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Journey Towards Justice

Human Rights and Legal Aid Services of BRAC

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HRLS programme

ABBREVIATION AND ACRONYMS

ADR	Alternative Dispute Resolution
AVCBP	Activating Village Courts in Bangladesh Project
CLEP	The Commission on Legal Empowerment of the Poor
FO	Field Officer
HRLE	Human Rights and Legal Education
HRLS	Human Rights and Legal Aid Services
IGA	Income Generating Activities
LCL	Local Community Leaders
NGO	Non-Government Organization
OBC	Odikhar Bastobayan Committee
OSI	The Open Society Justice Initiative
PIL	Public Interest Litigation
TT	Teacher's Training
TV	Television
UNIFEM	The United Nations Development Fund for Women
UNDP	United Nations Development Program
UNO	<i>Upazila</i> Nirbahi Officer
UP	Union Parishad
VO	Village Organisation

GLOSSARY

Akika

A name giving ceremony for the new born according to Islamic tradition. The event is accompanied by slaughtering a animal and often a feast for the guests by the parents of the born.

Aposhnama

An agreement to settle an existing claim with a substituted performance. The claim is extinguished by the compromise and settlement and, as a result, any subsequent litigation based upon it is barred. The agreement is a contract as such there must be mutual assent of the parties under consideration.

Boba

Often used as a derogatory term for person who is deaf and dumb.

Bondhok

A legal agreement that conveys the conditional right of ownership on an asset or property by its owner to a lender as security for a loan.

Borga

A farming contract according to which a landowner allows a tenant to use the land in return for a share of the crops produced on the land.

Borkha

Garment worn as an outermost layer by women of certain Islamic traditions. The garment is worn over the attire that are considered normal daily clothing outside home to prevent their body and face from being seen in public. The *borkha* is not used when women are at home in front of selected family members, e.g., husband, brother, son, etc.

Dafader

Village guard working as a paid employee of the union parishod.

Dag

Plot number given to the land with and without structure the Government's Land Department. A fixed index is prepared with the serial numbers with land classifications, i.e., Government land, grazing ground, wetland, etc.

Fatwa

An Islamic ruling or law based on scholarly opinion of recognised religious authority in Islam. The scholars forward the ruling and law based on the interpretation of the Holy Quran, Hadith, and Snnah.

FIR (First Information Report)

A written document prepared by the Police Department receive about the commission of a cognizable offence. It is generally a complaint lodged with the Department by the victim of a cognizable offense or by someone on his or her behalf.

Gram shava

An age old practice of conducting meeting in the villagers in Bangladesh. The meetings are organised whenever considered necessary by the influential, e.g., elites of the village. The common problems of the village are the issues usually discussed in these meetings.

Haat

Market held at an open place on particular day(s) of a week, participated mainly by the villagers around the spot. The products sold are mainly produced locally by the villagers.

Hadith

A collection of traditions containing as sayings of Prophet Muhammad with accounts of his daily practices (the Sunna). The Hadith is considered to be the major source of guidance for Muslims apart from the Holy Quran.

Halal

An object or action which is permissible to use or engage respectively according to Islamic law.

Haram

According to Islamic jurisprudence haram refers to any act that is forbidden by Allah. The acts that are haram are typically prohibited in the religious texts of the Holy Quran the Sunnah.

Hilla marriage

According to Islam after divorce the spouses cannot rejoin and coexist as lawful husband and wife. At a later stage if the husband intends to reunite with his divorced wife through remarriage that is only possible after his ex-wife is married to a third person and that husband divorces her after the marriage with him. The marriage between such exes is known as Hilla.

Imam

The Arabic word holds different meanings and connotations. In this study the word refers to the person leading prayers in the mosque.

Iman

According to Islamic theology the term denotes a believer's faith in the metaphysical aspects of Islam. Iman is different from faith in the sense that it should not be blind belief rather should be accompanied by reason.

Jummah

It is a congregational prayer of Muslims held every Friday around noontime. This prayer is special in the sense that it holds a sermon (*Khutba*) in which the imam discuss and deal with the daily problems of the Muslim's society and gives an enlightenment with the torch of Islam.

Janaza

The funeral prayer according to the Islamic funeral ritual. The prayer is performed in congregation to seek pardon for the deceased and all dead Muslims in general.

Katha

A unit of area in Bangladesh which is standardised to be 720 square feet.

Kazi

The marriage register. Each *Kazi* is appointed to register Muslim marriages and divorces within a defined area.

Khas land

The land which is solely owned by the government and to be allocated according to the government priorities.

Kotian

A certificate on individual land record indicating genuine title over the land. The term *Kotian* is commonly used to mean the 'record-of-rights'. The *Kotian* shows its own number, plot numbers, *bata* (divided) plot numbers, area, *mouza*, names and shares of the possessors, descriptions of their rights and superior interests, etc.

Khutba

A sermon preached by the imam in a mosque at the time of *Jummah* (Friday noon) prayer. It serves as an occasion for formal public preaching according to Islamic tradition.

Kurbani

The act of sacrificing animal by slaughtering in the name of Allah. It is practised to commemorate the sacrifice of Prophet Ibrahim to Allah as mention in the Quran. This act can be performed in any day of the three days starting from the morning of the 10th to sunset of the 12th Dhul-I-Hijjah the 12th Lunar month of the Islamic calendar. a four-footed animal with hooves and living on plants is to be sacrificed. In Bangladesh goats and cows are usually sacrificed.

Lula-langra

Often used as a derogatory term for physically disabled.

Madrasa

Refers to any institution for learning in Arabic. In Bangladesh, the term is used to indicate an institution where Islamic theology and religious law are taught.

Milad

A group of Muslims gathering at a mosque or at a resident to praise the Holy Prophet of Islam and learn about Islam from a learned. The *milad* is usually arranged in relation to an event within the family, e.g., death of a family member.

Magi

A Bangla term referring whore.

Mahr

Amount of money decided to be paid by bridegroom to bride as her security against former being divorced by latter any time after the marriage. The money has to be paid during marriage but bride may exempt the payment for any time after marriage or after divorce.

Mahfil

A congregation of a large group of people often for worship. In Bangladesh context it is usually a gathering of Muslims in a mosque. It can also refer to the group of people who are present for a devotional service in a building particularly led by an Imam or religious leader who may be seated apart from the general congregation at the mosque.

Matobbor

A headman or leader either chosen by the villagers or got to the position through heredity. Presently the headmen are ceremonial, they are there just to keep up the tradition and, of course, have customary power to deal with the petty local issues within own community/ village.

Mauza

An administrative unit, corresponding to a specific land area within which there may be one or more settlements.

Muhuri

A person working as assistant of lawyer in a court. In a magistrates' court trials are heard by a bench. The bench usually consists of three magistrates and a *muhuri* (court clerk). The court clerk acts as a legal adviser in all court cases as well as controls the most of the proceedings. The clerk is there to ensure the decisions being made by the magistrates are fair and just, as well as ensures that everything remains legally correct and according to the rules and regulations of the court.

Murubbi

An Arabic word referring to guardian, patron, or elderly members of a village or community. In cases they are engaged in village politics or hold authority from tradition to take decisions regarding village or community issue.

