

- PN-ACP-492 -



In Search of Justice

Women's Encounters with
Alternative Dispute Resolution



The Asia
Foundation



In Search of Justice:
Women's Encounters with
Alternative Dispute Resolution

Published
April, 2002

Copyright
The Asia Foundation, Bangladesh

Preparation and Coordination for The Asia Foundation

Dr. Tatjana Haque, Consultant
Dr. Karen L. Casper, Representative
Debbie Ingram, Consultant
Riffat Jahan, Program Officer

Graphic Design and Printing
The CAD System, Dhaka

This publication was made possible with support provided by the U.S. Agency for International Development under the Democracy Partnership, Cooperative Agreement # 388-A-00-95-00040-00. The opinions expressed herein are those of the authors and do not necessarily reflect the views of USAID.

TABLE OF CONTENTS

Introduction	5
Map of Bangladesh	11
Usha Rani Bari	13
Shushila	16
Shirin Akhter Banu	18
Shikha Rani Gain	21
Shahina Banu	23
Selina	26
Sarala Mondol	29
Rokeya	32
Mosammad Rabea Begum	35
Morjina	37
Mina Begum	40
Mahiroon	43
Mahfuza	46
Jamilla	49
Fatema Khatun	52
Dolly	54
Aklima Khatun	57
Aklima	60
Abirunessa	63
Nargis	66
Tofurunessa	69
Kamona Rani	72
List of Terms and	75
Non-Governmental Organizations	

INTRODUCTION

The Stories

This publication presents the stories of twenty-three women who sought justice in rural Bangladesh for offenses committed against them. Many of the women experienced physical and emotional abuse by their husbands and wanted divorces with appropriate financial settlements. Some of the women were denied proper maintenance payments by their husbands, or suffered materially because their husbands took a second wife, or were denied their rightful inheritance of land. In all of the cases, the women portrayed in this publication were not satisfied with or were unable to access the formal legal system, and they needed the assistance of alternative methods of dispute resolution provided by non-governmental organizations (NGOs). Their stories highlight the difficulties that hinder women in Bangladesh from obtaining just and equitable treatment under the law, and the successes and challenges of the work in alternative dispute resolution undertaken by NGOs.

The Existing Judicial System

Although in theory access to the courts is available to all, it is in fact very difficult for the common Bangladeshi citizen to claim. In the judicial system, the lowest formal court is at the district level, often far removed in physical distance from the villages and rural areas where people live. Legal procedures are cumbersome, time consuming, and costly. Travelling long distances, spending money to collect evidence, engaging a lawyer, and paying a court fee are some of the obstacles that seem overwhelming to many poor people. Even those who have the means to reach the courts find the process expensive, often increased further by informal rents solicited as extortion by or paid voluntarily as bribes to their own lawyer, the judge, and even the opposing lawyer.

Arbitrations in family disputes under the Muslim Family Laws Ordinance and settlements of petty civil and minor criminal disputes under the Village Court Ordinance are carried out by locally elected bodies called Union Parishad (UP). Arbitration involves unilateral decisions made by officiating members, as opposed to mediation where opposing parties reach mutually acceptable solutions together. Decisions at the Village Court evolve through arbitration based on the opinion of the majority of members. The UP Chairmen, who are often overwhelmed with many disparate responsibilities and little governmental support, tend to view family disputes as low priorities. In addition, many Chairmen and other UP members are ill-informed about the law, bring political or personal bias to the situation, or in some instances are corrupt. Traditionally, women's opinions have mattered little, and the participation of women members is still rare, even in family cases.

Outside the formal system is the traditional *shalish* -- the practice of gathering village elders for the resolution of local disputes. Although this system has in the past commanded the respect of villagers, decisions are sometimes arbitrary, reflecting the interests of the local elite in protecting the continuity of their leadership. Because the traditional *shalish* is composed almost exclusively of male members, women are particularly vulnerable to extreme judgments meted out by a system plagued by gender bias, power, money, influence, and corruption

The Most Common Legal Problems

The agro-based economy of Bangladesh makes land a critical issue for the majority of the rural population. Legal disputes often arise about ownership of land, or the rights to use water, trees, or other land resources. Particular cases often involve the issues of transferring title, falsifying documents, and encroaching upon neighboring land, among others. Calculating people take advantage of their unaware neighbors in many instances by circumventing laws through various loopholes and deceptive practices. Similarly, rights of fishermen over bodies of water often come into dispute as well.

Rights of inheritance of property and other assets by heirs are also often sources of dispute. There is a noticeable reluctance among rural families to part with shares that would otherwise go to orphans or children who have been left by one parent because of desertion or divorce. The equitable distribution of resources among legitimate heirs is sometimes hindered by an ignorance of legal requirements pertaining to inheritance and the complexity of requisite formulas to determine shares.

Women, especially poor women, must often cope with discriminatory laws, particularly with respect to personal matters like marriage, divorce, and inheritance. Domestic violence is also a predominant problem. Demand for dowry is the leading reason for men to physically abuse their wives. Although outlawed by the Dowry Prohibition Act 1980, the practice of demanding dowry is widespread and has actually taken root in the socio-economic and cultural psyche of the people. Furthermore, since Muslim Law permits men to have up to four wives at a time, men sometimes use dowry demands as a money-making scheme, practicing polygamy (serial or simultaneous) in order to acquire more money with each successive marriage.

When men do divorce their wives, sometimes arbitrarily, divorce brings problems of the payment of dower, maintenance, and child custody. Women are often unaware that they are entitled to such payments, and they frequently do not understand their avenues of recourse if their husband refuses to make provision for themselves and their children. The economic and social impact of this circumstance is particularly severe for poor women.

Other common legal issues that adversely affect women include child marriages and the lack of marriage registration. Marrying at a young age often puts women in a

vulnerable position, especially if their husbands marry additional women. The practice of not registering marriages makes it even easier for men to avoid marital and other legal responsibilities, divorce their wives arbitrarily, and deny them rights of maintenance and inheritance.

The Alternative to the Formal System

Alternative Dispute Resolution (ADR) is an important vehicle to transform and improve the informal systems of justice and to give common people a means to address their most frequently encountered legal problems. To improve access to justice through the traditional *shalish*, NGOs have conducted training and offered technical assistance to *shalish* members, including training in law, providing of local advisors during *shalish* meetings, and providing paralegal and legal aid where more formal legal supports were required. Other approaches have included establishing parallel systems run and operated by NGO paralegal staff or an amalgamation of the two.

The NGO-initiated *shalish* generally acts as a mediation committee composed of village elders, community leaders, and others who have received training in mediation services. Actual mediators may be trained individuals, NGO workers, or relatives and neighbors chosen by the respective disputants. NGO staff often play a monitoring role, to ensure impartiality while at the same time representing the interests of a particular client.

The primary distinction between traditional *shalish* and NGO-coordinated *shalish* is that the former utilizes arbitration while the latter employs mediation. In the traditional *shalish*, parties are bound by the decisions of the officiating individuals, who usually favor one side over the other. The NGO training in mediation enables the decision makers to actively engage both parties in settling the dispute, with the goal of reaching a mutual solution. Conflicts are resolved by negotiation under the guidance of the mediator. The process is highly participatory and results are usually complied with because they have been accepted by both parties.

The Women

The women in these stories live in seven different districts of Bangladesh where The Asia Foundation's NGO partners work. All are rural women, ranging in age from 16 to 70 years old. Each story includes descriptive information about their life circumstances, including their education, occupation, marital status, children, and religion. Information about their financial status and landholdings is summarized using ranked range categories. Women's income per month is ranked accordingly:

- I – up to 500 taka
- II – between 500 and 1000 taka
- III – between 1000 and 2000 taka
- IV – between 2000 and 3000 taka
- V – between 3000 and 4000 taka
- VI – over 4000 taka income per month.

Women's landholdings are measured in decimals of hectares. For conversion purposes, one acre is equal to approximately 120 decimals. Following the Bangladeshi system, one bigha is equal to one-third of an acre, or about 40 decimals. The landholdings are rated as follows:

- I – up to 5 decimals (landless)
- II – between 5 and 50 (functionally landless)
- III – between 50 and 150 (marginal farmer)
- IV – between 150 and 250 (small farmer)
- V – between 250 and 500 decimals (middle farmer)

Information about each woman also includes the type of dispute she faced, the year it was resolved, the result of the woman's case, and her stated level of satisfaction with the outcome. The kind of *shalish* she utilized is also included. In these stories, the mediation proceedings are categorized in three different ways. One classification is a modified village *shalish*, which means that the *shalish* is administered by village leaders who have been trained by NGO staff. The second type is a modified UP *shalish*, which is run specifically by the Chairman and members of the local UP, who have received training in mediation by the NGO. In these two kinds, NGO staff may be present at the *shalish* meeting in order to advocate on behalf of one party and/or to keep records of the proceedings, but they do not run the process. The third type is an NGO *shalish*, which is actually administered by NGO staff members, who gather together community leaders that have also been trained in mediation techniques by the NGO.

The NGOs

With support from The Asia Foundation through the U.S. Agency for International Development (USAID)-funded Democracy Partnership, several local NGOs established or expanded programs in ADR. Given the limitations of the formal and established traditional judiciary systems in Bangladesh, the DP NGO partners recognized the need for an alternative means for ordinary citizens of Bangladesh to access justice. Under the DP, the NGO partners attempted to transform and improve existing systems and to broaden the provision of ADR services in largely rural areas.

The women featured in this publication received assistance from Kabi Sukanto Seba Sangha (KSSS), based in Kotalipara; Palashipara Samaj Kallayan Samity (PSKS), based in Meherpur; Banchte Shekha, based in Jessore; Bangladesh Legal Aid and Services Trust (BLAST), based in Dhaka; Voluntary Paribar Kalyan Association (VPKA), based in Rajbari; and Palli Shishu Foundation (PSF), based in Dhaka.

The Conclusions Revealed

As the stories reveal, rural women in need of legal or judicial intervention do not turn first to the formal legal system in Bangladesh, as it is effectively inaccessible to them for a variety of reasons. They instead seek no assistance at all, or attempt to access the informal mechanisms of village or UP *shalish*. Yet the actual experiences of women with traditional and UP-run *shalish* are generally unsatisfactory. Traditional cultural and societal norms hinder women from being independent or autonomous. Women continue to be vulnerable to the decisions and actions of their husbands or their fathers, as they are not empowered to financially support themselves or move freely in society without such guardianship. The traditional and UP *shalish*, therefore, reflect and reinforce these discriminatory societal views, meaning that many decisions are not completely equitable and consist of compromises which reflect the decision makers' inherent bias against women. Frequently women feel compelled to settle for such inequitable settlements, given their lack of social status and empowerment. Women involved in village and UP *shalish* will sometimes value the restoration of peaceful relationships with family or community members over the fulfillment of their rights and entitlements.

