safer sex practices.
- Increasing awareness about sexual health and reduced risk-taking behaviors
- Increase social acceptance to some extent

 Supporting sexual health and well-being of Males

Challenges

- Consistence condom uses still very low
- Inadequate social-political and legal support
- Inadequate support from the government.
- Lack of integration and commitment from donors
- Keeping up the motivations of the peer educators.
- Advocacy initiatives at policy levels

 Supporting sexual health and well-being of Males

Thanks for your patience

 Supporting sexual health and well-being of Males

Work of PIACT Bangladesh with Sex Workers and their Children

2000 to 2007

BRAC CENTER
30 July 2007



Daulatdia Brothel

- Located near Daulatdia ferry ghat, Goalanda railway station and the truck terminal in Goalanda, Rajbari
- Largest brothel in Bangladesh with 1500 SWs and 1000 other inmates including children
- PIACT has been implementing program in Daulatdia brothel for the welfare of Sex Workers and their children in this brothel since 2000

Capacity Building and Alternative Livelihood of Sex Workers

- To empower and facilitate the SWs to alleviate poverty, improve their life conditions and assist them to opt for alternative professions for leading a sustainable social life
- To create alternative environment for care, protection and development of the children of the SWs living in brothel situations and assist them to be socially integrated to lead a productive and self-reliant social life
- To conduct suitable skill development training program for SWs and their elderly children for creating alternative job options.



• Vocational training on job oriented/self-employment opportunity



• The non-formal education aims at developing the capacity of the SWs for reading, writing, basic numerical skill to manage and handle money, bank account and accounts of loss and profit.



With a view to create alternative environment for care, protection, development of the children of the Sex Workers, the following facilities are provided in the complex of PIACT Bangladesh :

Sex Home of Children :

- Under 5
- 6-10 Children
- 11+ Children





Children 6-10 years living in the Sex Home complex of PIACT Bangladesh



Feeding



Basic education



Religious Education



Children and adolescents taking part in a recreational activity

Human Rights of Sex Workers

- SWs and their children constitute one of the most socially excluded groups of women and children in Bangladesh
- They are deprived of basic human rights and have limited scope for receiving public health care facilities, no access for education of their children in formal school, employment of public and private sector because of social stigma attached to their vocation



- Holding sensitization workshops, Seminars, dialogues on Human Rights of the disadvantaged women and their children with SWs Workers and their stakeholders



- Formation of Self-help group 'Abshelto Mohila a Shishu Unnayan Sangatho' and enhance the capacity of the office bearers of self-organization of SWs on organization management through capacity build-up training



- Introducing legal protection unit and prevent the under aged girls in the sex business in Daulatdia brothel



- Creating mainstreaming opportunities (i.e. access to public health care facilities, education for their children in formal school, employment in public and private sector, etc.) to the sex workers and their children




Developing and upgrading the graveyard with the participation of community people and sex workers



Sex Workers Managed Health Care Program

- Since the SWs and their children are deprived of basic human rights and have limited scope for receiving medical care outside the brothel because of social stigma attached to their vocation
- In this backdrop, a health care program was piloted in Daulatdia brothel
- Presently it is being managed and sustained by the sex workers and PIAC is playing a catalytic role



Health Development Association

Capacity Building of SWS

- Sex workers were sensitized to make them realize the importance of regular healthcare, especially because of their hazardous vocation
- They were organized to develop healthcare facilities near the brothel to be managed and sustained by them
- They were capacitated to manage the healthcare system through imparting leadership training and training on organizational management



Health Care Center

- The health care center was established adjacent to the brothel
- The center was equipped with health service providers
- The center was furnished with minimum medical equipments for selected pathological tests such as urine and blood



Health Care Services



- Satellite clinics were organized every month at fixed places within the brothel by peer organizers. Such places were termed as Health Poles



- A pharmacy with necessary medicine was established at the brothel to make the medicine readily available at subsidized rate round the clock

Clients Treatment

Number of client treated: 2,600

- Sexually transmitted diseases (Gonorrhoea, Trichomoniasis, Syphilis)
- Pelvic Inflammatory Diseases (PID)
- Menstrual disturbances
- Infectious disease (Malaria, Measles, Diarrhoea, chicken pox)
- Skin diseases (Scabies, Tinea, Eczema)

THANK YOU

HIV/AIDS Prevention Initiatives: BRAC's experience in Bangladesh

Soheily Rahman
Shah Alam Sardar

July 2007

BRAC

Backdrop

- Why HIV/AIDS Programme in Bangladesh
- BRAC's involvement
- BRAC's experience in HIV/AIDS prevention initiatives