Nikah

An Islamic term for a binding and permanent marriage. The concept is deeply embedded in the practice of Islam and is considered to be an important spiritual goal for many Muslims.

Odikhar Bastobayan Committee

A committee formed to distribute assets to ultra-poor of the village by the Targeting the Ultra Poor Programme of BRAC.

Pan

Betel-leaf

Peshker

A bench clerk who is briefed by a solicitor to present the defense or prosecution cases in the court. The bench clerk at Magistrates' Court sits near the magistrate or at a coroner and announces the cases and calls plaintiff and litigants in the courtroom for hearing.

Purdah

A religious and social practice of female seclusion prevalent among Muslims and some Hindus in which women stay separate from men or keep their faces and bodies covered when they are in presence of men.

Puja

An act of worship performed by Hindus to host, honour and worship one or more deities or to spiritually celebrate an event.

Rishi

A holy Hindu sage, saint, or inspired poet. The sages are called Rishis. They have understanding of things and places which normal people do not possess.

Shalish

Refers to a method of dispute resolution. It gives verdict to the disputes and in some cases ensures the implementation of the verdict pronounced. In one way shalish can be divided into traditional shalish and union parishad shalish, i.e., village court.

Traditional shalish is one of the reminiscent characteristics of the 'self-sufficient village community'. It is considered to be a customary practice of resolving differences among community members. It is usually conducted by the traditional leaders of the community.

Village Court is a slightly formalised version of traditional *shalish* conducted by union parishad. The court consists of the chairman and two members, and two villagers. In the

case of adjudication related to civil (land) issues, the Village Court can provide a verdict against any accused to pay Tk.25,000/- maximum to the plaintiff or return the asset to its actual owner. However, Village Court cannot pass a jail sentence or impose any other penalty. A Village Court can only order that compensation be paid. The compensation should be paid immediately or within six months as decided. The UP Chairman can seek assistance from the administration to recover any damage payments if they are not paid within six months.

Shastha shebika

They are community health volunteer of BRAC; they provide basic health care to community. They are trained on basic preventive and curative health care services. They are not paid by BRAC but earn from sale of health commodities and for providing specific services such as installation of tube-well or latrine, identifying pregnancy or suspect TB patient etc.

Sunnah

Custom, habit or way of life. Commonly understood as the sayings and living example of the Prophet Muhammad as recorded in Hadith. It is a legislative source along with the Koran; the Koran can be best understood in context to Sunnah.

Upazila

The third largest administrative division in non-municipality areas in Bangladesh

Union

The smallest administrative geographical unit presently functioning and comprising of *mauzas* and villages. The unions are divided into nine wards with an effort to keep the population in them roughly equal in size.

Union Parishod

The lowest level of Local Government functioning in non-municipality areas in Bangladesh. The UP, functioning in a union constituted of nine wards composing several villages or adjacent moujas as prescribed by Government gazette notification. The UP is managed by a combination of representatives elected and appointed personnel. The UP consists of a Chairman the Chief Executive representing the union. Besides, the UP has 12 members. Nine representing each of the wards and three female members each represent three contiguous wards within the union. The latter zones are exclusively reserved for women's representation. These members are elected through general votes from their constituencies. The selected body of UP includes a full-time secretary, an assistant secretary, nine village police (chowkidars), and one messenger (dafadar). The functions of a UP can be grouped under five heads: civil functions, police and defense functions, revenue and general administrative functions, development functions, transferred functions (which may be transferred by the government from time to time). The UPs are wide ranging and do not correspond with the resources allocated.

Village Organisation

It is designed to mobilise collective strength of the poor with a view to empower them to be self-reliant. A village organisation is constituted of the village poor owning less than 0.5 acre of land including homestead and selling at least 100 days of manual labour a year.

Waz

A sermon, lecture, or talk on religious matter/issue by a member of Muslim religious institution or clergy.

Waz Mahfil

See Mahfil

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Since inception, BRAC has been working to empower the marginalised population through multifaceted programmes. Human Rights and Legal Aid Services (HRLS) Programme is such a programme of BRAC that works to protect and promote human rights of the poor and marginalised through legal empowerment. HRLS operates over 400 Legal Aid Clinics in districts across Bangladesh and is the largest NGO-led legal aid programme in the world. Although the HRLS programme has several components through which it works to achieve objective, four of these components deserved closer scrutiny to know the impact of such interventions. Keeping this under consideration, BRAC initiated this impact study on the four major components of HRLS programme, such as local community leaders workshop, human rights and legal education course, ADR and support to court case. As the study of the impact of any intervention demands in-depth exploration of one's life in his/her socioeconomic context, the development of the instrument for capturing the complicity of one's life poses challenge. Researchers from multidisciplinary background and consultation with experts working on social issues and gender worked together to overcome the challenge of capturing various dimensions of complex reality.

This study is expected to be helpful to evaluate the programme intervention of such kind not only for BRAC, but also for other organisation working with same issues. It is an attempt to provide insight about designing, planning and implementing the intervention that aims legal empowerment by pointing out the strength and weakness of the studied interventions on recipients.

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CHAPTER ONE

INTRODUCTION

Exclusion of the poor from legal protection and recognition of their assets in the enforcement of their rights is increasingly recognised as a key feature of the poverty discourse¹ (Banik 2008). How a development organisation alleviates poverty through non-traditional means of development, such as through “empowering” rural people, especially women, when that empowerment involves expanding people’s ability to make strategic choices in contexts where their agency had been previously denied? How an organisation shifts its focus not just by switching from supply and service delivery modes to demand driven development, but also find the right amalgamation of these two? The answer to these questions are inextricably related to Amartya Sen’s capability approach; which has been enriched further by viewing empowerment as a process of enhancing an individual or group’s capacity to make choices and transform the choices into action (Banik 2008). The working partnership between legal dynamics and empowerment process starts from a strategic nexus among the legal protection, freedom of choice, and sanctions to translate that choice into action. The relation is the cause for bringing necessary changes in the state and institution to facilitate and enhance people’s capacity to make choices and translate these choices into actions. When people are aware of their rights, and informed about how to claim it through collective power, and the state fulfills its duties by delivering the rights, poor people can avail the opportunities for enjoyment of rights by making the strategic choices to make life effective. This feature has acted as one of the rationales to consider legal aspect in the empowerment process by various agencies.

¹ Rights are defined as entitlement or valid claim which can be fulfilled with a corresponding duty of upholding the claim (Feinberg1970). The duty holder can be an individual or institution, who is in a position of protecting, respecting and fulfilling the rights of the right holder. The duty holder can be the state or individual or both depending upon the nature of protection, respect, or fulfillment of the rights as needed. Universal Declaration of Human Rights identified two dozens of human rights for dignity, liberty, and freedom of human being; these rights can become legal rights of the citizens of a state provided that the rights have been sanctioned by the state through legislation.

The nucleus of 'legal empowerment' lies in the very concept of 'empowerment' considered to be 'change', 'choice', and 'power' (Cheston and Kuhn 2002). The development interventions for legal empowerment inherently contains gaining self-reliance and self-respect, developing a sense of self-worth, increasing bargaining power, understanding one's potential and realising the right to exercise the freedom of choice to control own life (UNIFEM 2000; Mayoux 2001). The legal empowerment addresses all these contents from a holistic legal standpoint.

