

Eve-teasing: A Social Disaster for Women in Bangladesh

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Abstract

Now-a-days in Bangladesh eve-teasing becomes an alarming issue for women and girls. Surveying the newspapers we must be shocked realizing the unprecedented rate of suicide cases among young girls due to eve-teasing. Many girls in our society, due to persecution by eve teasers, are compelled to opt for the ultimate of deaur finding no other alternatives. The recent spate of eve-teasing of women and girls in Bangladesh appears to be a gendered crime, which is associated with sexual obsession. This paper claims that the situation will become more alarming if immediate initiatives are not taken to encounter this gender biased social menace. This paper also suggests that to stop this evil the existing laws must not only be enforced on the perpetrators, but also a united protest from all classes of people is needed to eliminate this social malady.

Key Words: Eve-teasing, social disaster, Bangladesh.

I. Introduction

Islam metaphors women as princess and in Hinduism females are the face of deity (The Daily Star). But in Bangladesh women are in a peripheral position in the society (A.Khanam, 2012). Women and girls are victims of this. They are the oppressed section of the society, since the society is governed by patriarchal attitude. Traditional philosophical views emphasized men's superiority over women. And these views create many types of violence against women. Eve teasing is one of them which may be regarded as one of the forms of gendered crimes against women. It is undeniable that women in Bangladesh are now living in a fearful time as eve teasing is on the rise. In spite of the fact that women's rights are the subject of a growing public awareness, eve teasing still continues to be a prominent form of sexual offence. Rather it will be more appropriate to assume that the increase of violence appears to have a connection with the growth of awareness. However, this does not imply that eve teasing is the product of growing social awareness women's rights; but it may be said that growth in awareness alone does not suffice to check eve teasing. Given the traditional backdrop in Bangladesh where chastity in a woman is of utmost importance, victims of eve teasing suffer in silence rather than protest against such practice, which only invites unwarranted attention that would be socially demeaning (Khair,1998). This leads us to assume that a proper deconstruction of eve teasing is likely to help restructuring our social views regarding the offence. Apart from being an offence in itself, eve teasing also somehow portrays an inter-sex crisis in Bangladesh. From a broader perspective, the offence may be regarded as a statement of sexual hierarchy instilled in different levels of the society. Hence, the paper will depict those practices, tiers and prejudices in the society that some how act as a propellant for eve teasing.

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Keeping the stated perspective in view the purpose of this paper is three-fold. Firstly, it tries to define eve teasing, so that the offence and its consequences can be consistently explained. The paper accepts Bangladesh as a context and gives a description of legal-factual dilemmas. Secondly, the article categorically identifies the plausible causes and consequences of eve teasing. From an inter-disciplinary context it attempts to show the socio-legal impulses for and from eve teasing. Thirdly, the paper prescribes a set of recommendations in order that the offence may be more effectively countered.

This paper is a descriptive study of eve-teasing. It focuses more on describing the socio-legal state-of-affairs of eve-teasing rather than critical deconstruction. This will fairly help to understand the magnitude and gravity of the issue.

To overcome this situation, immediate initiatives from all levels of the society must be taken to encounter this gender biased social menace. But prior to this, we need to unmask the causes of eve teasing as well as to find out those scoundrels who are involved in this social crime.

II. Eve-Teasing: What is It?

The term eve teasing has an Indian origin. The Indian people found the term 'eve teasing' to substitute the erotic term 'sexual harassment'. Eve is believed to be the first woman created by the almighty and all women are the descendants of her and thus generically could be called Eve. On the other hand, the dictionary meaning of teasing is to make fun of a person playfully, unkindly or annoyingly. It is a euphemism used in India and sometimes Pakistan and Bangladesh for public sexual harassment or molestation of women by men.

Eminent sociologist Pratikha Baxi of India has stated, "Eve teasing is a euphemistic expression that lives in post- colonial India and refers largely to sexual harassment of women in public spaces, thereby constituting women as 'eves', temptresses who provoke men into states of sexual titillation. This popular perception of sexual harassment posits the phenomenon as a joke where women are both a tease and deserve to be teased. Considered a growing problem throughout the subcontinent, eve-teasing ranges in severity from sexually-coloured remarks to outright groping". Eve -teasing begins as an attempt to irritate a girl or catch her attention. A lewd stare, a sly whistle, a well-timed clap, an unwarranted bump, a seemingly casual touch, a lingering look at a vulnerable time, the humming of suggestive song, passing downright uncouth comments, cheap gestures, display or indecent snaps or videos, giving unwelcome call or missed call, sending indecent texts...all these are typical examples of eve-teasing. Although eve teasing or sexual harassment of women in public places originates from India, in recent times, this vice is a growing concern in Bangladesh and throughout this sub-continent. It is a crime easy to commit but difficult to prove as "eve-teasers" often devise ingenious ways to attack women.