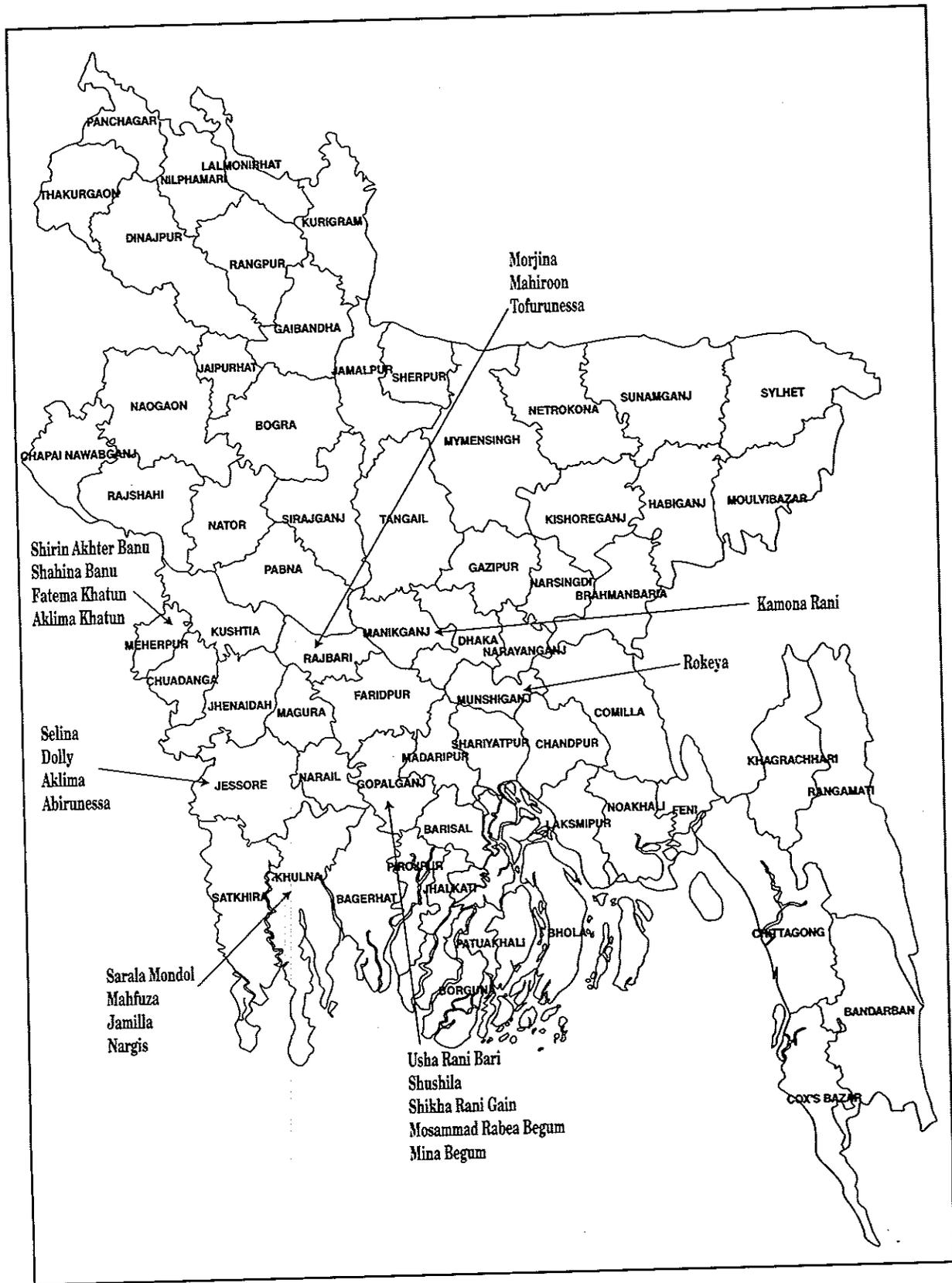
The stories demonstrate that NGO-administered *shalish* are far more equitable in their treatment of women than the traditional and UP *shalish*. One important factor in greater fairness is that women are encouraged to speak on their own behalf, telling their side of the story. Another significant characteristic of NGO *shalish* is that NGO staff follow up the settlements that are reached to determine if they are being carried out by all concerned parties. In some cases, there are irreconcilable differences or there exists an unwillingness by one party to cooperate fully with the process or comply with the results. In these instances, the community is made aware of the failure and/or legal recourse is taken on behalf of the woman. The NGOs themselves assist the woman in filing a court case and working through the formal legal system for resolution. In this way, through insistence on enforcement of the decisions, the rule of law is upheld and respect for democratic judicial processes is encouraged and reinforced.

Many of the women were satisfied or very satisfied with the results of the mediations in their circumstances. These women attribute their contentment to the fact that the NGO staff represented their own interests fully throughout the proceedings, leading to a level of trust and credibility that village leaders and UP members and Chairmen

hardly ever offer. In the few cases where satisfaction levels are low, often this evaluation is due more to new follow-on problems emerging after the mutual resolutions have been reached, or it is because of persistent constraints faced by the NGO partners which use approaches that work through the UP and village *shalish* structures. Often these structures are slower to adopt greater representation by and for women, or tend to compromise the law in favor of cultural perceptions of justice.

These stories overwhelmingly reveal the successes of the informal system in responding to the needs of poor people and women to attain access to justice — needs which would otherwise be unmet by formal legal processes. In doing so, they also highlight the importance of the rule of law in a country still solidifying democratic principles. The Asia Foundation's Alternative Dispute Resolution program under the Democracy Partnership has demonstrated the great need and value of the application of the law in the lives of ordinary citizens throughout Bangladesh, especially among poor women. The program has also focused attention on the critical ingredients essential to ensuring that the rule of law is not undermined by prejudices or abuses of power. Furthermore, the program has uncovered the current gaps and weaknesses of the formal judicial system in protecting the Constitutionally guaranteed rights of citizens — and the vast need for improved institutions and mechanisms of justice to reach all the people. And finally, these stories reveal that in the absence of a strong judicial system, quality ADR services that uphold the rule of law offer a viable means for the marginalized to receive real justice.

Bangladesh Map





Usha Rani Bari

Location:	Gopalganj District
Age:	20
Education:	class 9
Occupation:	domestic worker (before)
Marital status:	divorced
Children:	none
Household income:	IV
Landholding:	II
Religion:	Hindu
Type of dispute:	dowry
Type of mediation:	modified UP shalish — Kabi Sukanto Seba Sangha (KSSS)
Date of settlement:	2000
Case result:	received 30,000 taka and public apology
Satisfaction level:	very satisfied

Usha Rani, a trusting young woman, was deceived by a man whom she thought had married her.

His second brother hired me for the household work. He wanted something from me. He told me he wanted to marry me, but I said: "Your family is rich and mine is poor." Still he continued following me around. He always sent for me. I was quite young at that time and did not understand what was going on. In the end he managed to take advantage of me. I don't know where my mind was. He married me in front of Goddess Durga (Hindu deity), but later he denied that.

The family of the man refused to accept Usha Rani into the family. She tried to appeal to the villagers for help.

I thought, "I have to inform some villagers," but in the village they couldn't do anything. I went to the Chairman and those who do shalish, but you know the man's family is rich. They gave the shalish men gush (bribes), so they didn't do anything.

Then Usha Rani decided to approach KSSS, which had to seek assistance from the court when an attempt to mediate a settlement failed.

I have seen the KSSS shalish before, so I went there. The NGO sent a letter to my husband's party, but they did not come. The Office Director, Mr. Deluar, tried so hard for an agreement, but they did not accept it. So with the help of KSSS, I filed a case at court, a dowry case. The court issued a warrant against the man's family, and only then did they come to Mr. Deluar to ask for a compromise.

In the end the shalish verdict was a fine of 30,000 taka and an official apology from him in public.

The NGO-run shalish reached a decision that was highly satisfactory to Usha Rani.

The Director, Mr. Deluar, arranged a shalish in our house with village elders, the Chairman and other important people. In that shalish many words were exchanged. I also said what I had to say, but still they did not agree to take me in. They said they would only accept me if I give them 50,000 taka. They said they could get a lot of money if they married their son into a rich family. My father is poor. Where can he get so much money? In the end the shalish verdict was a fine of 30,000 taka and an official apology from him in public. So he had to kneel down, touch my feet and ask me for forgiveness. He said that in future he would never destroy another girl's life like that. After a few days he brought the money to the office and the office gave it to me. You know, if KSSS hadn't helped me, I would have died. They helped me and I wish and pray to God, "Long live KSSS." I will never forget them. I know if I am ever in danger they will help me. Like me, many other girls have benefited through them.

Usha Rani appreciated the NGO Director's sensitivity in handling her case.

The Director saw me as a sister. That encouraged me to tell him all the details. I wouldn't have told any other man what I told him.

Usha Rani believes her case will help other women in future.

I received social justice. That really made me happy, much more than getting the money. At first I didn't want him to kneel down and touch my feet, but then I thought,

"He did this to me, so he should be punished. He should never destroy another girl's life. Other boys will learn from this example."

I received social justice. That really made me happy, much more than getting the money.



Shushila

Location:	Gopalganj District
Age:	40
Education:	sign only
Occupation:	farmer
Marital status:	widow
Children:	1 adult son; 1 adult daughter
Household income:	IV
Landholding:	III
Religion:	Hindu
Type of dispute:	land dispute
Type of mediation:	modified UP shalish — Kabi Sukanto Seba Sangha (KSSS)
Date of settlement:	1999
Case result:	registered ownership of 3 bigha land
Satisfaction level:	very satisfied

Shushila and her husband used to make a living off the land they owned. After her husband died seven years ago, Shushila leased the land to her neighbor for sharecropping. However, the neighbor did not live up to his part of the agreement.

My neighbor cultivated my land. The product of my land was very high, but he didn't share it with me. Whenever I asked him to return my land he said, "tomorrow." I finally understood he would never return it. So I requested the villagers to arrange a shalish.

When Shushila did not receive help from the usual village system, she turned to KSSS.

The villagers said they would come and solve my land problem, but they did not keep their word. Twice I went to the Chairman and the members, but they did not help me. I am poor, so that's why nobody would listen to me. I was very upset about that. Later I heard about KSSS. I heard that they had solved many problems. So I decided to go there. They helped me get my land back. Without them it would not have been possible.

I am poor, so that's why nobody would listen to me.

Despite the skepticism of her opponent in the land dispute, her case was taken seriously by KSSS.

I discussed the problem with the KSSS people, and they assured me I would get my land back. At the shalish I showed them my documents and records and they agreed that I was right... I am grateful to KSSS. See, I got my lost land back. This is the land I worked on to live with my children. So I am very happy to have it back.

Shushila views the work of KSSS very favorably, not only for herself, but also for others.

I like KSSS, because what they say, they also do. I tell other people and they also tell me that it is a good organization and that they don't ask for money... The village shalish can be good, if the people are good. You know what I mean. Often, however, after a shalish finishes the more powerful party disobeys the decision. That is why the people are now more interested to go to KSSS. People like KSSS, because they get justice there.

Shushila feels that things have improved with the help of KSSS since her mother's time.

They [my mother's generation] would call certain people to solve their problems, but they wouldn't go to court. They were afraid to go to court. Now there is KSSS. They work for the people.

Shushila is not afraid of any repercussions from her neighbor.

Maybe he will try to grab my land again, but if he tries I will complain to KSSS. They will take care of everything.

I like KSSS, because what they say, they also do.



Shirin Akhter Banu

Location:	Meherpur District
Age:	45
Education:	class 8
Occupation:	private tutor
Marital status:	separated
Children:	3 adult sons; 2 adult daughters
Household income:	VI
Landholding:	IV
Religion:	Muslim
Type of dispute:	maintenance, 2nd marriage
Type of mediation:	NGO shalish – Palashipara Samaj Kallayan Samity (PSKS)
Date of settlement:	1999, now new case at court
Case result:	gained 4 bigha land
Satisfaction level:	satisfied

Shirin Banu's challenging circumstances have hardened her to the difficulties of life for those with little power or resources. One of the troubles she has faced is that despite her middle class, educated upbringing she was married off to a man of lesser means – a situation which has created problems for her.

My father was a Section Officer in the Dhaka Secretariat. Our family is educated, but it is my bad luck that I married into a lower class family. That is the reason why I find myself in these circumstances now. My husband remarried 14 years ago. He left our five children and me. He did not pay any maintenance. My children and I gave private

tuition. I taught many children. I have this house and one and a half bigha land. So that is how we managed to survive.

Shirin's husband has not provided for her and their children for the last 14 years. She has finally decided to fight for her rights.

I know I have waited for a long time, but then I did not know how to fight. My children were still so young. I am from Khulna, so I didn't know whom to go to in this place. I had no power. I was helpless.

Eventually she turned to others for help.

Last year I called all of my relatives [to discuss the situation], and twice I had a shalish with outsiders such as the Chairman and village elites. I told them that my husband's salary is 8000 taka and that it would be helpful if he could give me 2000 taka every month. They said to him, "She is your first wife. She has a right to that. So give her the 2000 taka." My husband said that he couldn't do that, he could only pay 1000 taka, but then he never did. So I said to the Chairman, "What kind of shalish did you do? My husband did not obey your verdict." So the Chairman advised me to go to PSKS. That was two years ago. He took me there.

I know I have waited for a long time, but then I did not know how to fight.

PSKS arranged another shalish for her, but her husband still managed to avoid his responsibilities.

At the shalish my husband promised in front of everybody to give us seven bigha land. He had 25 bigha land before, but sold most of it. So only seven bigha were left. However, once I was back home he didn't give us anything. He challenged me to take the case to court, but I said that would ruin our family honor. He didn't listen to me. His second wife said, "Don't give them anything. Let them go to court. What can they do?"

In the end Shirin did go to court with the help of PSKS.

I submitted a case under the Nari Nirjaton (Oppression Against Women) law. The police searched for my husband. Finally he had to give me my due; otherwise he would have gone to jail. When he realized there was no other way he agreed to give me four bigha land.

Because enforcing the verdict of the shalish is difficult, Shirin has received neither the maintenance money nor the seven bigha land she was promised. As a result, she has resorted to the court system again.