The legal empowerment also refers to human rights based development. Such development calls for a proper understanding of human rights principles. Although the human rights are standard claims in the international conventions and national legislations (e.g., right to free trial), human rights principles are the values that are enshrined in policies, actions and laws. Over the years, UN has promoted some human rights principles that are usually followed by today's development agencies, the principles are: (1) universality and indivisibility, (2) equality and non-discrimination, (3) participation and inclusion, and (4) accountability and rule of law.

In human rights based approach to development, human rights standard indicates the minimum acceptable level of the outcome of the development, e.g., universal primary education, social protection, etc. On the other hand, human rights principles set up the criteria for the process to be followed to achieve the outcome of development. Human rights literatures have identified the state as the key duty bearer to promote/provide rights (CLEP and UNDP 2008). When an NGO takes up the responsibility of promoting legal empowerment, its primary task revolves around facilitating non-hierarchical dialogue between the citizens and the government on the rights (CLEP and UNDP 2008). In this process, the NGO targets the citizens to become active by gaining social and moral responsibilities and political literacy by involving with the community (Crick 1998). Besides internalising active citizenship they also need to gain legal identity and voice – the cornerstone of legal empowerment. In this context, it may be mentioned that the identity and voice infused in the citizens' need to be accompanied with proper knowledge, organisation and representation (CLEP and UNDP 2008).

The question that obviously arises at this point – what are the realities in terms of the preconditions for human rights in the society we are living? Conflicts on property, women and other issues infringing the rights of one or both parties involved have always been rampant in rural Bangladesh (Hossain *et al.* 2007). The prerequisite for the protection of rights in such a situation is the possession of required knowledge to get into action in upholding the rights, the capacity to get into action and the presence of the institution upholding the rights. In one sentence the realities on the protection of rights in Bangladesh do not appear very encouraging.

The rural poor in most cases in Bangladesh are unaware of their legal rights. This ignorance allows others to exploit them. Among the poor, women face further injustice not only for being ignorant but also for being additionally vulnerable in the community. The rural elite by dint of their power and influence in the society manages to achieve their objectives often by infringing the rights of the poor (White 1992; Arens and Burden 1985).

For a long time, poor and disenfranchised people in rural society have resorted to traditional institutions for dispute resolution, i.e., *shalish*², due to their dependency on village power structure and administrative and financial complexity involved in court cases. It has been observed that 60-70 per cent local disputes in Bangladesh are resolved through *shalish* (Wojkowska 2006). Although the legal system of Bangladesh allows family and land issues be tried in the *shalish*, evidences show that rural *shalish* are resolving all kinds of cases including criminal offences and are implementing their decisions. Usually, the decision makers in *shalish* are dominant local elite who happened to be men in all instances and the dispute is resolved by following local norms. These features often curtail gender equality and undermine the rights of the poor (AVCBP 2010). Thus, *shalish* are often manipulated by the rural elites who use it as a means to achieve their ends (Rahman 1995; Karim 1990).

The state machinery including the court, police, and judiciary are not always accessible by the poor and can be influenced by the elite (Throp 1978). Unfortunately, the routes to the formal justice of court for resolution of disputes are blocked due to corruption, lack of affordability of the poor to continue the case, social prejudice against bringing the issues of conflict before public, and/or the routes to justice prolonged due to backlog of cases in the court. As of now 9,521 civil cases are pending in the Appellate Division of the Supreme Court, 79,890 in the High Court and 701,789 in the District Courts (Qader and Islam 2012).

Thus, because of the lack of knowledge, the activities of village elite and weak state institutions the rural poor are often denied of their human and legal rights. While working at the grassroots with an inquisitive mind to explore the root causes of poverty and injustice on people, BRAC infallibly and invariably came across the crude features of exploitation of rural people by the power structure and other impediments on their way to justice. As a reaction to these observations the need for an intervention to address the rights of the disenfranchised emerged to the organisation.

Addressing this need, BRAC Human Rights and Legal Aid Services (HRLS) started its journey in 1986 as a Paralegal Programme on human rights and legal education

² *Shalish* refers to a method of dispute resolution. It gives verdict on disputes and in some cases ensures implementation of the verdict pronounced. In one way *shalish* can be divided into traditional *shalish* and union parishad *shalish*, ie, village court. The traditional *shalish* is one of the reminiscent characteristics of the 'self-sufficient village community'. It is a customary practice for resolving differences among community members. It is usually conducted by the traditional leaders of the community. Village Court is a slightly formalised version of the traditional *shalish* conducted by the union parishad (UP). The court consists of the chairman and two members of the UP and two villagers. The Village Court can provide a verdict against the accused to pay up to Tk.25,000/- as compensation for any criminal offence. In the case of adjudication related to civil (land) issues, the Village Court can provide a verdict against any accused to pay a maximum of Tk.25,000/- to the plaintiff or return the asset to its actual owner. However, Village Court cannot pass a jail sentence or impose any other penalty. A Village Court can only order that compensation be paid. The compensation should be paid immediately or within six months as decided. The chairman can seek assistance from the administration to recover any payments if they are not paid within six months.

functioning under the Social Development Programme which again functioned under the auspices of the Rural Development Program of BRAC. In 1998 legal aid services were added to existing legal activities and it started working in partnership with Ain-o-Salish Kendra. In 2007, the legal activities were taken out of the Social Development Programme to function independently as Human Rights and Legal Aid Services (HRLS) programme. In the following year HRLS discontinued its collaboration with Ain-o-Salish Kendra.

BRAC, particularly during its early years, was immensely inspired by Paulo Freire's philosophy where he provided a panacea for uprooting the oppressive power structure in the society through awareness raising, i.e., creating critical consciousness in the community and among the oppressed in particular. The strategy of creating critical consciousness was always the focal point of HRLS in its thought for action (Pereira 2011). In addition, the radical approach in Freirean philosophy – questioning the status quo from bottom up – also underpinned programme's strategy for action. Although the Paralegal Programme started with awareness raising on legal education very soon it was felt that the intervention was not enough to stop miscarriage of justice as well as access to the justice system particularly by rural women. The programme was convinced to believe that building an institution for legal aid services as imperative to implement human rights in the community.

Thus, for consistent and effective development interventions and to keep pace with the need of the society, the ideology of HRLS undergone a transformation – from a conventional legal aid based approach focusing only on legal assistance to an approach focusing on the legal empowerment of the poor. Since 2007, the components of HRLS were shaped to further the goal of legal empowerment of the poor (Pereira 2011).

Fig 1 | HRLS objectives and means for their achievement



¹BRAC staff stationed at BRAC Regional Office.

²Contract lawyer conducting cases in the court on behalf of HRLS.

Objective

The distinctive feature of HRLS at present lies in its efforts in bringing changes in the existing oppressive structure and prejudices practiced on the victims of human and legal rights violations within the community. Backed by the above theoretical underpinnings as well as grassroots demand, the components of HRLS aim to (Pereira 2011):

1. Provide legal and human rights education to the rural poor particularly women;
2. Provide alternative dispute resolution and court oriented legal aids; and
3. Create and activate social catalysts drawn from the village elites.