III. Eve-Teasing As Violence against Women in Bangladesh

Violence against women is a common occurrence in most societies whether the violence is physical or mental. In South Asia, it is a daily and often deadly fact of life for millions of women and girls. As a South Asian country Bangladesh is not different from it.

Violence against women is amongst the most serious threats to overall developments and progress in Bangladesh. Widespread violence and repression in numerous forms put women's lives at risk in almost all parts of the country. The Bangladesh Constitution (Article 27, 28, 29 of the Constitution of the People's Republic of Bangladesh) and the general laws of the country entitle women to equal rights and status to those of men in public life, but non-discrimination in the private sphere is not guaranteed. Consequently, there are significant disparities between men and women in all realms of life, education, health services. Lack of equal access to state institutions or research show economic opportunities, education, health services and their lesser role in decision making perpetuate women's subordination to men and susceptibility to violence. All sources of information-be it news reports, records from state institutions or research show that there is an increasing trend of violence against women. Since the Beijing Platform for Action (1995), the government of Bangladesh has also identified violence against women as a priority issue. Among different types of violence against women, eve teasing has appeared as a new dimension of violence. It has become a burning issue due to the consciousness of media, women activist forum, human rights organizations as well as progressive-minded men. Teasing, odd gestures and verbal abuses are considered as sexual harassment in many developed societies, however, in our society this is seen as acceptable. The Declaration on the Elimination of Violence against women, UN resolution 48/104 defines violence against women as any act of gender based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life.

Article 2 gives the following non exhaustive definition of violence against women:

- a) Physical, sexual and psychological violence occurring in the family, including battering, sexual abuse of female children in the household, dowry-related violence, marital rape, female genital mutilation and other traditional practices harmful to women, non-spousal violence and violence related to exploitation.
- b) Physical, sexual and psychological violence occurring within the gender community including rape, sexual abuse, sexual harassment and intimidation at work, in educational institutions and elsewhere, trafficking in women and forced prostitution.
- c) Physical, sexual and psychological violence perpetrated or condoned by the state, wherever it occurs. Therefore, the paper suggests the sexual harassment of women may involve eve-teasing. Because, it involves sexually suggestive remarks, groping, making lewd gestures and perverted teasing which causes a great hindrance for the free movement of women and girls in public places or public transports. Eve-teasing might seem harmless 'fun' to some, but gets on the nerve of the victims. It was not that acute a problem in Bangladesh till 1980s. However, from the 1980s when girls and women especially in rural areas started going out for education and employment on a large scale, eve-teasing with its sharp jaws has started to pollute our social fabric. A recent study of BNWLA shows that almost 90 percent of girls' aged 10-18 have undergone the experience. According to a legal rights group Ain o Salish Kendra, at least 25 women killed themselves to escape the horror of eve-teasing by men, while nine males lost their lives for standing up against such eve-teasers from March-November in 2009 in Bangladesh (The Daily Star). During the same period, a father committed

suicide unable to withstand watching her daughter being humiliated; a woman was killed by neighborhood hoodlums ; 4 women attempted suicide ; around 131 women were assaulted by male eve teasers and 54 males came under attack for protesting against such eve -teasing . The harassment can take a variety of forms and the perpetrators come from multiple walks of life; they are rich and poor educated and uneducated. According to the BNWLA study, teenage boys, rickshaw pullers, bus drivers, tree vendors, traffic police often supervisors or colleagues of the working women has also been cited as eve teasers. For the girls and women who are subject to sexual harassment, the experiences are traumatic and can leave deep psychological scars. The BNWLA study also noted that in the past two years, at least 12 girls have committed suicide in circumstances stemming from 'eve-teasing'.

IV. Causes and Consequences of Eve-Teasing

1) Women's subordination

In our society men are generally portrayed as strong and hence powerful, while the reverse, the 'weak' and 'powerless' image is preserved for the women. It is logical to imagine that eve-teasing is women's subordination compared to men. It is a means of reinforcing this subordination. Boys or males in our society think that women or girls are weak compared to them, so anything can be done against them .This unequal power relation between men and women lead to domination over and discrimination against women by men. In a male dominant society like ours, gender segregation from the childhood and the domination of the male members in a family over the female members is responsible for this view against women and girls.