I submitted another maintenance case just a few days ago. Soon we will have to go to court again. A notice has already been sent to my husband. You know, he is going to retire soon. He will get 8 lakh taka (US\$ 15,000), but he won't give us our share. I want him to give me half of his pension money. One of my sons is unemployed. He could start a good business with that money.

Shirin is still hopeful for her own situation, and believes that PSKS has made a difference for her and other women.

When women get beaten they come to PSKS to complain and to get justice. Even the most ignorant woman can come here with her problems. They will put a lot of pressure on her opponents, and if they don't listen to them PSKS will take them to court. So that's why people are afraid. Before nobody would listen to a woman in the village shalishes.

So I said to the Chairman, "What kind of shalish did you do? My husband did not obey your verdict."



Shikha Rani Gain

Location:	Gopalganj District
Age:	17
Education:	class 7
Occupation:	none
Marital status:	married
Children:	daughter, age 1½
Household income:	IV
Landholding:	III
Religion:	Hindu
Type of dispute:	domestic violence, dowry
Type of mediation:	modified UP shalish — Kabi Sukanto Seba Sangha (KSSS)
Date of settlement:	1999
Case result:	domestic violence ended
Satisfaction level:	very satisfied

A shy young woman who toys nervously with the ends of her sari as she speaks, Shikha hardly looks like she could have already been married for four years. Yet the difficulties of the last two years of her marriage have made her grow up quickly.

My husband asked for 10,000 taka (US\$ 200), golden rings, a watch and many other things. Whenever he demanded that dowry from me he beat me. He crushed me under his feet and then he turned me out of the house.

In addition to the physical and emotional abuse of being beaten, Shikha has experienced the severe social stigma of being kicked out by her husband. Though her

neighbors have treated her badly, her parents have stood by her. Her father called the first shalish.

There were many shalish meetings, but when my husband spoke in the shalish he would just insist on the things he wanted. My father is poor. How can he afford to give all these things? As he could not give all these things I let KSSS know about that.

When Shikha saw what KSSS did at a shalish for another woman, she believed the organization could help her as well.

Whenever my husband demanded that dowry from me he beat me. He crushed me under his feet and then he turned me out of the house.

I went next door and saw how they arranged a settlement. The woman in that shalish told me this office is good. They come up with good solutions. She said I should go there as well. "They will settle things for you and if there are still problems they will file a case for you." So I went to KSSS and informed them. They sent a notice to my husband. After the notice arrived his family came over, and after that the shalish was held. KSSS wanted to know all that had happened during our marriage. At the shalish they said to us, "Speak out whatever is in your heart. Both of you have your heart's say." I told them how he gave me trouble after the marriage, how he beat and abused me for money and other things. You know, at the village shalish I could not speak up like that. I didn't have the chance to say anything there, but at KSSS I said many things. After we had our say, the settlement was drawn out right there. My husband agreed to all. Before I left he said, "I will not ask you for those things anymore. I won't demand anything."

Her husband agreed to take her back. Even if he had not, Shikha knows she could have turned to the court system.

[If he hadn't taken me back,] I would have filed a case. I heard at KSSS's office that if they wouldn't agree to a settlement, he could get seven to eight years in prison.

Shikha's life situation has changed for the better.

My husband wasn't given any penalties, but he confessed his own mistakes. Now he doesn't make any more demands. He does not beat me up. He behaves nicely with me. My father is also happy. He believes because of KSSS his daughter is at peace. Also my husband thinks there is no more trouble now. Things were settled and now he can visit his in-law's house and can have meals there. He is also happy because he got some things from them after the shalish. You know, my parents took us along to have a meal with them after the shalish and they gave me some earrings and my husband a ring, a cow and some new clothes.

At the village shalish I could not speak up... I didn't have the chance to say anything there, but at KSSS I said many things.



Shahina Banu

Location:	Meherpur District
Age:	31
Education:	class 4
Occupation:	none
Marital status:	married
Children:	11-year old; 7-year old; 2-year old
Household income:	IV
Landholding:	III
Religion:	Muslim
Type of dispute:	2nd marriage
Type of mediation:	modified village shalish – Palashipara Samaj Kallayan Samity (PSKS)
Date of settlement:	2000
Case result:	husband divorced his second wife, gained half a bigha land
Satisfaction level:	satisfied

Shahina is a headstrong, middle-class woman whose poorer husband has been unable to provide for his family, despite assistance from her father.

I am the daughter of a wealthy father, but the wife of a poor husband. My husband was unemployed. So my father proposed to my father-in-law, "Let your son live with me in the house. He can take care of my land." My father gave him land to cultivate, and my husband made a good profit. He asked my father to give him that money to start a rice business in Faridpur. My father gave him the money, but my husband lost all the money. After that he no longer wanted to stay in my father's house. So my father sent

him bricks to build a house near his own home. When I married, my father gave me everything one needs to maintain a family, like chairs, tables and other household items. He also gave me a lot of jewelry. I told my husband again and again, "You have to do something now, because we are four people. Think of your children's future." But he didn't.

Shahina felt she had to take drastic action because her situation with her husband got so bad.

I decided to return to my father's house. Otherwise I would have ended up being the mother of four or five children [with no money to take care of them]. My father is wealthy, but how long can we live off of him?

I told my husband I would come back as soon as he started to work. During my absence he sold everything – all the furniture, my livestock, everything.

As long as he is still alive he takes care of me, but what will happen after that? I was angry with my husband when I left him. I told him that I would come back as soon as he started to work. During my absence my husband sold everything -- all the furniture, my livestock, everything. Several times he tried to take me back with him, but I was angry and refused to come with him.

After her husband took a second wife, Shahina took further steps.

I never thought he would marry again. I was very upset. When I heard it I thought I'd rather die than ever go back to him. I didn't know what to do. My father is very well-known. He is a landlord and a shalish mediator. I thought of his prestige, but finally I decided to go to the Union Parishad for a shalish. My husband did not come to the shalish. The Chairman said to me, "We cannot put him in jail, so we cannot do anything." Then he gave my father a letter [describing the shalish inquiry] and told him it would be helpful for him, but after that my parents did not want to go anywhere else. That made me very sad. Then one of my brothers advised me to go to PSKS. He said they were a good, effective organization. He also said, "They will come to your house if I inform them about your problem." He did that and after a few days they came to talk to me.

PSKS arranged a shalish, and the husband and his family appeared. Shahina was somewhat reluctant to attend, but she knew how important it was for her to be there.

There were too many men present and only one woman. I felt shy, but I had no other way. How can they make a decision without my talking there? But I put on a burka. I told them about my husband's second marriage and that he had sold everything my father had given to me. One of the advocate's assistants wrote all those things on a list.

I demanded back all the things my father had given to me. I was not living with my husband, but my father, so why should I give them to him? Counting everything it came up to 30,000 taka (US\$ 600).

Her husband saw things differently.

My husband blamed me for everything. He said, "During my wife's absence I had so many problems. She was absent for one year. Who would cook for me?" When the shalish people asked him why he had married again, he said, "My wife did not come back home with me." Then I said that he had wasted everything. The shalish people asked my husband's family what they wanted to do now, and they said they wanted to take me back home. The shalish people suggested that my husband divorce his second wife, but my husband just left without saying anything. After that the advocate submitted a case in court against them [the husband's party]. I signed a legal paper he had given me, and then the advocate sent a notice to my husband and his family.

Then one of my brothers advised me to go to PSKS. He said they were a good, effective organization.

Her husband had not thought she would resort to a court case. He reacted promptly and approached her father for a compromise.

They came to my father with their Chairman, UP members and village elites. They wanted a compromise. My father agreed. Then my father-in-law promised to write over half a bigha of land to his grandsons.

Shahina admits she would not have considered filing a case in court without the help of PSKS.

No, never [would I have filed a case]. My father was already worried when they first came to our house. You see, he is well-known. He was afraid people might start gossiping about my problem. But I convinced him to listen to what they had to say.

Eventually Shahina's circumstances changed even more.

At first I did not want to go back with my husband, but my father reminded me that I have children. I could not oppose my father. His condition to give me back to my husband, however, was that my husband divorce his second wife. I still feel sad about what happened, but I have forgiven my husband.



Selina

Location:	Jessore District
Age:	23
Education:	class 5
Occupation:	nakshi katha (traditional embroidery) stitching for the NGO Banchte Shekha, small rice business
Marital status:	abandoned
Children:	daughter, age 4
Household income:	VI
Landholding:	IV
Religion:	Muslim
Type of dispute:	domestic violence, 2nd marriage, maintenance
Type of mediation:	NGO shalish – Banchte Shekha
Date of settlement:	2001
Case result:	received 10,000 taka
Satisfaction level:	very satisfied

Selina bitterly remembers how her husband abandoned her and their newborn baby to run off with her 15-year old half sister.

My sister used to come to our house, because I got on well with her. That is how he developed a relationship with her. Then one day he picked her up from her grandmother's house and left for Noakhali. They got married over there. When they came back my husband told me that he wanted a divorce. My in-laws suggested I stay away for a few days and return when he was less angry. I cried and worried about my

baby. What would become of us? My father tried talking to my sister, but she would not listen to him.

As a result, a shalish was held in her village.

The people at the shalish said to my husband, "She has endured so much hardship in your house, how can you turn her out?" My husband's elder brother and sister were also on my side, but my husband only replied, "Even if all you village folk speak against me, you can't make me change my mind. I won't take someone back I have once rejected."

Selina was not at all satisfied with the shalish's idea of justice.

Since my husband wouldn't take me anymore, I thought he should at least pay me some money so that I could survive with the child. The shalish people, however, only said, "You stay where you are and if he comes to get you later, you refuse to go with him. We can't do anything more." I didn't accept that kind of justice. I came to the apas ("sisters," women at Banchte Shekha) and explained the whole situation to them. Then the apas arranged for a settlement.

I felt good. My husband had done me wrong. I got 10,000 taka.

Selina first heard of Banchte Shekha from a woman co-worker, who had herself successfully filed a case against her husband with the NGO's help. Selina sought their assistance, too.

I went there one and a half years after that village shalish. You see, I didn't know Banchte Shekha was holding shalishes. They called a shalish and asked both parties to come. The apa with the short hair (Angela Gomez, Director of Banchte Shekha) was there and a lot of other people from Banchte Shekha. At the shalish I spoke in front of everybody. After I had my say the apa said, "That girl claims that her life has been ruined. She should be paid one lakh taka (US\$ 2,000). With that money she can live and raise her child." My husband said he would need time, and he was granted one week. At the end he paid 10,000 taka (US\$ 200), which was the amount my father had given him as dowry. With that money he had set up the bicycle repair shop. He didn't possess anything besides that, you know. He said he couldn't give any more, and if he had to go to prison he was prepared for that. Then the apas asked him to pay 200 taka (US\$ 4) monthly as maintenance for the child, but he said he couldn't pay that either.

Even though the actual result was not what Banchte Shekha had negotiated, Selina was content.

I felt good. My husband had done me wrong. I got 10,000 taka. Without that I would have had to spend the rest of my life working in other people's houses. My husband paid me that money, because the apas had told him they would take him to court

otherwise. You know, with the money I got, I bought a piece of land and built a house. The rest of the money I invested in dhan (rice grain with husks), from which I get 10 taka (US 20 cents) per month.

Selina believes the women in her area have gained a lot through Banchte Shekha.

Many husbands beat their wives, but that has become less now. Some men in the village say that the women have become too bold recently. They say that, because they realize that they can no longer beat their wives so easily.

Selina smiles proudly when she relates how much a part of their lives Banchte Shekha has become.

You know, even my aunt said to my uncle the other day, "Banchte Shekha will pass their judgment on you if they find out how much you are scolding me."

Some men in the village say that the women have become too bold recently. They say that, because they realize that they can no longer beat their wives so easily.



Sarala Mondol

Location:	Khulna District
Age:	70
Education:	class 2
Occupation:	domestic worker
Marital Status:	widowed
Children:	1 adult daughter
Household income:	I
Landholding:	II
Religion:	Hindu
Type of dispute:	land dispute
Type of mediation:	NGO shalish – Bangladesh Legal Aid and Services Trust (BLAST)
Date of settlement:	1997
Case result:	inherited homestead land, 2 coconut trees, 3 beetlenut trees
Satisfaction level:	satisfied

Despite her enchanting smile, Sarala has encountered a large number of hardships over the many years of her life. Early on, she lost her husband and had to fend for herself and her five-year old daughter.