In addition, BRAC has included public interest litigation and policy advocacy with national and regional stakeholders in their extensive engagement with human rights. Figure 1 points out the main objective of HRLS and the means to achieve the objective.

This unique features of HRLS has promoted it to adopt interventions having both catalytic and operational components. The catalytic components, eg, *Shebok/ Shebikas*, create a consciousness among the community to question the unjust reality with knowledge on human rights. The operational components support the clients to use the state machinery to enforce rights. Besides, the programme has conscientisation through training and mobilization of the community.

THE CATALYSTS IN HRLS

The HRLS initiates forming/organising several catalysts in achieving its objectives. The most important catalysts are *shebok/shebika* and panel lawyers.

Shebok/shebika

The HRLS programme functions with the help of community based paralegals, referred to as *shebok/shebikas*. *Sheboks* are male paralegals whereas *shebikas* being the female one. The *shebok/shebikas* are members of the community with intimate affiliation with it. The *shebok/shebikas* are of two types – *Ain shebika* and Upgraded *shebok/shebika*.

Ain shebika

Ain shebikas are Village organisation³ (VO) members who are particularly assigned to provide Human Rights and Legal Education (HRLE) training to other VO members in particular and anybody willing to participate in the training from the community free of charge. *Ain shebikas* are remunerated for conducting the training. *Shebikas* are paid an honorarium of roughly US\$ 11 to teach each HRLE course. Apart from this main

³ It is designed to mobilise collective strength of the poor with a view to empower them to be self-reliant. A village organisation is constituted of the village poor owning less than 0.5 acre of land including homestead and selling at least 100 days of manual labour annually for survival.

responsibility, they are also encouraged to participate in community mobilisation for upholding human rights and any other activities which include protest and prevention of violation of human rights, and protection to the victims of such violation. In conducting these functions *Ain shebikas* mobilise local community to raise collective verbal protest against human rights violation and attempts collectively to prevent the same, and helps victims of the violation to get access to legal system. *Ain shebikas* are called ‘barefoot lawyers’ for these significant roles they play in imparting legal knowledge and resolving legal questions of day to day life of the community.

BRAC has trained more than 12,000 *Shebikas* to teach HRLE courses; of them over 6,000 are fully active on the ground (BRAC Blog). *Shebikas* do not receive monetary compensation for reporting violations to the legal aid clinic and for providing other services.

Upgraded shebok/shebika

Landlessness was observed to be extremely vulnerable to social pressure, patronage of local elite, and economic fluctuations (Mustafa 1984). Although HRLE has included land rights in the curriculum the programme felt that more exclusive intervention was needed on land rights for a better outcome. Thus, a special group of community based paralegals – Upgraded *shebok/shebikas* – was developed to perform some specific duties related to land. Their main responsibilities lie in playing a mediating role in the disputes related to property rights, and assisting the rural people in protecting legal documents. They are trained on land surveying and on land rights. They help people in the community by assisting them to register their land, raising awareness on the share of the land they are entitled, and contributing in dispute resolution. These *shebok/shebikas* are also apt in motivating and giving technical support in registering death, birth as well as marriage in the community.

At present there are 13,422 Upgrade *shebok/shebikas* to support the community in legal documentations related to birth, death, marriage, and property rights. Till 2011, they have registered 260,011 birth, 9,440 death, 15,582 marriage, and 2,101 divorce.

Panel Lawyer

For centuries, lawyers are encouraged to give free service to clients through pro bono lawyering⁴ (Macey 1992). But, it has been observed that pro bono lawyering is not enough to empower the poor by offering them justice through legal institutions. Often pro bono lawyering turns to regnant lawyering⁵, as a result clients become vulnerable (Macey 1992, Hall 2005). Against this backdrop the Legal Aid Clinic has arranged 400 panel lawyers throughout the country to work in the District Courts. Besides having a law degree to conduct cases in the court, the panel lawyers are trained to facilitate client’s empowerment through legal process. To enhance clients’ agencies in justice seeking

⁴ Where a lawyer gives legal services to a client, any right based organisation, or a group without any charge out of public interest.

⁵ Where a patron-client relationship is established between the lawyer and his/her client.

behaviour these lawyers are skilled in demystifying the laws to make people understand the process through which justice is claimed (UNDP 2005).

The panel lawyers have their own private practices but are in agreement to represent BRAC clients on a part-time basis in the court. They receive a nominal fee in package for different lawsuits they conduct for the plaintiff in the court. They not only provide legal counselling to clients and represent clients in the court but also engage in building client's agency and awareness.

Till 2011, the clinics together helped 27,670 clients to claim rights through formal court. The panel lawyers have been able to bring the judgment in favour of the victims in 13,595 cases out of 17,275 resolved cases in the court. The ADR and court cases together have secured Tk.653.4 million in favour of the clients from different incidences of human rights violation placed in the clinic.

THE OPERATIONAL COMPONENTS OF HRLS

The operational components of HRLS programme has a three-tier operational system functioning under the BRAC head office in Dhaka. The tiers from the top are: Divisional Office supervised by Divisional Staff Lawyer, Regional Officer supervised by Staff Lawyer or District Manager, and Area Office at *upazilas* (sub-district) supervised by HRLS staff with different designations; henceforth referred to as staff⁶. The components are different in size in terms of their geographical coverage, scope and intensity of involvement. The components are discussed below.

Legal education for critical consciousness

According to Freire, freedom lies in revolutionary process where the oppressed learn to question the reality from a critical standpoint, and work for re-creating a reality by wiping out the causes of oppression along with the seeds for growing any further cause for the same (Freire 2001). From its very inception, BRAC have been endeavouring to make the oppressed, i.e., the poor, learn to question the reality and become proactive in the removal of their oppression through conscientising and empowering them. Initially, BRAC started conscientising the VO members through the process of 'decoding' as was suggested by Freire, but after observing the limitations of the process in its application in the real situation in a large scale the organisation shifted its strategy of conscientisation through training (Rafi *et al.* 2003). And, for that designed the Human Rights and Legal Education (HRLS) by keeping the objectives of the training very much aligned with the essence of Freire's philosophy of emancipating the oppressed.

⁶ The designations are Field Organiser (FO), *Upazila* Manager, Senior *Upazila* Manager and DUM District *Upazila* Manager. In most cases the office is managed by FO.

The initial plan of HRLE was to train 'slightly educated persons in each village on some laws so that they could give advice if conflicting situation would arise in their community. Then it was decided that the HRLE would be provided to all VO members. Thus, after some trial and error and experimentation it was in June 1989 the HRLE was initiated. The central purpose of HRLE is not only to take the knowledge of human rights to the grassroots, but also link the knowledge of poor women with the objective of protection from all kinds of injustice, acquiring the skills of questioning the status quo, and power structure; thus, enhancing the capacity of the rural women in establishing just and equitable society.

Till November 2012, 161,763 HRLE classes (i.e., LE in earlier time) have been held throughout Bangladesh and 3,741,820 rural women have completed the course (BRAC 2012). As of July 2013 165,139 HRLE courses have been organised, with a total of 3,820,821 graduates (MIS 2013).

Legal Aid

The right to receive legal aid (including legal representation, legal advice, and other legal supports regarding protection and prevention of one's legal rights) is considered to be the fundamental rights of each and every aggrieved person (The Asia Foundation 2009). But, this right entails people's affordability and capability to apply legal tools to obtain judicial remedies.