2) Bad impact of electronic media

Electronic media, especially some movies (both Hindi and Bengali) may be blamed for propagating eve-teasing. Many movies depict scenes of teasing, showing this behaviour as a way to win a woman's heart. Others show this as behaviour for men indulged in some fun, at a woman's expense of course.

3) Negative attitude towards women and girls

Sometimes women are blamed for alluring eve teasers by their seductive dresses or make- ups. At the same time; it is also found that girls who are more conservative in wearing dresses also become the prey of eve-teasers. Even in Pakistan, rural women in strict 'purdah' cannot escape from the harassment of the eve teasers. In a recently held discussion on eve teasing, alleged war criminal and the apex leader of Jamaat, Motiur Rahman Nizami has blamed women as they go out at night time. This is nothing but audacity, as our constitution itself ensures the right to move freely for every citizen throughout Bangladesh (Article 36 of the Constitution of the People's Republic of Bangladesh).

4) Lack of security for women

There is lack of security for women in our male dominated society. We claim to be a developing nation but it is a matter of great regret that we are totally unable to provide adequate security to women and girls outside the home. No transport facilities are provided for women traveling at night. Yet it is found that in places of university of Dhaka the street lights, the lights in the stare wells and corridors of the buildings are frequently out of order, posing a threat to female security.

5) Flaws in existing special laws

The Penal Code of 1860 addressed sexual offences with due importance, but neither sexual harassment nor eve teasing was mentioned there. In the Penal Code, offences having sexual connotation are used in three different phases. Rape is addressed under the headline of 'Sexual Offences'. To constitute the offence of rape physical contract of the offender to the victim is a must. The Penal Code under Section 376 punishes the offender with a maximum term of rigorous life imprisonment. The non-penetration sexual assault, under the Section 354 of the Penal Code, is punishable with a maximum term of two years imprisonment of either description or with fine or with both. The last category of sexual offence is the non-contract sexual insult which is punishable with a maximum term of one-year simple imprisonment, or with fine or with both under Section 509 of the Penal Code. But it was not used as sexual offence in the Code. Another section penalizes obscene acts and songs which cause annoyance to the peace loving people. So it is clear that though the Penal Code did not incorporate the term eve teasing or sexual harassment, it tried to address the offence in various sections. In post-independent Bangladesh the Dhaka Metropolitan Police Ordinance (DMPO) of 1976 first addressed the women teasing directly. Section 76 of the ordinance defines women teasing as, "willful and indecent exposure of ones person in any street or public place within sight of, and in such manner as may be seen by, any woman, whether from within any house or building or not, or willful pressing or obstructing any woman in a street or public place or insulting or annoying any woman by using indecent language or making indecent sounds, gestures, or remarks in any street or public place". Women-teasing is punishable under this ordinance with a maximum one year of imprisonment, or with a maximum two thousand Taka fine, or with both. This is for the first time, in Bangladesh, an act other than the Penal Code that addressed the teasing offence against women. However, the term 'eve teasing' is still not used. Likewise, the other metropolitan police acts/ordinances made similar provisions to penalize the offence of teasing women. But these acts have no jurisdiction outside their respective metropolitan areas that makes the offence exclusively a local and urban phenomenon. In 2000 the Prevention of Women and Children Act, 2000 was passed to protect the vulnerable women and children of the country from various typical offences such as sexual offence or sexual torture but it also did not use the term eve teasing till then, although many innocent girls like Trisha in Gaibandha, Simi Banu and Pinky in Dhaka have died for the street harassment during that period. A new provision was added under section 9(ka) of the present law in 2003 that states, if a woman is forced to commit suicide as a direct consequence of somebody's willful dishonor/sexual harassment/assault, then the offender will be liable to a maximum of ten years and a minimum of five years of imprisonment. The amendment actually denied the remedy of sexual harassment of non-contract nature. The new provision though punishes

the offender, it will not happen unless the victim is dead. In a Writ Petition (No. 5916 of 2008) filed by the Bangladesh National Women Lawyers Association (BNWLA) to the High Court Division, the Honorable Court, after examining the pros and cons of the problem issued their Judgment on 14.5.2009 giving the government an eleven-point directive which will fill up the legislative vacuum in the nature of law. In these directives the Court suggested a detailed definition of sexual harassment that included all other existing definitions of non-contract sexually connoting offences. It also incorporated the modern means of erotic insults against the women that are prevalent in our present age of information technology. However, though the ingredients of the offence of eve teasing are easily distinguishable from the order, the court did not use the term eve teasing. Actually, eve teasing is a term commonly used and popularly understood in Bangladesh, it remains outside the explicit legal definition.