I did bidi (local cigarette) work. They gave me food once a day and occasionally some clothes. I took the girl with me, and when she was seven she was married off. Later I worked in people's houses. I cooked, served, cleaned, washed clothes and kept everything in order. I've done those chores with so much care. I have endured so much hardship. Despite my hardship, I always did my work properly, but nobody took care of me.

When her husband was still living, their family lived in a joint household with her brother-in-law's family. However, as soon as her husband died, her brother-in-law kicked her out of the house. She had no recourse because her husband's inheritance from his father had never been properly distributed. So she and her daughter moved into a shed behind the house.

My brother-in-law and his sons couldn't tolerate me. My brother-in-law said he would not provide for me. He did not like me and said I should go away. He wanted to separate me from his family, so that his sons would get all the land. When his brother died he knew he had to get rid of the wife, so that my children could not claim the land. They sold everything. The people they sold the land to also didn't like me. They always told me to go away.

I didn't get my equal share, but am I not a valid heir?

Even many years later, Sarala is still angry at how she was treated.

I didn't get my equal share, but am I not a valid heir? OK, if they don't want to give me the exact half, then fine, take a little more for themselves and give me a bit less. But even that they did not provide.

Sarala never approached the UP Chairman or members about her problems because she was convinced they would not help. Others failed her as well.

Those people are like bandits. We are women, we are scared of them... You know, I did go to other people for help, but they only said that I am a woman and that they couldn't help me. They didn't view me as a human being. They thought my word had no value.

Eventually Sarala came into contact with Monju, a BLAST legal aid worker who happens to live next door to her daughter's family. He provided her with the assistance she had so long needed.

There was a shalish about four years back. I told Monju that I hadn't been given my property. He went to the villagers, and they called a shalish. My brother-in-law and his sons came. My daughter and I went. Some villagers came as well. Then they started asking my brother-in-law why he hadn't provided me with food and clothing. They said, "How could she support herself with her husband dead?" So he responded that he would provide for me if I stayed at his new home, but I didn't want to go there. I just wanted my share. I said, "If I am not given some land, where will I sow my chilies and plant some trees?" So they decided I should be given four coconut trees and six beetlenut trees. My brother-in-law said that I would not require all that immediately. So I replied to him, "Whether I require it or not doesn't matter, what matters is that I am also an heir. So I want what is mine." Even then I said, "You people can take the bigger part and give me a bit less." But they didn't.

As a result of the shalish, Sarala has received the land around her shed, along with two coconut trees and three beetlenut trees. Although less than her expectations, the property is legally hers at last.

I feel really good. I am much better off now. I would have carried on the way I was living before, if Monju had not called for a shalish. Nobody would have bothered about me whether I had eaten anything all day or not. Without the land I would not have been able to plant my vegetables. You see, Monju said, "Where one lives for twelve years one gets the right over that place. Nobody can turn that person out."

I did go to other people for help, but they only said that I am a woman and that they couldn't help me. They didn't view me as a human being.

Now that she has renewed confidence, Sarala intends to ask Monju's help to file another case to get the rest of her property.

I don't want to give up a single inch of land.



Rokeya

Location:	Munshiganj District
Age:	18
Education:	Secondary School Certificate
Occupation:	none
Marital status:	divorced
Children:	none
Household income:	IV
Landholding:	I
Religion:	Muslim
Type of dispute:	dowry, divorce
Type of mediation:	modified village shalish — Palli Shishu Foundation (PSF)
Date of settlement:	2001
Case result:	obtained one-sided divorce
Satisfaction level:	satisfied

Rokeya has been through tough times in her young life, but remarkably, she has not given up hope. The physical abuse she endured during her marriage has curbed neither her vigor nor her aspirations for the future.

Now I am concentrating on my studies. After I finish my studies I want to go to college, and in between that — if I can get a job — I will work as well.

Rokeya's family was deceived when they married her off five years ago.

I had been cheated into marriage. My husband's elder brother has a business in Dhaka.

He said they were partners. They have a house, so you know, my father thought it would be a good match. Later, however, I came to know that his brother runs the business alone. My husband has nothing himself. He is unemployed and a drug addict. He took really bad drugs.

Her husband became abusive over his demands for dowry.

Then gradually he started putting a lot of pressure on me for dowry. He asked for 50,000 taka (US\$ 1,000). After repeated beatings I went to my mother and told her about it. We are poor people, you see, but still under great difficulties my mother somehow managed to get 30,000 taka (US\$ 600). Instead of being grateful my husband shouted at me, "What shall I do with just 30,000 taka?" He wanted the rest.

After beating me, he would take me to my parents, and I would willingly go back to him ... because a Bengali woman dreams of getting married only once in her life.

Despite the abuse, both Rokeya and her family believed in following the Bangladeshi cultural norm of remaining in the marriage.

He took me to my parent's house. There my mother told him she could not get any more, but he only became mad at her and cursed her. He hit me and left me there. My mother sent me back to him. He beat me up again, because I had come back without the money. It went on like that for a year. After beating me, he would take me to my parents, and I would willingly go back to him. You know why, because a Bengali woman dreams of getting married only once in her life. I would think, "I am married. I have not got many lives. As long as I can somehow cope with everything it's going to be all right."

Eventually her situation got so bad that Rokeya sought help through shalish.

The first shalish was at our house after I had been beaten up severely. He had beaten and strangled me until I could no longer breathe. I had fainted. Later he phoned my uncle and told him something serious had happened to me, but he did not mention that it was him who had gotten me into that condition. At the shalish he said, "Things like that happen in family life." He promised he would never do it again and begged pardon from everyone. After only a few days, however, he started beating me again. After that several shalish were held, but he would either not appear or refuse to conform. I think we had about eight to nine shalish. He is a wicked person, you see. In this one year of living with him, my life had become hell.

Given no other choice, Rokeya moved back to her parents' house.

I waited for him for four years hoping that he might get back to a normal state of mind, but he never came back for me. During this time I started studying again. Then five months ago my father said it was not good to keep me hanging like this. He suggested getting a divorce.

To formalize a divorce, Rokeya participated in another shalish.

At the shalish I spoke about everything openly and said I would not go back there. My father-in-law replied, "All right, then pay me back all the expenses I had for the wedding arrangements." The people at the shalish asked him to call for his son to hear what he had to say, but he never turned up.

My husband refused to agree to a divorce.... So many shalish had been held, but none of them had helped.

Because of her husband's lack of cooperation, a divorce settlement could not be reached.

He came after a few months and like his father he demanded the money they had spent on the wedding. You know, my parents had given me quite a few things themselves for my marriage like a fridge, television, furniture and gold. I never got those things back. My husband refused to agree to a divorce, because then he would have had to return the dowry. I couldn't go on like that. So many shalish had been held, but none of them had helped.

Rokeya learned about PSF through some UP members who were associated with the organization. Before they could take action, Rokeya's father obtained a divorce through the Muslim traditional system.

The two female UP members had given me various suggestions and assured me they would offer whatever help I might need. However, before they could take the matter any further, my father decided to finalize things. He went to a lawyer and a kazi (man who registers Muslim marriages) and made the arrangements for a divorce. A one-sided divorce was given. I mean, none of their people [her husband's family] were present. My father thought a one-sided divorce would be good enough. At least now I can get on with my life.

Rokeya has stayed in touch with PSF, particularly with the two women members. They arranged for Rokeya to participate in one of PSF's legal aid training programs in Sylhet. She regards these two women as her role models.

You know, women were not given any importance before. They would feel shy to speak up in front of the influential people in the village. Now the situation has changed. Now we have female members. Women can talk to them. They can discuss their problems with them, and they will be helped. Things are so much better now.



Mosammad Rabea Begum

Location:	Gopalganj District
Age:	25
Education:	class 8
Occupation:	none
Marital status:	married
Children:	1 son, age 6
Household income:	I
Landholding:	I
Religion:	Muslim
Type of Dispute:	domestic violence, 2nd marriage
Type of Mediation:	modified UP shalish – Kabi Sukanto Seba Sangha (KSSS)
Date of settlement:	2000
Case result:	receives 1000 taka monthly maintenance fee
Satisfaction level:	not fully satisfied, as husband does not pay regularly

Rabea is still restless and distressed because her husband married a second time and moved out of the house when Rabea's child was not yet three months old. Now her husband lives primarily in Khulna, where he has a shop. Every two to three months he comes to visit her and stays for about 15 to 20 days.

He used to ask me to bring money from my father's house. He beat me up for that, you see. Still I endured it. One day, however, he battered me so badly that I couldn't take it any longer. One of my cousins went to Sukanto (KSSS) and informed them about what he had done. They arranged a just settlement for me. When I had gone to the

village for justice they did not give it to me, but after I came to Sukanto I got justice. There they listened to me and arranged to settle the matter.

She heard about KSSS through her sister.

When I had gone to the village for justice they did not give it to me, but after I came to Sukanto I got justice.

My sister knew about them from someone who lives nearby. They are known for thinking about the poor, not taking sides and not demanding money.

Rabea's opinion of the village justice system, in contrast, is not very high.

What justice would they provide for me — a poor person? Their resolution was simply that I should not be beaten anymore, but he continued beating me after that. The village shalish is based on selfishness, whereas at Sukanto they are impartial. There they don't give you the opportunity to talk, but at Sukanto they are good and listen to everything. They understood my mind. Those at the village did not understand my misery.

Rabea describes what happened at the KSSS-facilitated shalish.

At the shalish we two did the talking and everybody else listened. You know, I would have felt very uneasy to talk there if many other people were talking as well. My husband confessed that he

I will file a case.... He is not paying properly for my maintenance. Sukanto will look after it.

had beaten me. He told them he had beaten me so that I would go and get money. He had been angry that I hadn't brought money. He said when we got married he was promised money. So my father was summoned to the shalish. In front of everyone he said that no money was supposed to be paid, but that I was supposed to feed 200 people. I had done that. Then Sukanto told my husband he would not get any money since we are poor people. My husband was silent. The judgment was passed that he would have to give me 1000 taka (US\$ 20) every month. The problem now is that he is not paying regularly and I am going through great difficulties.

Rabea plans to utilize the formal justice system in future, with the help of KSSS.

I will file a case. He is not coming regularly. He is not paying properly for my maintenance. Sukanto will look after it. That will do. It happened before that a man was put in prison for three years. Let's see what can be done.

Rabea wants what is due her, even if it means sending her husband to prison.

I will definitely feel bad about that, but he never feels bad about me. How much more can I take? I have a son. My younger sister's husband is so gentle and nice. Their life is so happy. You know, if my husband came back to me I would surely say, "Let's live together." People come and go, but husband and wife should stick together until the end.



Morjina

Location:	Rajbari District
Age:	16
Education:	class 5
Occupation:	none
Marital status:	remarried
Children:	5 months pregnant
Household income:	IV
Landholding:	I
Religion:	Muslim
Type of dispute:	domestic violence, dowry
Type of mediation:	modified village shalish—Voluntary Paribar Kalyan Association (VPKA)
Date of settlement:	1999
Case result:	received 1000 taka, obtained divorce
Satisfaction level:	satisfied

Morjina was married off four years ago for a dowry of 4500 taka (US\$ 90). When her father, a desperately poor rickshaw driver, was able to scrape together just two-thirds of this amount by selling his only cow, Morjina's husband was furious. A month after the wedding, he became physically abusive towards his 12-year old bride. One night in particular was especially horrible.

It was on a Friday during roza (fasting period) around two at night. [Note: During the Muslim fasting period of Ramadan, practitioners are allowed to eat only at night.] I wanted to get up and cook, but I was afraid. [Note: The cooking facilities in a rural

Bangladeshi home are ordinarily outdoors, in a separate area of the housing compound.] Nobody was up yet, so I asked my husband if he could get up and just sit beside me while I cooked. He did not want to. When I asked him again, he became so angry that he grabbed an iron rod and beat me with it. He beat me senseless. The neighbors came, because they had heard me crying. They said to my husband, "She is a baby girl. Don't you feel love for her, because if you do, how can you do such a thing?" My husband said to them, "I need money." They told him that his father-in-law is poor and that he would get the money later, but he said, "I need the money right now." After that they took me to my father's house, otherwise he would have killed me.

My husband became so angry that he grabbed an iron rod and beat me with it. He beat me senseless.

Morjina did not want to be a burden to her poor father, so some time later she returned to her husband. But the situation remained the same.