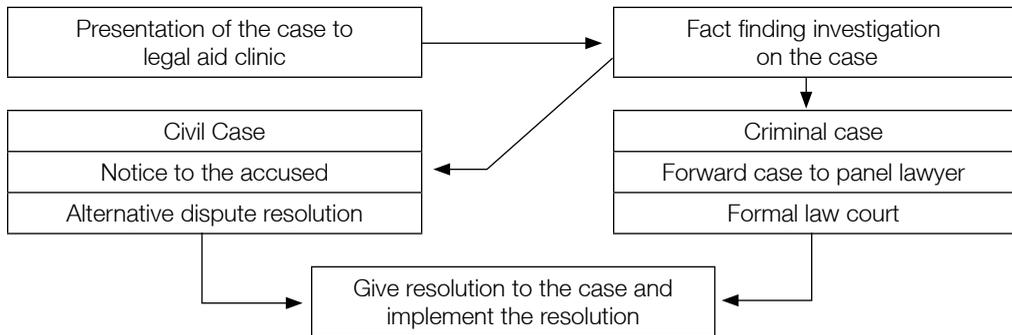
Because of remoteness of locality, lack of awareness, and lack of financial capacity to continue a case, people of rural Bangladesh are often deprived of legal aids and access to justice (Sultana 2011). Similarly, UNDP (2005) considers lack of legal counselling, insufficient funding for legal aid by the State, non-availability of quality legal services, and low level of education as the major obstacles to access justice by the poor. The examples from other countries show that when state alone takes up the responsibility to provide legal aid to the poor, insufficient fund and staff often block the way to satisfactory legal services to the clients (UNDP 2005). In such a situation the presence of non-state legal aid is not only a complement to state service but also a crucial factor in bringing a large number of people under the scope of legal institution and rule of law.

Usually, *Shebok/Shebikas*, staff as well as individuals themselves from the community report incidences of human rights violation to the Legal Aid Clinic. At the notification of the violation from these and other sources, like newspapers, the staff in charge makes a prompt visit to the place of incidence to make him/herself sure of the occurrence of the incidence and the degree of severity. If needed, s/he arranges necessary supports including counseling, representation, shelter, and medical aid to the victim. If the fact indicates that the laws of the state permit the case to be tried through informal dispute resolutions, the case is formally taken by the clinic for ADR.⁷ However, if the dispute lies

⁷ Under the legal system of Bangladesh, some conflicts have been allowed to be tried in informal justice system including family and land issues at its initial stage.

beyond the jurisdiction of ADR then the dispute is forwarded to the designated panel lawyer for initiating the procedures for the case in the formal court. The offence which falls under criminal laws e.g. violence, rape, etc., are forwarded directly to the formal court procedures. Figure 2 shows how human rights violations are processed by the HRLS.

Fig 2 | Pathway for processing human rights violation by legal aid clinic



Alternative Dispute Resolution

Alternative Dispute Resolution: Since 1998, BRAC has been providing support for dispute resolution to the poor rural women through ADR system under the HRLS programme. Among the NGOs conducting ADR one conducted by HRLS is distinctive for number of reasons:

- ▶ It provides required information about human rights to disputants at the beginning of the session.
- ▶ Staff in charge of ADR always remains vigilant and active to raise strong voice for women's rights in cases where women voices are neglected.
- ▶ Women are provided with multiple options and supports to help them in taking decisions.
- ▶ ADR is very strict in maintaining the laws of the state in its activities and do not accept any cases and issues which are supposed to be tried by criminal laws.

On an average, HRLS receives 11,550 cases every year and ADR is provided to 6,743 of these cases. Since March 2014 HRLS has handled 211,479 cases received. The service managed to resolve 114,135 of these cases by itself and the rest was referred to the court.

Court Case

As of April 2012, 31,601 cases (27,662 Civil and 3,935 Criminal) have been filed in court and 20,798 judgements have been received. Of these judgements, 15,734 were in favour of BRAC clients and 2,301 judgements were not. Most of the remaining cases were ongoing (MIS 2012). During the period of 2010-2011, HRLS filed 779 cases for the poor, out of which 91 per cent was on dowry and maintenance. The rest were on maintenance, dowry, rape, acid violation, property, land dispute, and kidnaping. Overall, BRAC has managed to secure a total monetary compensation of Tk.757.3 million for its clients, which is equivalent to more than \$9 million (Kolisetty 2014).

Community mobilisation

Law Implementation Committee

The trainees from HRLE form a 5-member Law Implementation Committee (LIC). The function of the committee is to expedite the implementation of law for the VO members in the community work with shebikas to encourage others to participate in HRLE classes and to bring rights violations in their locality to the attention of staff. Active and dynamic LIC members are often given the opportunity to become *shebikas* later on.

Local Community Leader's Workshop and Human Rights Implementation Committee

The rural power structure of Bangladesh is a conglomeration of local elites who are characterised by their networks and resources, and linked with both formal (local government structure) and informal (traditional dispute mechanism) institutions (Mojumder *et al.* 2008). As a result, the mobilisation of the community for legal intervention needs to interact with the local elite who often obstruct to such mobilisation. Considering this reality, HRLS has been organising Local Community Leaders Workshop (LCL) since 1996 for creating strategic partnership with local elites.

The workshop is mainly an awareness raising experience aiming to motivate local elite to support the legal claims of the grassroots. In the workshop, local elite learn about the goodwill of the Ain Shebikas in their activities, and the staff gets a chance to introduce themselves to the local elite. Such introducing makes it easier for the staff to take help of the elite for effective action against the violation of human rights in their area of jurisdiction. Till 2011, 19,252 LCL workshop participants were engaged in supporting HRLS's objective at the grass root level.

The influence of local elites in the power structure indeed is very deep. Without their support, the legal interventions on social issues are not likely to be successful. Therefore, at the end of the LCL workshop, attendees form a Human Rights Implementation Committee (HRIC) to promote human rights and to ensure proper implementation of laws throughout the region. The committee ensures that workshops are not just one-off the events but a longer-term collaboration between key community elites (Kundu *et al.* 2011).

Human Rights Implementation Committee

It was felt that the consciousness created by HRLE needed to be supported by a platform to translate the knowledge into action. Meaning that, a group is required who themselves would work as a collective force and organise the community to start the practice of raising voice against injustice and mobilising the community for implementation of the rights. The committee supports the community on right based issues, justice, legal issues, and protecting victims against injustice by coordinating with the local government, elite, and rural people. As part of their work, the committee visits local police station (thana), Marriage Registrar's Office, District Land Office, Union Land Office and Union Parishad office. They develop social network with the relevant officials and contact them when needed at later stage for reliable information, file complains, and register any issue on injustice. The special function of the committee is to expedite the implementation of laws for VO members and others in their community (BRAC 1995).