HIV/AIDS Awareness Campaign: 1996

- A short term HIV/AIDS awareness campaign
- Under BRAC-ICDDR,B collaborative research model
- Dissemination of HIV/AIDS awareness information through women's organization
- 5,000 Women (BRAC VO members) and their 20,000 neighbors in 70 villages of Matlab
- Key issue addressed - basic HIV/AIDS information

Continued

- Lessons learned**
 - Basic and low cost AIDS awareness campaign effectively organized in rural Bangladesh
 - BRAC VO utilized as forums for dissemination of AIDS awareness information

Sexual and reproductive health projects 1997-99

- Under BRAC-ICDDR,B collaborative research model
- Five volumes of flipcharts developed
- Sexual health issues and problems in the form of pictures and risk behaviors in the form of pictorial stories
- Community participation approach to design and provide integrated RTI/STI/AIDS services in rural community
- Key issues addressed - gender based determinants of risk and vulnerability of rural poor people in terms of their sexual health

Continued

- Lessons learned**
 - A gender sensitive sexual and reproductive health module can be adopted in a conservative rural setting of Bangladesh

Pilot Programme on Awareness Campaign: 1999-2002

- Implemented in Essential Health Programme with support from BRAC-Research and Evaluation Division
- Intervention areas of BRAC Development Programme in Mirzapur : 130 villages
- Addressing individual attitudes towards risk behavior through HIV/AIDS awareness education
- Activities
 - Couple education: Club meeting with adolescent boys and girls; Issue based meetings with BRAC members; and Meeting with BRAC school girls and their parents

Continued

- Lessons learned
 - HIV/AIDS awareness activities are more effective in conjunction with BC, condom promotion and syndromic management of STI
 - Use of Audio visual aids and folk media: enhance the effectiveness of information disseminated

Community based HIV/AIDS Education Programme: 2002-2005

- The programme was implemented in 4 districts
- Community awareness activities and targeted prevention activities for core and bridging groups of population
- BRAC VO members (2,91,195)
- Adolescents of Government high schools, madrasas, BRAC community libraries and clubs
- Brothel based sex workers
- Industrial and transport workers



Continued

- Injecting drug abusers
- PLWHAs
- Awareness raising activities
 - Couple Education
 - Issue meeting
 - Addressing weekly religious prayer in mosques
 - Popular Theater and mass video show
 - Display of Video clippings through domestic cable channels
 - HIV/AIDS education sessions in formal and non-formal education institutes

Continued

- Targeted activities for bridging and high risk population groups
 - Peer education
 - Group meeting
 - Savings Scheme and consumption loan for BSGWs
 - Condom Promotion
 - Syndromic Management of STI/RTI
 - Harm reduction activities for IDUs
 - Items based detoxification
 - Occupational training for IDUs
 - Care and support for PLWHAs



Continued

- Lessons learned
 - Financial rehab for drug free state of life
 - Home based detoxification to reduce relapse of recovering drug users
 - Trainers (religious leaders of local mosques) advocates HIV/AIDS messages to masses
 - Popular theatre accepted as better socially communication media
 - Melba (Legal/Illegal husband of Sex Worker) - effective as Peer Educators in the brothels

NAPP for Internal Migrants: 2004-2006

- Supported by UNICEF and NASP, MoHPW, GoB
- Three city corporation areas covering 41,149 Internal migrants
- HIV/AIDS prevention activities implemented through drop in center based activities
- Services given
 - ROC
 - Syndromic STI management
 - Condom promotion

NAPP for CLSWs: 2006-2007

- NAPP activities among 6,336 CLSWs
- Targeting and identifying clients of CLSWs through different sex establishments and mobilizing them for preventive services at service outlet
- Services provided
 - ROC
 - Syndromic STI management
 - Condom promotion
 - VCT Referral
- Lessons learned
Unanimous dealing with the CLSWs more effective and acceptable

Lessons of HIV/AIDS Programmes

- Long term efforts (knowledge campaign) required for behavior change
- Informal health providers can serve to provide syndromic STI management
- Home based detoxification for IDUs effective
- Occupational training in conjunction with cash transfer for the recovered IDUs for sustained rehabilitation
- Peer education among adolescents for behavior change
- Revolving micro-finance scheme for the BBWs for empowerment

**THANK
YOU**



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