I hoped he would understand me and love me. Then I could have been happy, but after a few days the beating started again. I was in the kitchen cooking when he came and said he would not eat my food. Although my food was tasty and everybody else had said so, he said it was no good and started beating me with a burning branch [piece of firewood]. Then one day he took me to my father's house and said he would come back for me after ten days. I waited for six months, but he never came back.

Eventually her father approached the village matbar (village elite) and took their advice about arranging a VPKA shalish.

[They said,] "You better go to Dr. Rahim (from VPKA), who is a mediator. His shalish has a good reputation. We will be present there too." So we went to the doctor and told him everything. He sent a letter to my in-law's house and arranged a shalish. The matbar, their Chairman and members, and our Chairman sat with them and discussed the matter in our house. Our female Union Parishad member was present as well. Also five to six village girls came. They all asked my husband how he could beat such an angel. They said to him, "Fine, if she makes some mistakes, then go and help her or tell her, but why beat her?" He said he had beaten me because he had not received all the money. His family said they would not take me back unless they got the money. My father then said he would not give them his daughter. Then I said to my father-in-law, "Your son always beat me, but I never complained about that. I will not go back to your house. Give me back the jewelry that my father gave you."

The shalish verdict was that the husband and in-laws were required to return the dowry. But they were also extremely poor and managed to pay back just 1000 taka (US\$ 20).

I thought, "Better be realistic. What use is it if I file a case in court against him? The police will arrest him, but he will still not be able to give me more money." So they gave me my jewelry and 1000 taka, and I signed a receipt for them.

Morjina has become familiar with VPKA shalish, and she feels their impact is significant.

I went to see a shalish on divorce and another one on land dispute. I thought it might be a useful experience for the future. I think it is good to go and see a shalish, because you learn. My friends and I went there together. You know, before no documents were kept in a shalish and that was bad. Now there are documents. Everybody knows that one can be sent to court if one does not obey the verdict of the shalish.

The village elite said, "You better go to Dr. Rahim (from VPKA), who is a mediator. His shalish has a good reputation."



Mina Begum

Location:	Gopalganj District
Age:	20
Education:	none
Occupation:	none
Marital status:	re-married
Children:	1 daughter, age 1
Household income:	I
Landholding:	I
Religion:	Muslim
Type of dispute:	domestic violence, dowry
Type of mediation:	modified UP shalish – Kabi Sukanto Seba Sangha (KSSS), court
Date of settlement:	2000
Case result:	received 30,000 taka
Satisfaction level:	very satisfied

Mina carries herself with grace and proudly wears her best clothes and jewelry, despite the abuse and rejection she has faced by her husband and in-laws.

Three months after we got married he asked me to bring in 20,000 taka (US\$ 400) or else he would marry another woman. I had to tolerate so much physical abuse by him. I would cry out in pain. Whenever someone from the neighborhood wanted to interfere he would curse that person and say, "What concern is it to you if I beat my wife?" My mother-in-law would encourage him and say, "Give her a good thrashing. How dare she be in this house without bringing in money!"... My father is a poor man. Where would

he get all that money? I tried to hang on in spite of all the violence, but my husband eventually left and married again.

Mina approached the village shalish for help.

I went to the village committee eight to nine times. At the village shalish, the Chairman, members and village elders were present and asked my husband why he abandoned me. He replied he wouldn't keep me without money. The villagers then told me they had done what they could and suggested I go somewhere else for further help since he wouldn't listen to them.

Disappointed, Mina turned to KSSS at the suggestion of one of her cousins.

[My cousin said,] "KSSS will give you justice. Through them you will get what you deserve according to the shariah law (Islamic law)." So I went there and filed a case. I talked to one of the apas (sisters) there. She listened to everything I said and told me I was like a sister to her and that I would have no more problems. She said they would look into my case. Sukanto (KSSS) made an

Three months after we got married he asked me to bring in 20,000 taka (US\$ 400) or else he would marry another woman.

appointment with my husband for a particular date, but he never appeared. So they helped me file a case in court against him. The police went after him and only then did he show up. He said he wouldn't take me in. The judges therefore decided to have him pay 30,000 taka (US\$ 600) to me.

Mina appreciated the support KSSS provided in taking her case to court.

I felt scared. There were so many people and policemen. I was afraid to talk. Later people made comments about my going to court as a woman. I told them that the village shalish had not come to any solution, so I went to Sukanto and they brought me to court. I am poor and they helped me.

She was also grateful to KSSS for the way they protected her right to speak.

I could speak about everything, and when my husband tried to scold me like he did in the village shalish, Mr. Ratan (legal aid worker at KSSS) told him, "We will hear the statements of both of you, so don't interrupt with anything now."

Mina found it was easier to open up to a female legal aid worker about her problems.

I could talk to her with ease about everything. I would feel shy to say everything to a man. There are things you can say to a woman, which you would not want to openly discuss with a man.

Mina is full of praise for the security KSSS has given to herself and other women.

The situation of women has improved a lot since Sukanto began conducting shalish, because people respect the legal verdicts. Sukanto is good for women like me. Now we get proper justice. The women there listen to everything we have to say and tell us we have nothing to fear.... I am no longer afraid of my husband, because Sukanto made him sign on a stamped paper that he would no longer do any harm to me or threaten me.

The situation of women has improved a lot since Sukanto began conducting shalish, because people respect the legal verdicts.



Mahiroon

Location:	Rajbari District
Age:	40
Education:	sign only
Occupation:	domestic worker
Marital status:	widow
Children:	5 adult children; 1 son, age 17
Household income:	I
Landholding:	II
Religion:	Muslim
Type of dispute:	land dispute
Type of mediation:	modified village shalish—Voluntary Paribar Kalyan Association (VPKA)
Date of settlement:	2000
Case result:	registered official demarcation of land, both parties share right to tree
Satisfaction level:	satisfied

Mahiroon is a true survivor. Her husband died of diarrhea during the big floods in 1986, and a year later her home was washed away by the floods. After that she worked in other people's households for food or went begging to pay for her children's education.

I used to get some food in the morning, which I gave to my children. Then they played and I worked. After a long, hard day's work, I would only get one kilo of rice. I didn't continue with that work for too long, because it would have ruined my health and family life. I went to Grameen Bank (Bangladeshi NGO renowned for its credit program) for

a loan. With the first installment I bought two goats and some chickens. Later I sold them and bought some land.

Mahiroon's brother-in-law sold her the land, but he tried to cheat her.

I gave him 1500 taka (US\$ 30) for the land, but he did not register the land in my name. Later he claimed the money I gave him was only for renting the land I lived on. He came regularly to demand money from me, and once he hit my son on the head very hard. When he ran away, the villagers caught him and locked him in the

A government officer came to measure my land. Three UP members and other villagers were present. They put a pole on the ground to mark the borders, but my neighbor did not accept that.

Union Parishad office. They said to him, "We won't let you out as long as you don't register this land in her name. She is an old woman. It was so hard for her to save this much money. Her children have no father. Where shall they go? How can they survive if even their own uncle fails to take care of them?"

Mahiroon finally succeeded in keeping the land.

They kept my uncle locked up all night. They only let him go after he had registered the land. That is how I got this small piece of land, you understand.... Later I planted a few mahogany and coconut trees on my land. What is the benefit if you leave land unused?

Now a new conflict has arisen over Mahiroon's land. Her neighbor disputes the border between his property and hers.

Now the trees are fully-grown, but people steal coconuts from my boundaries. A government officer came to measure my land. Three UP members and other villagers were present. They put a pole on the ground to mark the borders, but my neighbor did not accept that. He took away the pole and stole all my coconuts. He even hit me with an umbrella. There was a bunch of women with him who beat me up. Look, this is where they broke my hand. After that I went to the UP for justice, and they held a shalish, but my neighbor did not obey them. He told them the trees were on his side. They told me to go to court, but I didn't have money for that.

Mahiroon turned to VPKA for help at the suggestion of some of the villagers.

You know, my trees had about 100 to 150 coconuts and my neighbor took all of them to sell in the market. I asked him not to do that and eventually went to Mr. Moxed (VPKA

shalish mediator) to complain. He came that same evening before my neighbor could sell the coconuts and forbid him to sell the coconuts before a shalish settled the matter. My neighbor still tried to go to the market with them, but finally his own brother and Mr. Moxed stopped him midway and held a shalish immediately on the spot. They distributed the coconuts equally amongst us. Moxed said to my neighbor, "Next time you take a coconut give half to her."

Mahiroon accepted the compromise solution, even though it is not entirely fair, for the sake of maintaining peaceful relationships in the village.

I am happy now. At least I did not lose both money and land. Now I have a place to live with my son. Land is not more important than one's relationship with other people. Do you think I like quarreling with others? I am old. I have nobody. People said I should go for a compromise. So I accepted what they decided.

I registered my land at court and paid money for that. My name is in that book. Now nobody can cheat me.

She feels that the assistance she has received and the knowledge she has gained have made her situation more secure.

I have documents. I registered my land at court and paid money for that. My name is in that book. Now nobody can cheat me. You know, before I was so ignorant. Now I know so many things. At that time my husband was still alive, so he took care of everything. He was my guardian. Now I no longer have a guardian, but I have to survive.



Mahfuza

Location:	Khulna District
Age:	17
Education:	sign only
Occupation:	none
Marital status:	remarried
Children:	2 step-children, ages 3 and 6
Household income:	III
Landholding:	III
Religion:	Muslim
Type of dispute:	divorce, theft
Type of mediation:	NGO shalish—Bangladesh Legal Aid and Services Trust (BLAST)
Date of settlement:	1999
Case result:	cleared of theft accusation, obtained divorce
Satisfaction level:	satisfied

Mahfuza was married off at a very young age.

I was only 12. My family didn't want to give me away, because I was still so young. His father came to my mother and said, "You have four girls, so give us one of them for my son." My mother didn't want to, but he insisted until she agreed.

Mahfuza and her husband did not prove to be a good match. To make matters worse, Mahfuza was given many chores to do.

We didn't get along. God knows why. I was there, but he didn't like me. There was no

love between us. He used to hassle me for being so young and small. My in-laws were nice though. They would hold me and cuddle me, but I didn't like all the household chores I had to do. I had to put out the garbage, bring in water, pick up plates and dishes, or sweep and mop the whole house.

Mahfuza's husband had very particular expectations about what his wife was supposed to do.

He would shout at me and say, "Why don't you behave like a wife? Every normal wife does these sorts of things. By God, if a wife won't do them, then who will?"

I was only 12.... My husband used to hassle me for being so young and small.

Not surprisingly, given her young age, Mahfuza was also unable to perform the wife's traditional duty of becoming a mother.

We had no children. There were some physical problems.... Some time after my wedding I was taken to a kabiraj (traditional healer). I was pregnant at that time. A girl was born, but she died immediately. She was born with some kind of defect.

Mahfuza's husband and in-laws took out their disappointment in her by accusing her of stealing from them. When Mahfuza was at her father's for a visit, she discovered that they had filed a court case against her.

They went to court in Khulna and spread the rumors that I had stolen gold jewelry and run away. When I heard that I thought I would never go back there. I'd rather hang myself. Then my mother and aunt went with me to Obaidullah (shalish mediator at BLAST). He arranged for a settlement.

Her family was confident BLAST could help because they knew the organization by reputation. It turns out their reputation was warranted.

Oh, these uncles and apas (sisters) set up that office. In that office, if there is any case that deals with "nari nirjaton" (oppression against women) then that is where to go. There I was asked if my in-laws had given me any gold. I told them, "No, they did not give me any gold. They only gave me these nose-rings and earrings and two bangles." Then they asked my husband, "Has your wife stolen anything?" My husband admitted that I hadn't. His uncles also said that they had not given the bride any gold. That is how they proved it was all a lie. After that I went back to my husband's house.

Mahfuza soon realized that neither she nor her husband's family was interested in continuing the marriage, however. Ten days later she asked BLAST to finalize her divorce at another shalish.

The Legal Office fixed another day and everybody turned up that day. They said, "Since

the girl does not want to stay, and he does not want to keep her, this can no longer go on." So they arranged a divorce settlement.

Mahfuza is happier now with her second husband, whom she married one year after her divorce.

In that office [BLAST's], if there is any case that deals with "nari nirjaton" (oppression against women), then that is where to go.



Jamilla

Location:	Khulna District
Age:	35
Education:	sign only
Occupation:	jute mill worker
Marital status:	abandoned
Children:	1 married daughter; 4 other children, ages 13, 11, 9, 6
Household income:	II
Landholding:	I
Religion:	Muslim
Type of dispute:	2nd marriage, maintenance
Type of mediation:	NGO shalish – Bangladesh Legal Aid and Services Trust (BLAST)
Date of settlement:	1999
Case result:	received 4000 taka
Satisfaction level:	not satisfied

Over the years, Jamilla has done various kinds of work. Fourteen years ago, she became the sole supporter of herself, her husband, and their five children.