Legal Rights Implementation Committee

In 2009, HRLS chalked out a strategy for social mobilisation within the community by forming a 19-member ward-based Legal Rights Implementation Committee in a ward. The group generally includes forum UP members (including one female members); two teachers, three progressive imams, two Gram Daridro Bimochon Committee⁸ members, former members or retired teachers, six Law Implementation Committee members, one marriage registrar (*quazi*) and one ain *shebika* (Kundu *et al.* 2011). The committee aims at bringing the grassroots people as well as the local elites in a common platform to pursue the objectives of justice and prevent human rights violation particularly in the case of vulnerable women in the community. Each LRIC is tasked with informing the nearest BRAC office if human rights violations occur in their communities, bringing survivors to go to court rather than participate in illegal *shalish*, participating in BRAC's ADR, and opposing child marriage, dowry, and polygamy.

Recent Development of Committees

Although HRIC and LRIC have worked hard to promote justice at the grassroots, their activities encountered some difficulties due to local elite's declining interest in working for the committees. This was mainly because they brought forward complex challenges in terms of group dynamics and group activities in their committees and in turn to the programme (Kundu *et al.* 2011). As a result, in 2012 HRLS decided to bring a temporary change in the committee's operation. Instead of pursuing the objectives of community mobilisation for human rights through these two committees, HRLS is strengthening the Human Rights implementation Committee now to pursue the same objectives of these two committees. In parallel, HRLS has intensified its emphasis on building strong commitments with the local community leaders in response to taking actions against human rights violations in their communities.

⁸ The Committees are formed by BRAC's Targeting the Ultra Poor programme. It provides training and livelihood support for the extreme poor in the village. There is one committee for a cluster of villages where the programme is functioning, and the committees are composed of respected elites in the village in order to garner support for the programme.

Recent initiative

Policy Advocacy and Making Strategic Partnership: HRLS has joined a forum – Citizen's Initiatives against Domestic Violence – to campaign against violence in collaboration with the forum. This campaign includes drafting Domestic Violence Act 2010. As part of the collaboration HRLS has also partnered with government's Legal Aid and Regional Forum including Asian Consortium. This partnership is expected to open the doors to exchange lessons learning experiences and brain storming for searching more suitable responses to different challenges that legal aid faces.

Public Interest Litigation: Although Public Interest Litigation⁹ (PIL) started much earlier in countries of Asia, it was in 1994 when it was initiated in Bangladesh. Over the years, NGOs and civil societies have represented the aggrieved groups in many concerning issues related to state policies and societies including election campaign, governance, drug use, women's equal rights, etc. HRLS stepped into the horizon of PIL in 2009. HRLS along with four similar minded NGOs filed a PIL in 2009 challenging the failure of the government to protect the citizens against the inhuman punishment, under fatwa (lyasin 2012). High Court's ruling against the infliction of inhuman and corporeal punishment from fatwa given in 2011 has provided HRLS a legal base to continue the campaign on the issue and intensify pressure on the government to move for necessary action against such dictates. In 2011, HRLS filed another PIL on government's role in providing livelihood to beggars. HRLS's interest on PIL has encouraged other NGOs to use PIL for advocacy and campaign with more enthusiasm and forming collaborative networks.

The study in hand

It was in 1972 BRAC started its journey by providing relief and rehabilitation to the affected in the Liberation War of Bangladesh and it was 14 years later the organisation introduced the HRLS programme. During this long 27 years since inception the programme has not only matured but also expended and evolved to address the felt legal needs of the society. With no less than 10 legal components the programme is now available in 94 per cent of the districts in the country. With its size and scale it is probably the largest NGO-led legal empowerment programme in the world. These characteristics of the HRLS, i.e., long existence and its scope in terms of diverse legal services that it is offering to a large section of the people, demand that the programme should be evaluated periodically to make it more efficient and asses its impact.

A considerable number of studies have been conducted on the HRLS programme. The studies can be categorised in a number of ways. Some of the studies were qualitative

⁹ Public Interest Litigation is a developing judicial practice rectifying miscarriage of justice, especially to the marginalised and the poor. PILs can be defined as a process which originates when the rights of a group of people have been violated or are going to be violated because of some policies, actions, and laws of public authority, where those fall in the transgression of legal rights (Nizar 2006).

in nature against others followed a mixed method. Again some of these were on the operational procedure of the components adopting a pigeonhole approach but hardly any were on their impact. It was considered important to conduct an impact assessment by taking into consideration, if not all, most of the components of the programme. Taking all the components within the scope of a single study was likely to point out relative contribution of different components in providing legal services to the people, i.e., the effectiveness of different components.

As mentioned earlier the HRLS programme is quite large in size covering almost the whole of Bangladesh along with a huge budget to carry out its activities. The annual budget of the programme in 2012 was Tk.179.7 million and it was projected to be Tk. 218.7 million in the year 2015 considering these realities. It was considered important to have an assessment of the impact of the programme to justify its size and expenses for its operation.

In a nutshell, the obvious need for an impact evaluation is: to help policy makers to understand whether components are generating intended effects; to promote accountability in the allocation of resources across public programmes to fill gaps in understanding what works, what does not, and how changes in well-being are attributable to the programme. In the context, the findings of the study will assist the programme in determining its future path.

Objectives: The broad objective of the study will be to assess the impact of the HRLS in promoting legal justice and bringing change in the existing oppressive structure of the community. These broad objects are addressed in terms of LCL workshop, HRLE training, ADR and Court Case. The objects in detail for each of these components have been mentioned in respective chapters.

General Method: The study undertook several strategies which were relevant to the impact assessments of the components in hand. Like any other impact assessment the study simply tried to determine the effect of the components and to what extent the measured effect can be attributed to the components and not to some other causes. Since no base line information was collected before initiation of the components as a strategy the study was a quasi-experimentation resorting to ex-post impact evaluation, where data were collected after intervention of the programme. As a strategy the treatment group, i.e., group intervened by the program was compared with a control group, i.e., not being intervened. This group was considered to be the closest counterfactual of the treatment group¹⁰. Simply the status of the treatment groups in terms of interventions

¹⁰ The problem of evaluation is that while the programme's impact (independent of other factors) can truly be assessed only by comparing actual and counterfactual outcomes, the counterfactual is not observed. So the challenge of an impact assessment is to create a convincing and reasonable comparison group for beneficiaries in the light of this missing data. Ideally, one would like to compare how the same household or individual would have fared with and without an intervention or 'treatment'. But one cannot do so because at a given point in time a household or an individual cannot have two simultaneous existences – a household or an individual cannot be in the treated and control group at the same time. Finding an appropriate counterfactual constitutes the main challenge of an impact evaluation

were compared with that from the comparison group. The difference between these two groups was believed to be due to the outcome of the intervention of the components, i.e., the impact of the components.

The impact from the intervention can be categorised in a number of ways. One way of doing that is in terms of immediate effect and post-immediate effect after intervention. The gap between intervention and effect or the duration of these two types of effects are not uniform in all instances as they vary from case to case depending on set of factors intervening the relationship between intervention and impact. Similarly, immediate and post immediate effects may or may not be linked as because post-immediate effect can be influenced by the intervening factors which may influence such an effect to flow in different direction. Again the impact of the components can be targeted to particular individual or a large group of individuals in a community, i.e., bringing change in a group of individual thus in long run bringing change in the whole community. The effects can reciprocate between individual and community and can have spillover effects. For example, the verdict from the court can establish the fact that the plaintiff was innocent which in turn might change community's attitude and behaviour towards her positively unlike before. By considering all these peculiarities of impact the study assessed the impacts of the components in terms of immediate and post-immediate effects and that again both at individual and community levels.