6) Absence of proportionate punishment

The High Court on 2 November, 2010 directed the government of Bangladesh to formulate a policy and to take immediate steps to apprehend all eve teasers (The Daily Star, 2010.) It also expressed grave concern over repeated instances of eve teasing of women and girls with tragic consequences during October-November of 2010. During that period some of those who spoke out against sexual harassment have been murdered, causing public outrage. A 50 year old woman, Champa Rani Bhoumik, died after a motor cycle was driven over her when she protested against the bullying of her daughter on 28 October, 2010. In the same month, a college Teacher, Mizanur Rahman who spoke against bullying was also murdered. After being ordered the government empowered the mobile courts to prosecute the crime of eve-teasing. For the first time a social crime has been brought under the jurisdiction of mobile courts with a view to dispose of the cases quickly and making the punishment that they hand out act as a deterrent to others. Anyone convicted of sexual harassment or eve teasing of women will face a year in jail or pay fine of about 7000 tk. or both. Obviously this is a welcoming step of the government. But this is inadequate as a deterrent in the face of increasing instances of the alleged dangerous trend. Because, after one year these offenders may become more arrogant than the previous period and can take revenge against the victim as well as her family. Before 2003 there was provision for punishment of the offence of eve teasing or sexual harassment in Nari o Shishu Nirzatan Daman Ain 2000. Section 10(2) of the said Act provided for the explanation of sexual harassment and punishment of the offender.

This section reads as follows (Alam, 2012):

If any person violates the modesty of woman or makes any indecent gesture for the purpose of illicitly fulfilling his sexual lust/desire, such act will amount to sexual harassment and he shall be punished with rigorous imprisonment for a term which may extend to seven years and shall not be less than two years. But this section was omitted from the said Act by an amendment to the Act in 2003. Now this section is not applicable.

Eve-teasing is causing loss of lives of young girls in Bangladesh. Besides it has some other impact in the society of rural Bangladesh. These are as follows:

a) *Curtailed education*

Sexual harassment increases girls' drop -out rate from school. Parents concerned about their daughter's honour and safety sometimes keep their daughters at home and/or marry them off at an early age. Education is an inalienable right guaranteed under the CRC convention to which Bangladesh is a signatory. But more than that, education for girls is key to improving the standard of living in society. Anything that results in girls not being educated is a disaster for us all.

b) *Early marriage*

Through the same process in which eve teasing pushes girls out of schools, girls who are harassed are also pushed into marriage before they are physically or mentally prepared. This early marriage has further implications such as high incidence of maternal mortality, malnutrition etc. and this cycle continues with no respite in sight.

c) *Hindered development*

Eve-teasing contributes to perpetuating the low status of women. It also hinders women from participating in the formal employment sector. As nearly half of the population of the country are women, for the economic development of the country their participation in employment is a must.

V. Recommendations

Considering eve-teasing as a huge issue in our society for the present time, we should initiate some effective measures to encounter this social menace.

1) *Need of a comprehensive legal framework*

We should formulate a precise definition of eve-teasing with regard to our legal context in addition to introducing punitive legal measures. It should also be determined which types of conduct would be regarded as teasing. If proposal of love is counted as eve-teasing, a time will come when talking with girls will be regarded as eve-teasing. So it is the time to formulate separate rules and laws to address the problem, as existing laws are not sufficient. Even in India also separate laws exist for eve-teasing. When it showed its unholy face publicly in India in 1960, the Delhi provincial parliament took the first initiatives to define the term more accurately and to allocate appropriate punishment for it by passing a new law the 'Delhi Prohibition of Eve-teasing Act-1988'. In our country, as yet there is no strict law that can effectively curb eve-teasing. Article 76 of Dhaka Metropolitan Police Ordinance, 1976 and Section 509 of the Penal Code, 1860 affirms that any acts, conducts or verbal abuses that are used to disgrace women are punishable by law. However, these provisions seem minor compared with the crimes that are being committed. For preventing stalking the government should revive omitted section 10(2) of Nari o Shishu Nirzatan Daman Ain as existed from 2000 to 2003 prior to the amendment of the said Act or should consider a fresh enactment with provisions for stern punishment of eve teasers.