My husband was sick at that time. I went to the Chairman for help, and he got me a job at CARE. I was doing road construction work and supported my husband and myself like that. My husband regained his health with [medical treatment paid for by] the money I earned. I had saved around 30,000 taka (US\$ 600) and gave it to him, saying, "Do whatever you want with that money, but save me. I don't want to go out on the roads anymore. It's not good for a woman." He took all the money and opened a

shop and bought a rickshaw van. He did other things as well, but I don't know what they were.

Despite what she had done for him, her husband decided to abandon their family.

It was when sitting in his shop all day that he started a relationship with this woman.

You know what he said to me? "You don't need to feed me anymore, just go away." He asked me to leave, but my eldest sister-in-law stopped me and brought me back into the house. At that my husband left with the other woman.

Later Jamilla's husband returned with the other woman, suggesting that both women live with him in the house. When Jamilla refused, he threatened to throw her out of his father's house.

He keeps insisting I must leave the house. I have talked at many places about this. The UP Chairman and members held two shalish. They listened to everything I had to say. They also listened to his brothers, and in this way they understood that it was entirely his fault. They advised him to do this and that, but he did not listen to anything they said.

Since the UP Chairman and members had little influence over her husband, they advised Jamilla instead. But her husband would not leave her alone.

So they suggested I support myself by working. The Chairman managed to find another job for me. After some time, I managed to save some money. My husband found out about that. So he came back creating new trouble for me. He stole things and demanded again that he take in the other woman, but how can I tolerate that?... The Chairman suggested I file a case against my husband, but I told him I did not have enough money for that.

Jamilla finally turned to BLAST for help, and a new shalish was arranged.

Then the wife of one of the members told me to go to the Legal Office and file a case with Nasim (BLAST shalish mediator). I said to Nasim, "How can I carry on with five dependent children? He left me nothing, not even the money I had saved from CARE. He lives separately, but still gives me trouble." I also asked Nasim to get back my 4000 taka (US\$ 80). I had bought land [for that amount] with the money I had earned from CARE, but that land was registered in his name. My husband refused to give me back that land. Nasim called a big shalish, where they listened to everything. My husband was found guilty, and I got my 4000 taka.

In that shalish there was also talk of maintenance, but Jamilla's husband did not agree to pay it.

It was when sitting in his shop all day that my husband started a relationship with this woman.

He didn't agree to that, because he said he would divorce the other wife and live again with the children and me. The people at the shalish believed him. They didn't know what a crook he is.

In fact her husband never divorced the other woman, but took off with her again. Although the last settlement was two years ago, Jamilla's husband continues to bother her.

My husband said he would divorce the other wife and live again with the children and me. The people at the shalish believed him. They didn't know what a crook he is.

About two months ago he came again and suggested that he would build an extra room for that other wife, where he would live with her. The children and I would live in the other room. I said, "No, I will continue to live on my own earnings and you will have to work to support your other wife. Why should I listen to such a suggestion? That will never happen." So now he is threatening me, implying either he will seriously beat me or kill me.

Although Jamilla is pleased to have gotten back the money she paid for land her husband has taken from her, she is still frustrated. Her husband's refusal to abide by other shalish decisions, and the lack of enforcement available, make Jamilla's life difficult.

Could anyone be happy in my situation? I endure great hardship so that I can feed and raise my children, and he keeps on coming and creating problems for me. I had expected with Mr. Nasim being such a highly regarded person that it would be better going to him rather than putting up a general case. I thought my husband would listen to him, and if not, perhaps they would take up some special measures. I had expected that Nasim could drive that other woman away, and I could live together with my husband and children. I feel so miserable. All efforts were fruitless. Now I am thinking -- the way my husband is complicating things for me -- that perhaps it is better to leave that house. Then I might put up a [legal] case.



Fatema Khatun

Location:	Meherpur District
Age:	29
Education:	sign only
Occupation:	construction worker
Marital status:	divorced twice
Children:	1 son, age 11
Household income:	III
Landholding:	I
Religion:	Muslim
Type of dispute:	maintenance, dowry
Type of mediation:	modified village shalish—Palashipara Samaj Kallayan Samity (PSKS)
Date of settlement:	2000
Case result:	received 2000 taka, obtained divorce
Satisfaction level:	not satisfied

Fatema has sadly experienced two failed marriages. Her first husband deserted her when their son was only one and a half years old. Her second husband, whom she married four years ago, was so violent that he frequently beat her.

Once he beat me so hard on the head that it started bleeding. I could not tolerate it any longer and went to PSKS.

Fatema had joined a PSKS credit samity (village group), and she had witnessed many of their shalish for other women. So she sought their help in her situation. At a shalish, PSKS negotiated a maintenance settlement for her of 15 taka (30 cents) per day. They

also arranged for her to move back to her mother's house. But Fatema was still very angry with her husband.

With 15 taka I can hardly do anything. Still I accepted the compromise, because I had no other choice. My husband did not keep his word, though. He did not pay me the 15 taka regularly. One day he came to my house, and I asked for my money, but he did not want to give it to me. I became angry and grabbed him by his shirt saying, "You give me my money or divorce me. I will no longer 'eat rice from you' (I want a divorce from you.). Then we are finished. Divorce me today and I will go and get work tomorrow." At that he threw me on the floor and beat me. When my sister's son saw what had happened, he went and beat my husband. After that my husband filed a case with the UP. There he said that I had planned his beating all along.

The member said to my husband, "I know you. You are the one who doesn't provide for his wife."

One of the UP members, who had also been present at the PSKS shalish, recognized her husband. At a second shalish, administered by the UP without the presence of PSKS, this member confronted the husband.

The member said to my husband, "I know you. You are the one who doesn't provide for his wife." The UP shalish decided to divorce us. My husband's fine would have been 10,000 taka (US\$ 200), but because he himself is so poor they reduced the fine to 2000 taka (US\$ 40). The UP members said to me, "Do some small rice business with this money. You can even do that from home. What else can you do as a woman?"

Fatema would have preferred a larger cash settlement, but even so, she is doing the best she can financially. Even more importantly, PSKS helped her to become free from abuse and enabled her to achieve some measure of independence.

I wanted proper justice. Nowadays 2000 taka is nothing. I would have needed at least 4000 to 5000 taka (US\$ 80 to 100), but I could not say that, because the Chairman was putting pressure on me to accept the 2000 taka. At least now, thank God, I am free. Now nobody beats me anymore. I earn my own living. I work in road construction and get 40 to 50 taka (80 cents to US \$1) per day. I don't go to work regularly though, because the manager thinks women are not as capable as men.... With the 2000 taka I got I gave loans to other people. They paid me back 10 taka (20 cents) per day. In a month I made 200 taka (US\$ 4). I am trying to save the 2000 taka and just live on the profit. Now I am thinking about buying a calf with that money. I am alone, so I have to take care of myself.

At least now, thank God, I am free. Now nobody beats me anymore. I earn my own living.



Dolly

Location:	Jessore District
Age:	16
Education:	class 7
Occupation:	stitching nakshi katha (traditional embroidery) for Banchte Shekha
Marital status:	divorced
Children:	none
Household income:	IV
Landholding:	I
Religion:	Muslim
Type of dispute:	domestic violence, dowry, 2nd marriage, divorce
Type of mediation:	NGO shalish – Banchte Shekha, court
Date of settlement:	2000
Case result:	received 20,000 taka
Satisfaction level:	very satisfied

Like so many others, Dolly's problems centered around being married off to a man who demanded dowry.

I am the daughter of a very poor man. There were always boys hanging around me, so my father married me off as soon as he could. It didn't take long before my husband started demanding dowry. He wanted 10,000 taka (US\$ 200). I said to him, "My father is poor; he lives on what he earns for the day. Where can he get the money?" My husband just said, "Borrow it." Then he beat me badly and took me to my father's house and left me there.

Dolly's male relatives took action with the UP right away.

My father, brother and uncles all went to the Chairman, who sent a notice to my husband. At first he did not turn up. Then he came to the next meeting. They explained to him that dowry was a crime, but he didn't care what they said. At that the Chairman burst out in foul language. My husband wasn't afraid of the Chairman.

My husband—well, the last I have heard of him is that he is in jail at present.

Then Dolly's husband fabricated a legal case against her.

Later he filed a case against me and claimed I had stolen money and jewelry and escaped. You won't believe it, but we are very simple-minded people. We had never dealt with cases before.... Now in our neighborhood we have this nani ("grandmother," a respected elderly woman). She brought us to Banchte Shekha and they took us to court and all these places. I had never been to court before. I never really went much out of my house, you know. There were so many things I didn't know about.

At first Dolly still wanted to be reunited with her husband, and was prepared to try to obtain the dowry he asked for. But while the court case dragged on, he had other ideas.

In the meantime my husband had married again. He even managed to get 20,000 taka (US\$ 400) from that girl -- what a shame. So he no longer wanted to take me in, since he had received money through that girl.

With the help of Banchte Shekha, Dolly grew more bold.

At court I was asked whether my husband had beaten me, and I said, "yes." They also asked me whether he had married again, and I said, "yes." You see, my husband had not told them about his second marriage. Then the apas ("sisters," staff from Banchte Shekha) said to him, "You either take back your wife, or you get a divorce and pay 50,000 taka (US\$ 1000)." That was the amount that had been fixed as denmohor (groom's dowry). At the end my husband paid 20,000 taka (US\$ 400), and then we were divorced.

Dolly truly appreciated the support of Banchte Shekha, as her husband often tried to frighten her into backing down. He even threatened her with the heinous crime of acid-throwing, a practice which disfigures or kills, and which is all too common in South Asia.

He would say, "Wait and see. I will kidnap you on the way, and then I will throw acid on you and then your brother...." You see, I only have one brother. He said he would kill him. I was so afraid, but Rokeya and Bulu (Banchte Shekha workers) would encourage me a lot. My father and the apas were there. They were huddling around

me all the time. So I didn't feel that scared anymore. At court I would gather all my courage and think, "Well, we all have to die some day. What am I scared of? Let's see what he can do to me."

Now her husband is no longer a threat.

My husband — well, the last I have heard of him is that he is in jail at present. I think he was caught with arms and was sentenced to ten years.

Dolly cites Banchte Shekha's efforts as a primary reason that villagers understand marriage law better.

Things have improved in our village. Similar to my case,

other men have learned their lesson. There are also other organizations like Banchte Shekha and people in the village fear them. Like now they know that taking and giving dowry is a crime. Like my husband, he didn't like Banchte Shekha. He would tell other men that it is really bad, because they throw you into jail, fine you and what not.

Dolly has come to important realizations about the position of women in Bangladeshi society and how attitudes must change in order to make living conditions improve.

I think when women are beaten up they endure it in silence, because they think it is bad to go to court or places like Banchte Shekha. I think they are wrong. Even after they have been tortured and thrown out of their houses they still think they should return to their husbands. They think, "He is my husband, no matter how he is." So by hanging on to their husbands like that men get all the chances. How much longer do women have to take these tortures? That is why I want to tell them to come to Banchte Shekha and file cases. Then they will know better. It won't do anymore to sit back inside the homes. Otherwise they will continue to live in oppression and perhaps they will kill themselves by taking poison. Suicide happens a lot, you know. We must stand up against the men or else we will not be able to live in these times. Look, as long as I accepted the beatings and stayed indoors I had to live in oppression. Now I am free.

I think when women are beaten up they endure it in silence, because they think it is bad to go to court or places like Banchte Shekha. I think they are wrong.... How much longer do women have to take these tortures?



Aklima Khatun

Location:	Meherpur District
Age:	17
Education:	class 10
Occupation:	none
Marital status:	divorced
Children:	none
Household income:	V
Landholding:	V
Religion:	Muslim
Type of dispute:	divorce
Type of mediation:	NGO shalish – Palashipara Samaj Kallayan Samity (PSKS)
Date of settlement:	2001
Case result:	received 5000 taka, obtained divorce
Satisfaction level:	satisfied

Often when women marry in Bangladesh, they and their families don't actually know much about their husbands. In Aklima's case, because her husband had some undisclosed problems, her marriage was never consummated and emotional intimacy was never established.