Sampling: A multistage sampling was done for the selection of respondents for the study. First 50 Legal Aid Clinics were randomly selected from a list of clinics where all the components under study were functioning in 2010 and 2011. The study observed the intervention of the components under consideration from these two years only in the catchments of selected clinics. Next, the respondents for the components who were exposed to intervention from the catchments were randomly selected from the record available at the area office. A statistically representative sample size was calculated by taking .05 as the standard error at 95% confidence interval for each of the components. The Participatory Rapid Appraisal with key-informants was conducted in order to prepare a list for the selection of respondents for the control groups. The control group was the parallel group to that of the treatment group from the control area.

The sample size for the control group was same as that of the intervention group for all the components. A larger sample size in the case of control group could have been selected to conduct Propensity Score Matching for some of the components. This would have given a better match between the treatment and control groups. The study did not select the sample size as such to conduct PSM in order to keep the study simple. The respondents for case study was purposively selected from the respondents for the intervention groups as such so that the cases might complement the finding of the study.

Instruments: Several techniques – survey, case studies, in-depth interview – were used for data collection depending upon their effectiveness for the assessment of the component. The schedules used in survey had both structured and open ended questions. The open ended questions were directed towards in-depth data collection. The schedules had

a section assessing the legal knowledge of the respondents. The case studies were conducted based on the checklist prepared beforehand. The instruments were pre-tested to ensure their efficiency before their implementation in data collection.

The interventions and their outcomes, i.e., observed in terms of variables, were both quantitative and qualitative in nature. For quantitative variables statistical procedures were applied but for latter it was just qualitative comparisons between the groups in terms of indicators. The pathways how interventions led to the changes in the intervention groups were sought qualitatively in most cases. By nature the study was a qualitative-quantitative mix in its mode of analysis and presentation of findings.

The study underpin theoretical engagements related to understanding of different realities in culture, social relations, and women in relation to legal rights. The chapters also included a section on theoretical discussion, assessment of the impact, and the pathways to impact. These chapters are followed by a chapter on discussion and recommendation on the components. The chapters on the components had a short description on the working mechanisms of the components. Such descriptions are likely to help in a better understanding of the impact. The aspects of methods which were typical to particular component were discussed in the respective chapter.

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CHAPTER TWO

LOCAL COMMUNITY LEADER'S WORKSHOP

INTRODUCTION

Not necessarily, but often, there is a special group within the upper class referred to as elite. The successful individuals from the upper-class are the elite of the community. The elites have 'superior ability', are more 'responsible', and work harder than other people. These elites e.g., *matabbor* (traditional village leader), in the village are made up of people in the positions of authority in a number of important institutions in the society. The family background of the elites, e.g., economic elite, may be important in how they think, whom they trust, and what group interests they serve while making decisions with their positions of authority in the society. They must have independence in making needed decisions, although their independence could be checked by other elites.

The rural power structure of Bangladesh is a conglomeration of local elites who are characterised by their networks and resources, and linked with both formal (local government structure) and informal (traditional dispute mechanism) institutions (Mojumder *et al.* 2008). As a result, the mobilisation of the community for legal intervention needs to interact with the local elite.

Mohiduddin (1999) indicates that the power structure in the village mainly during 1940-1980, revolved around this elite group who were less educated, traditional in character, and worked for the benefit of the village. Unlike them, present elites are more serious in consolidating power in their own hand rather than the development of the village. Consequently, the poor are neglected and are deprived of their services. The elite exercise power mostly through *shalish*. They are not only treated as 'father and mother' but also looked upon for the justice in the village. However, there are two sets of theory in relation to explaining the elite – Functional Elite theory and Critical Elite theory.

Functional elite theory

The theory views that elites of some type are able to dominate the economy and politics in the societies. As for political organisation, the problems of maintaining order and governing an increasingly diverse population require an efficient group of governing elites with wide authority. As for the economy, highly technical systems of production and large organisations needed to manage this production also require expert knowledge and people with wide authority for the efficient operation of these huge systems – can be best met by some types of elite.

Because of the nature of the societies the theory views elites as necessary. The theory estimated that all societies have had some types of elite. By following Person, Keller (1963) also sees elites as necessary and exists for the best interests of society as a whole, particularly beneficial for all in the advanced industrial societies. The elites are with wide authority to subordinate the more diverse interests within the society to the more general, long-range interests of the society as a whole. Also, to deal adequately with the challenges confronting advanced societies, experts, i.e., elites, with wide knowledge are needed in decision-making positions. Although the theory is in term of advance industrial society it has relevance for the rural societies to a great extent.

Critical elite theory

The critical elite theorists view society not as an integrated whole but as a setting for conflict and domination. It views societies as divided into classes; where one will be able to dominate and will work primarily for its own narrow interest. Thus, the theory argues that elites of some type dominate and they work for their own selfish interests and one that causes detriment to other classes. In context, Tumin (1953) points out that, “social stratification systems function to provide the elite with the political power necessary to procure acceptance and dominance of an ideology which rationalises the status quo, whatever this may be, ‘logical,’ ‘natural’, and ‘morally right’”. Thus, the rural elite by dint of their power and influence in society manages to achieve their objectives often by infringing the rights of the poor (White 1992; Arens and Beurden 1985).

The elites, of course, do not always make decisions that benefit them only. In many cases the good of the nation as a whole (themselves included) is furthered by elite activities. But when the interests of elites are in conflict with those of other groups, unless the other groups can mobilise an unusual amount of counter pressure, the interests of elites will prevail. And, elite may legitimise its high status by influencing peoples’ perspective of what is to be valued. In short, Critical Elite theorists are skeptical of power and influence overly concentrated in the hands of one or a few groups.

Local community leaders¹¹ workshop

In consideration to the reality and by supporting the Functional Elite theory, HRLS had been organising LCL workshops. The main objectives of this workshop were to:

- ▶ Orient the participants about the existing laws of Bangladesh covered in the HRLE curriculum;
- ▶ Convince the participants that these laws are not different or in contradiction with the Islamic law (*Shariah*);
- ▶ Facilitate the cooperation of the elites in the implementation of HRLS in the village;
- ▶ Develop an environment to work jointly to aware people on human rights and laws;
- ▶ Coordinate local leaders and the poor in the implementation process of the laws;
- ▶ Free the participants from existing superstition through implementation of laws;
- ▶ Ensure proper application of power by the government servants entrusted with power; and
- ▶ Cooperate in the application of legal procedures in order to prevent occurrence of inhuman incidents.

The issues covered in the workshop could be grouped under three heads: Family Law, Criminal Law, and State Policy (Matrix 2.1).

Matrix 2.1 Laws/policies covered by LCL workshop

Laws/Policies	Issues
Family Law	<ul style="list-style-type: none"> ▶ Child marriage ▶ Marriage registration ▶ Divorce ▶ Dower ▶ Maintenance of wife and children after divorce
Criminal Law	<ul style="list-style-type: none"> ▶ Child and women trafficking ▶ Acid violation ▶ Illegal <i>fatwa</i> ▶ Sexual harassment ▶ Rape
State Policy	<ul style="list-style-type: none"> • Birth and death registration • Domestic work • Disability

¹¹ The community leader refers both to traditional leaders, like *matabbor* and elected leaders like chairman and members of the union parishad. The catchments of a community leader where they can function as a leader may range from a part of a village to a union.