Punitive actions need to be taken against the eve-teasers immediately by detecting and punishing the actual culprits. Eve-teasing is totally intolerable and has to be dealt with an iron hand. So not only the perpetrators but their guardians as well should compensate financially and this should be monitored by the law enforcing agencies. Because, it seems that the eve-teasers' parents or guardians are not aware of their children's' day-to-day activities. In this case, the government and the authorities concerned hold the guardians of the eve-teasers to account also. Last of all, quick justice must be ensured. If one crime goes unpunished, it would definitely give rise to another. The eve-teasers involved in the recent incidents should be given exemplary punishments. It is worth mentioning here that if the perpetrator of the Natore incident had been brought to justice quickly, Champa Rani Bhoumik of Modhukhali would not have died in this way.

2) Alternative way of giving punishment should be followed

Only enactment of laws or formulation of policy cannot stop eve-teasing of women and girls; moral values of the population must also be awakened as well as mass awareness about the problem raised to prevent the scourge. Legislative response may not be a panacea to combat the epidemic of eve-teasing. Because, there are many crimes in many states including ours which have proper punishments but still now these crimes are going on. If we can not increase social awareness, then it is totally impossible to provide security for the girls of our society. The increased public awareness can have a long term profound effect on social attitudes. Eve-teasing is a complex social problem that will not vanish until the mindset is changed. We need to reduce the gender segregation in the society so that children of both genders can know each other well. Apart from law, it is also about education and respecting women. Just because women are considered weaker sex does not mean that they should take things passively down. Awareness is the need of the time and government should take steps towards it.

3) Role of the media

The role of the media has been remarkable in increasing awareness about eve-teasing of women. Some special programmes focusing women's issues may be shown on BTV. Besides, women's rights and human rights activists can produce documentary on gender issues as well as on eve-teasing. Political leaders, lawyer, MPs and religious leaders have to be actively involved in different awareness building programs against eve teasing (Mia, 2008). However, due to lack of electricity in rural areas and where literacy rate is extremely low, the campaign through media reaches only a fraction of population. The women's page of several dailies may contribute significantly to gender awareness of the public. In this respect it is worth mentioning that many glaring cases of eve-teasing would not have come to the surface without media initiative. Besides, reporting cases through publishing articles and editorials against eve-teasing in different dailies the press not only gives wide coverage to public protests, but also creates awareness among people. At the same time, it is also our duty to protect our young generations from the bad impact of the media.

4) Role of the family

In a family children of both sexes should be given equal attention. It is the family which can develop the mentality of a boy against the girl. If a boy can respect his mother as well any other female member of his family, he can do so to any woman or girl outside his family. The parents should stretch their helping hands to their children whether he/she is male/female. Along with social norms, religious norms can also play a vital role. If any incident of eve-teasing or violence against women happens, first of all, women or girls only are held responsible for those incidents. As a result, they are bound to give up their lives. In this case, the awareness of the family should also be increased.

5) To engage young generation in social work

Psychologists and social scientists suggest that eve-teasing is a result of frustration suffered by a majority of youth. If we want to reduce this crime, we must launch a social movement against this problem. We can engage our young generation in various types of social works such as plantation of trees, removing illiteracy in rural areas etc. We should develop our culture in this regard. We should make sure that every student in school and college can go to the library. If we engage them in good works, the problem of eve-teasing should automatically decrease.

VI. Conclusion

It seems that the problem of eve teasing is an outcome of various social factors. Undoubtedly, eve-teasing is a traumatic experience which can leave deep psychological scars and has negative consequences for the greater community. To state precisely, eve teasing is not a problem rather, it is a collection of problems that shows a typical failure of the society we live in. It is also a crime because of its unacceptability in the community and susceptibility to cause devastating harm to the victims'. The offence is a realization of traditional masculine pride or male hegemony that controls various social rules, myths and social institutions. This wider context also suggests that law is only a small part of the whole necessary prescription and in any circumstance if legal remedy is deemed to be sufficient to exterminate eve-teasing, this paper assumes that to be too much optimistic. Therefore, eve teasing requires an overwhelming antidote. The society at large should come forward in order that this emerging practice of sexual harassment can be mitigated even if its complete extinction may seem impossible.

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