I got married last August and by January this year the marriage was over. My husband is sick. Well, I could not get close to him. He wouldn't talk to me. He is a bit of a half-wit. Even when I was lying in bed crying he would not talk. I would tell him that if we slept in one bed — things went on like this. Then one day all of a sudden, he started

saying strange things about a girl and a wedding. He said, "My wedding was settled, but had to be cancelled because of my problem." That's when he admitted to me that he was impotent. He said to me, "I know that it was not right for me to get married to you. I did not want it, but I was forced into this marriage."

My parents thought I was being stubborn. They said, "...she doesn't like him."

Aklima returned to her parents' house, but in such a private and embarrassing situation, things became complicated. In both villages, everyone had an opinion, whether they knew the facts or not.

My parents just thought I was being stubborn. They said, "She does not eat his rice (does not want to stay with him), because she doesn't like him." They all thought that I didn't like him because he is uneducated. People from my in-laws' village and also from mine were spreading rumors about me. They said, "The boy is strange, and the girl is highly educated. She must be having an affair with someone else. That's why she does not want to stay with her husband."

After a month, her in-laws called for a shalish to make Aklima return to their home. The shalish leaders never completely understood the situation.

I agreed to appear at the shalish, but told them that the one I was married to would have to be there as well. At the shalish many people had gathered. I said that I wanted him to be called before the entire crowd. They went to look for him, but couldn't find him. The people who settled the village shalish told my father not to make so much fuss over me. They said to him, "Instead of having a dispute over the girl, take your guests to your house, feed them and send the girl with them [her in-laws]."

Aklima was taken back to her husband's house.

Eleven days passed, and he treated me like before. So I went back home again and decided never to return to him.

She finally took the matter into her own hands. A classmate told her about PSKS.

One girl in my class asked me one day why I did not go back to the in-laws. When we talked about it she mentioned that people with my kind of problem could go to PSKS and file a case. She explained to me all the procedures.

Aklima was clear in her mind about her minimum expectations for her marital relationship. But the members of the PSKS-facilitated shalish at first focused more on their concerns for Aklima's security than on the companionship and intimacy which were more important to her. It took quite a lot of time and discussion for the two sides to reach an understanding.

I told them I did not want to go there anymore. I am not getting my husband's love or attention. He does not behave like a husband with me. What would I go there for? They said, "But if he is willing to feed you, will you accept that?" I remained silent to that, so they asked me again and again until I replied, "See, if a pen does not have any ink in it, can you then write with that pen? Or if you serve rice in a plate, but don't give any curry, can that rice be eaten?" When I talked like that they understood. Then they asked him [her husband], "Don't you talk to her?" He said, "Yes, I do." Then they said, "Will you feed her?" He said, "Yes, I will." Then they suggested I go back there and try it for another six months. I told them I couldn't even take another six days. I said, "This situation has already done a lot of harm to me. I want some compensation for my losses. I do not want anything other than that."

One girl in my class... mentioned that people with my kind of problem could go to PSKS and file a case.

In the end, Aklima got a divorce, along with the return of her dowry, plus an additional payment for compensation, for a total of 5000 taka (US\$ 100). While she did not receive denmohoor (groom's dowry), she was more than happy to be released from the marriage without it.



Aklima

Location:	Jessore District
Age:	40
Education:	class 5
Occupation:	Banchte Sheka group member and legal aid worker
Marital status:	married
Children:	3 adult daughters
Husband:	50, class 7, shalish committee member, advocate assistant
Household income:	III
Landholding:	II
Religion:	Muslim
Type of dispute:	domestic violence, 2nd marriage, maintenance
Type of mediation:	NGO shalish – Banchte Shekha, court
Date of settlement:	1999
Case result:	husband takes wife back instead of paying 1 lakh taka fine
Satisfaction level:	very satisfied

Aklima's husband didn't ask for a dowry before the wedding, but afterwards he demanded one and became furious when Aklima refused.

At the time of my marriage they had not asked for any dowry money. Still my father gave what one usually gives to the groom, like a watch, a bicycle and a ring. Although my husband got all those things, he asked for 20,000 taka (US\$ 400). When I refused to pay him, he beat me. In torn clothes and with dirt and mud all over me, he left me at my father's place. Later I heard he secretly got married to another woman.

After being abandoned, Aklima made ends meet on her own. With the help of Banchte Shekha, her knowledge and her confidence increased.

I would husk the rice grains with a dhecki (wooden husking device), and after having cleared off the chaff I would sell the rice. At that time I met Mrs. Bulu (Banchte Shekha legal aid worker) in our village. Through her I came to know Banchte Shekha. At Banchte Shekha I learned and did a lot of things. I wouldn't have the knowledge I have now if I hadn't come here. I wouldn't be able to walk with my head raised. I wouldn't be able to speak up.

My husband asked for 20,000 taka (US\$ 400). When I refused to pay him, he beat me.

At Banchte Shekha, Aklima received training in different fields, including making videos, which she believes is a powerful tool for change.

I was trained in poultry raising, fish cultivation, nakshi katha stitching and video-making. I really liked the video-making. I think that was a wonderful kind of work. Taking the long shots and the close shots. Like I would capture your face and then move down to your shoulders and then film the waist. Oh it's so great. You know, what I like most is that one can get so much pleasure and inspiration out of it, and one can influence people. You see, women are oppressed in the villages, and we would shoot such examples. People were afraid of what we did. I mean, they would think if that video would be shown, their reputation would suffer. So in many villages women were less tortured [because we came to document their abuse with the camera]. Still it was quite risky to do the videos. People would come after us with sticks and shout at us, but we always went in a group of about five women. Others, particularly men, would whisper about us, but we didn't care. Unfortunately the funding for the video project ended a few months ago, so I don't do that work right now.

After three years of living at her father's house and participating in Banchte Shekha activities, Aklima got up the courage to request the organization's help in settling her marriage problems.

With the help of Mrs. Bulu, I filled out an application. I explained that my husband demanded dowry, beat me, and left me at my father's house. After that they called my husband and tried to put him on the right path, but that failed. Later we went to the Chairman, but he only said, "Well, if all people of the village had wounds, how many wounds could one possibly heal?" Then the apas (Banchte Shekha staff) filed a case at court. My husband thought, "What can Banchte Shekha do against me? Let them go to court. I will spend some money and go to the High Court."

Aklima's husband changed his mind about his course of action when confronted by Banchte Shekha and the court.

During that time my husband came to me once and beat me badly. Hearing that, some of the apas told him they would make a video on that and show it to everyone in the village. Besides that a court decree was issued stating that my husband should pay 1 lakh taka (US\$ 2000). Do you know what my husband did? He went to Banchte Shekha and

My husband came to me once and beat me badly. Hearing that, some of the [women at Banchte Shekha] told him they would make a video on that and show it to everyone in the village.

clutched the feet of Mrs. Rokeya, Mrs. Boro and Mrs. Shahida in front of everybody, and begged them not to do the video. [Note: According to Bangladeshi custom, touching someone's feet is an act of humility and contrition.] He was scared his reputation would be ruined. Then they arranged a meeting where he promised to take me back and no longer beat me. He vowed he would continue our married life and that was put in writing. I can't tell you how good it was to hear that: "I will continue our married life."

With Banchte Shekha's support, Aklima is bolder and more confident.

Since coming to Banchte Shekha I no longer have inhibitions or fear. At court I always felt as if someone strong were standing beside me. I thought, "As long as these apas are with me, I have courage." Now my breast doesn't waver to talk to anyone. I like Banchte Shekha, because when they conduct shalish they keep the woman's position in mind. At the village shalish they often take bribes, but Banchte Shekha doesn't do that. To them the law is important for its own sake.

Now Aklima works as a Banchte Shekha mediator on behalf of other women.

Our responsibility is to watch out if any women in the villages are oppressed. Then a committee of seven women and four men goes and tries to convince the man to improve the situation. If the man does not listen to us, we sit with both parties and try to talk things over, and if that doesn't work either we go to the Chairman. The Chairman appoints a trial period of three months and ten days. After that both parties are called again for a council meeting. Then if there is still no settlement reached, we file a case in court. This is our responsibility — to look after the welfare of the village.



Abirunessa

Location:	Jessore District
Age:	35
Education:	sign only
Occupation:	nakshi katha (traditional embroidery) stitching for Banchte Shekha
Marital status:	married
Children:	2 children, ages 16 and 13
Household income:	V
Landholding:	III
Religion:	Muslim
Type of dispute:	domestic violence, 2nd marriage
Type of mediation:	NGO shalish – Banchte Shekha
Date of settlement:	2000
Case result:	gained 5 decimal land and own house
Satisfaction level:	very satisfied

Abirunessa has been involved with Banchte Shekha for many years, stitching nakshi katha and attending several of their training courses. Now she is one of their group members. She waited, however, for a long time before she approached the organization for legal support. Her husband used to beat her regularly.

That was a mistake to wait so long, but I used to think, "Well, let him beat me." I kept quiet about it. In the meantime, with the beatings going on, I had two children. When I realized I could not take any more I went to Banchte Shekha and asked them to do whatever they wanted to, as long as they saved me.

Abirunessa is the sixth wife of a very violent man. She used to live in a house with him and his fourth wife. Others thought competition between the two women caused problems.

He used to hit me, smash me, slash and cut my body. My blood and flesh are no longer in a normal condition. He hit me for dowry, for anything. I had been to numerous village shalish. My brothers called everybody from the village. People would say we two wives should eat separately. We should divide our pots. So she would cook for her family and I for mine. My husband did not change, though. He continued to beat me.

My husband is a brutal, dangerous person. That's what he is.

Abirunessa was abused so frequently and so severely that she finally sought intervention from Banchte Shekha.

He is a brutal, dangerous person. That's what he is. I had disgusting bruises all over my body for over a year. I am not inventing stories. Allah above has seen that for sure. Then one day he struck me with a stick, a fat bamboo stick, because I was late serving him breakfast. I held up my arm to protect myself and that is how he broke my arm. My cousin works at Banchte Shekha. When she saw my arm she said, "Let's go to Mrs. Bara and tell her about it." So I went to her with my plastered arm.

Banchte Shekha arranged a shalish, which led to a better situation for Abirunessa and the alteration of her husband's behavior.

I told them about everything, how he beat me, how he did not give me proper food, and how he wanted money from me. They sent a notice to him and then he and his uncle came to the office. I went there with my brothers. At the shalish my husband said, "I was not in the right state of mind when I did that. I have done a bad thing. I will never do it again. I will accept whatever you say." I said that I wanted him to arrange for separate houses. He agreed to it. I was given five decimal land in writing on a stamped paper. Later he built that house for me. It had two rooms made of concrete and brick walls. I am happy now. I have got the land and the house. My husband goes to her house during the day and at night he stays with me. Now he no longer beats me. He is scared of anything related to the [Banchte Shekha] office.

Despite the abuse she has withstood, Abirunessa remains with her husband. Because of restrictive Bangladeshi social norms, she needs him to provide social standing for her children. Otherwise Abirunessa has very few options.

I still live with him because my daughter has grown. So has the boy. The girl has to be given into marriage. I am her mother. Who would want her if I don't stay with my husband? My life is gone, you see, but the future of my children — should I spoil the future of my children?

Abirunessa has great hopes that because of her newfound knowledge, her daughter's life will be better than hers. She refuses to marry her off to a man who already has a wife.

Not in a lifetime would I allow that to happen. I would rather marry her off to a rickshaw puller or a day laborer who works all day to bring in one seer (unit of measurement) of food. I will never make the same mistake with my daughter — the mistake my guardians made with me.

Because she was bold enough to take action against him and demand her rights, her husband shows her greater respect.

I am not scared like before. Now I even talk back, like if he says five things to me I have two replies ready for him. You know, before, he would hit me even without my replying to him, but now I speak back to him face to face. My husband respects me now, because he has realized that I have come to know the [Banchte Shekha] office and the court and all that. I complained against him once, so I could do something like that again.

My husband respects me now, because he has realized that I have come to know the office and the court and all that. I complained against him once, so I could do something like that again.

Abirunessa is confident that others in her neighborhood view her with more respect, too.

The mastaans (thugs) don't dare say anything against me anymore. They know that I could inform the office about them or file a case against them, and then the police might chase them. So they are frightened.

Abirunessa knows what great contributions Banchte Shekha has made to improve the lives of women.

It is so good for the women. Don't you know how many opportunities were opened up for women? Since this office was set up all of us women are happy and very much in peace. The way I was beaten before -- women could not find a way out before. We did not have these opportunities before, but now all women know about this place and what it can do for them. The men also realize that. Now the women know their rights. The men know that if they do something bad to the women, they will run to the apas (Banchte Shekha legal workers) and tell them. That is why men are afraid of Banchte Shekha. So the husbands have become nicer, and the women are standing more on their own feet. Do you realize how much peace has entered into the homes?

Nargis thinks the traditional village system would not have obtained such an excellent result.

I did not go anywhere else, because the village people are bad. They wouldn't have done as much for me as he has. Also being a bou (wife) in that village, you know that it wouldn't look good if I went around to all those people, like the Chairman and the UP members. People would think badly of me. Could I have gone around like that?

Now my husband cares about everything. Now he is serious about his work.... I think he has been reformed and I have better days now.

Nargis is very hopeful for the future of her relationship.

He will not demand money anymore. I am sure about that. Apa, I can tell you by looking into a person's eyes. I trust him now.



Tofurunessa

Location:	Rajbari District
Age:	40
Education:	sign only
Occupation:	selling rice from home
Marital status:	widow
Children:	6 adult children; 2 children at home, ages 14, 15
Household income:	II
Landholding:	III
Religion:	Muslim
Type of dispute:	land dispute
Type of mediation:	modified village shalish – Voluntary Paribar Kalyan Association (VPKA)
Date of settlement:	1998
Case result:	inherited 2 bigha land
Satisfaction level:	not satisfied

Shortly after Tofurunessa's husband died twelve years ago, her brother-in-law sold much of the family land, including a portion of Tofurunessa's. Although she never gave her consent to the sale, the new landowner believed the land he bought was rightly his. When the brother-in-law died, Tofurunessa turned to the UP Chairman for help.

When the land surveyors came, the Chairman was also with them. He was telling them how much land each person would get. I went up to him and told him that some of the land Mannan [the new landowner] had was actually mine. The Chairman then instructed the surveyors accordingly, but that was all he did. He did nothing else. So

in the end I went to Mr. Sobhan (a UP member) and told him about the situation. He told me to go to Rohim (VPKA shalish mediator).

Tofurunessa was so eager to get help that she walked over a mile and a half to Rohim's house.

I said to him, "Bhaijan (brother), this is the situation. I have a dispute over my land with that person." Then he said he had already heard about my case from the Chairman and that he would look into it. The next time I saw him, he promised me I would get my land back.

The VPKA mediator doesn't behave rudely, and he gets things sorted. People listen to him. He is the kind of man people should obey.

The VPKA mediator had an excellent reputation in the community, so Tofurunessa looked forward to a shalish that would settle the matter.

I had heard of him from others, too. The village people know him well. You see, he had done quite a few shalish in the village. People say he conducts the shalish well. When I went to see him I thought he was nice. He doesn't behave rudely, and he gets things sorted. People listen to him. He is the kind of man people should obey. You know there is no harshness in his behavior. I had told him about my problem, that my husband had died leaving me his property. I told him that Mannan had bought some parts of the land from my brother-in-law, and now he occupies all the land. I told him that when I asked Mannan about my portion he had said that I don't have any, because he had bought all of it. Then Rohim sent out letters for a shalish.

The shalish was handled professionally and effectively.

In order to come to an agreement Rohim said to Mannan, "Look, let her have the part of the land that is rightfully hers. If it is hers, she is not taking any away from you." I also told Mannan that I did not want to have any of his land. I only wanted the portions that were mine. So at the shalish there was no shouting or blaming, no arguing and fighting. Rohim just settled things like that. He is always jolly and merry. He does not speak rudely, not even with the one who is being asked to give up his property. I got my share because I was able to explain my position properly, and Rohim had convinced Mannan by saying, "You have bought other people's shares. So keep your part, but give her the portion that belongs to her." In the end he agreed that I do deserve to get my share.

At the time, Tofurunessa was satisfied that the shalish ensured that she would receive her rightful property. But since the agreement, she has heard rumors that she was entitled to even more land, causing her to doubt the equity of the settlement.

Am I happy? Well, I have gotten what they had asked for at the shalish, but now I hear

that I should have gotten more. He still has some of my property. He did not agree to give me that part, and I never insisted on getting it. I mentioned it at the shalish, but they said I had gotten as much as I deserved. I thought instead of arguing with them, I better gracefully accept whatever they give me. Grace and dignity are important to me, you see.

So at the shalish there was no shouting or blaming, no arguing and fighting.



Kamona Rani

Location:	Manikganj District
Age:	16
Education:	class 5
Occupation:	private tutor
Marital status:	unmarried
Children:	none
Household income:	VI
Landholding:	I
Religion:	Hindu
Type of dispute:	other
Type of mediation:	modified village shalish — Palli Shishu Foundation (PSF)
Date of settlement:	2000
Case result:	received public apology
Satisfaction level:	satisfied

A pretty young woman, Kamona had a troublesome encounter with an insulting boy on the street.

We [she and a friend] were going to a friend's house to watch TV. On our way there this boy started coming after us. He is known to make bad comments [to women]. He said something dirty to us. So I said to him, "How dare you say nasty things like that to me? I will complain to my father about that." Then he said, "What is there to complain about?" I mean, he was being really annoying. All the others told him to leave us alone. In the end he went away.

The attempts of Kamona's family to hold the boy accountable met with even worse behavior.

Later back at home I told my mother about it. She went to his house to complain against him, and when he came to know about that he came over to our house. I was standing in the room, and there was no one else at home except for my sister. He started

talking about what my mother had said about him, and then he claimed that he had never said anything like that. He said that I had lied. So I said that I was telling the truth. And then he just came into the room and went right up to me and hit me on the head a few times.

After the incident, Kamona's family tried to turn to the formal legal system. First they went to the UP Chairman.

The Chairman sent a notice to the boy's house for filing a case at the police station. When my father and brother were on their way to the police station to file the case, some men from that boy's side stopped them. They threatened my father and brother, so they came back.

When Kamona's family heard about PSF, they felt it would be safer and more effective to seek their assistance rather than the police's help.

Bashtoni Rani [an acquaintance] told us that PSF provides good justice. She works there. So instead of seeking justice with the police we appealed for justice there. My mother and I went there to complain against the boy. We told them what he had said and done to me.

PSF arranged immediately for a shalish.

Then in the evening of that same day, all relevant people were called and a judgment was held. The boy and his father came, and they brought along people from their side, and we brought people from our side. At the shalish they asked me to describe what had happened. Generally I don't speak in the presence of so many men, you see. So I felt a bit shy and nervous there, but the people there told me I need not feel scared. So first they listened to me and then to what the boy had to say. He denied having said those things to me, but in the end many things were said to that boy and he was found guilty.

The boy's punishment was fitting in accordance with Bangladeshi customs.

When my father and brother were on their way to the police station to file the case, some men from that boy's side stopped them. They threatened my father and brother, so they came back.

They made him say "amma" (mother) to me. I mean, they said to him that every girl has the same status as his mother, so he should call me "amma." Then he had to hold his ears [Note: Holding one's ears is a form of public chastisement and admission of shame.]. He also had to promise not to repeat what he did.... I accepted what all those people decided. I don't know them all, but they frightened me a bit by saying that since I am a Hindu and the boy is a Muslim he could do even worse things to me later.

At the shalish they asked me to describe what had happened.... I felt a bit shy and nervous there, but the people there told me I need not feel scared.

The shalish helped to ease some of the tensions that do exist between Hindus and Muslims in Bangladeshi society. Most importantly, it demonstrated that decision makers in the community supported equal justice regardless of religion.

You see, since we are Hindus and most of the people around here are Muslims, we do feel a bit scared and uneasy. I believe that boy hassled me because he thought with us being Hindus we could not do much against him. If we had been Muslims he would have thought we would have everybody on our side, but being poor, and on top of that, Hindu, he naturally thought we would not have anybody supporting us.

LIST OF TERMS AND NON-GOVERNMENTAL ORGANIZATIONS

Apa	sister; often used as a respectful term to address women who are not related to the speaker
Amma	mother
Banchte Sheka	literally, "learn how to survive"; NGO based in Jessore
Bhai	brother
Bhaijan	brother
Bidi	local cigarette
Bigha	approximately one third of an acre
BLAST	Bangladesh Legal Aid and Services Trust; NGO based in Dhaka
Bou	wife
Burka	cloak covering the entire body, including a hood for the head and flap to cover the face, worn by women going outside to keep strict purdah
CARE	international NGO with offices throughout Bangladesh
Chowk	piece of open land
Decimal	40 decimal make approximately one bigha or one third of an acre
Denmohor	dowry given by the groom
Dhan	rice grain with husks
Dheki	wooden husking device
Durga	Hindu deity
Grameen Bank	NGO based in Dhaka with offices throughout country
Gush	bribes
Kabiraj	traditional healer
Kazi	person who registers Muslim weddings
Kilo	kilogram; 1 kilo equals 2.2 pounds
KSSS	Kabi Sukanto Seba Sangha; NGO based in Kotalipara
Lakh	100,000
Madrassa	Islamic school
Mastaan	thug, gangster
Matbar	village elite
Mondol	village head
Nakshi katha	traditional embroidery
Nari Nirjaton	law prohibiting oppression against women
NGO	non-governmental organization
PSF	Palli Shishu Foundation; NGO based in Dhaka
PSKS	Palashipara Samaj Kallayan Samity; NGO based in Meherpur
Purdah	Islamic requirement of seclusion of women from outsiders
Roza	fasting period
Samiti	village group
Sansar	family life, household
Seer	unit of measurement
Shalish	village arbitration or mediation council
Shashon nama	chastisement letter
Sharia law	Islamic law
Taka	Bangladeshi currency (Approximately 55 Taka = 1 US\$)
Union Parishad	local elected government council
VPKA	Voluntary Paribar Kalyan Association; NGO based in Rajbari



Nargis

Location:	Khulna District
Age:	25
Education:	none
Occupation:	none
Marital status:	married
Children:	2 own, ages 5, 6; and 2 step-children, ages 10 and 12
Household income:	III
Landholding:	II
Religion:	Muslim
Type of dispute:	dowry
Type of mediation:	modified village shalish—Bangladesh Legal Aid and Services Trust (BLAST)
Date of settlement:	2001
Case result:	marital dispute settled, husband takes wife back
Satisfaction level:	satisfied

Nargis' husband waited until after their two children were born to demand a dowry of 7000 taka (US\$ 350). To make matters worse, he also entered into an extramarital affair with Nargis' cousin.

My husband was intimate with my cousin. He also abused me for money. I couldn't take that anymore so I ran away to my brother's house.

Nargis was familiar with the BLAST mediator because he is a vital part of her community.

Nobody had to tell me about Mr. Mofiz (BLAST shalish mediator). He is our country folk, you see. He always comes around to see how we are doing. When I stayed at my brother's place, Mr. Mofiz came over and asked me how things were going. He asked me why I looked so worried. That is when I told him about my problems. He listened to everything, and then he put up a case.

Nobody had to tell me about Mr. Mofiz (BLAST shalish mediator). He is our country folk, you see. He always comes around to see how we are doing.

In a shalish, BLAST held her husband accountable to the terms they had agreed on when they were first married.

You know, apa (sister), they all listened to what I had to say. I told them that he wanted money. Then Mr. Mofiz told my husband that he knew very well when he married me that I was from a poor family. He asked him why he put so much pressure on me now. He told him not to beat me anymore. Things were made clear to him in that way and then a settlement was reached. The matbar (village elite) did the shalish and everything and then I was brought back to my husband's house.

BLAST's help with the shalish gave her options she would not otherwise have had.

What could I have done? With him putting pressure on me and abusing me, what could I have done? I wouldn't have been able to go for a case. I wouldn't have gone back to my husband's house. I would have stayed at my brother's place with my children.

The shalish was also a turning point in terms of her husband's accepting his marital responsibilities.

How can I explain that to you? It's like before he didn't care about the household and he didn't work. Now he is working regularly. There is no hardship in the household by the grace of Allah. That is what makes me feel so happy. But before he would just wander about. He wouldn't stay home, and he made up all sorts of excuses. He would come, have a bite to eat and then leave again. Now he cares about everything. Now he is serious about his work. What else would I want, apa? I think he has been reformed and I have better days now.

Nargis believes the BLAST mediator's fair and serious manner made all the difference in her husband's attitude.

My husband listens to whatever Mr. Mofiz says. He thinks well of him, because he is impartial. At the shalish he spoke on my behalf, but he also said good things about my husband. Mr. Mofiz speaks very justly, apa. He was a [UP] member before, so everybody respects him like a matbar.