The HRLS had taken up the policy of organising workshop in the communities where HRLE training had already been conducted. These were usually a one day workshops lasting for about three hours with 26 participants from the same community. The workshops were conducted at three levels: district, *upazila*, and union, i.e. Area Office. Half of the participants were supposed to be BRAC staff and the rest local elite. So the workshop included:

- ▶ The government representatives, including chairman and member of UP;
- ▶ Religious leaders including, imam, marriage registrar (*Kazi*), and others;
- ▶ Opinion leaders, like reporter;
- ▶ Primarily school teacher;
- ▶ Traditional village leader;
- ▶ BRAC clients, like VO leaders and main person of Daridro Bimochoh Committee; and
- ▶ BRAC affiliated, like *shebikas* participated in the workshop.

At the end of the workshop the participants were convinced to take a decision upon human rights. The decisions included: encourage women to take up active role in dispute resolution, mobilise community to protest against human rights violation, cooperate with local police and administration to prevent injustice and protect the victims, etc. The workshop would form a HRIC from among these participants. The objective of the committee was to establish a just society by upholding human rights and by applying the laws.

In the workshop the participants, in broad terms, were informed about different aspects on human development. For example: human rights, gender disparities, and equity between male and female. Besides these, the workshop intended to increase awareness among the rich section of the community. The workshop was mainly an awareness raising experience aiming to motivate local elite to support the legal claims of the grassroots. The local elites were oriented about the existing laws, human rights, and their roles and duties to support the grassroots in seeking justice. Besides, the elites learned about the goodwill of the ain *shebikas* in their activities, and the field-staff got a chance to introduce themselves to the local elites. Such introducing was supposed to make it easier for the staff to take help of the elite for effective action against the violation of human rights in their jurisdictions.

Objectives

The objectives of this study included three assessments:

- ▶ The knowledge of participants on issues covered in the workshop;
- ▶ The extent the knowledge received in the workshop had been applied; and
- ▶ The extent of interaction between BRAC staff and the elites of the community.

In broad term the study intended to assess the impact of the LCL workshop in promoting legal justice and bringing change in the existing oppressive structure of the community.

Method

LCL workshops had considerable similarities with the process followed in training. Therefore, the procedures followed in the assessment of the impact of training were applied in the evaluation of LCL workshop. The workshops conducted in unions within the catchments of Legal Aid Clinic under consideration were only observed in this study. The study observed 350 respondents forming intervention and control groups each. In addition 10 case studies were conducted. The intervention group included non-BRAC participants who attended workshop in 2010-2011. First, the participants attended the workshop in target years were singled out from office records. Next, the required respondents were randomly selected from the list of such participants. The control group included same number of elites or professionals as was selected in the case of intervention group but did not participate in the workshop. Data for this study was collected in May-July 2013.

The schedule that was used in the survey included both structured and open ended questions. The open ended questions were directed towards in-depth data collection. The schedules had section assessing the legal knowledge of the respondents. The case studies were conducted based on the checklist prepared beforehand. The instruments were pre-tested to ensure their efficiency before their application in data collection. For further understanding on method see Method in General (pp. 13-14).

FINDINGS

This section started with the discussion on a brief socio-demographic profile of intervention and control groups. Next, the section assessed the level of the knowledge of the groups on issues discussed in the workshop, followed by the implementation of such knowledge into practice and the effort they made to aware people on the issues in their community.

Socio-demographic Profile

When it is the objective of HRLS that certain group in the community, i.e., elite, should effectively shape selected actions within the community in a desired way the obvious question that arises is what are the attributes of the elites which would lead to the shaping of the action of people within the community. This section identified some of those attributes and investigated their natures in the treatment and control groups.

Table 2.1 | Socio-demographic profile of groups

Variable	Group		Significance Level
	Treatment	Control	
Age			
19-40	26.0	28.1	
41-63	65.7	61.3	
64-85	8.3	10.6	p= 1.804
Mean age	47.9	47.9	t = 0.984
Sex			
Male	83.4	83.1	
Female	16.6	16.9	p = .014
Marital Status			
Married	94.6	93.4	
Single/divorce/separated/widow	5.5	6.6	P = 0.481
Main Income Generating Activity			
Service	35.7	39.0	
Business	25.1	24.1	
Agriculture	24.3	24.4	
Others ¹	11.7	9.7	
Not engaged	3.1	2.9	

n: Intervention - 350, Control - 349

¹Includes day labourer (agricultural and non-agricultural), village transportation, fishing house work, handicraft, etc.

Table 2.2 | Position of respondents in the community by groups (%)

Position	Group	
	Treatment	Control
Chairman	12.3	12.3
Male UP member	18.0	18.1
Female UP member	15.7	15.8
Marriage registrar	9.1	8.6
Religious leader and <i>madrassa</i> superintendent	14.3	14.6
Teacher	13.7	13.8
Traditional village leader	12.0	13.3
Others ¹	4.9	4.6

n: Intervention - 350, Control - 349

¹Included freedom fighter, reporter, health volunteer, village doctor, local NGO leader mainly.

Table 2.1 indicates that the mean age of the respondents was same for both the treatment and control groups (47.9). There were slightly more number of respondents between 41-63 ages for the treatment (65.7) compared to the control group (61.3). The sex distribution between treatment and control groups was negligibly different. Similar was the distribution pattern in the case of marital status. The main income generating activities for both the groups were service which included mainly salaried jobs in the union parishad office and providing service as a marriage registrar. Other sources of income include contract payment in exchange of service like day-labourer. It may be noted that a small number of the respondents from both the groups were without any income.

In spite of the policy that similar number of respondents for each of the positions for intervention and control groups would be selected for observation there were negligible deviation from the policy for each of the positions in the study (Table 2.2). This was because the quota could not be filled out for positions due to non-availability of respondents in all instances. The problem was most acute in the case of traditional village leader followed by marriage registrar. Most of the respondents were members of UP against 'others' constituting the smallest group.

Table 2.3 | Respondents' affiliation with organisation/associations by groups (%)

Membership	Group		Significance Level
	Treatment	Control	
Local club	16.3	14.0	p= 0.685
Cooperative	27.1	18.9	p= 6.679
Association ¹ (not NGO)	4.9	3.7	
Committee (multiple response)			
Educational institution	34.3	32.7	
Religious institution	50.0	48.4	
Other institutions ²	40.9	37.8	
Occupational committee ³	10.3	8.3	
Not member	13.4	14.6	

n: Intervention - 350, Control - 349

¹Included Teacher Welfare Association, Al Koran Foundation, Peculiar Youth Welfare Cooperative Society, clinic, Social Welfare Odhidofthor, Islamic Foundation, Imam Academy, Mohila Parishad, Farmers' Development Shangstha, Bangladesh Human Development Information Observation Society, BRDB, BADC, Akti Bari Akti Khamar, Bisho Shahito Shansta, Fareast Islamic Life.

²Included eidgah committee, entertainment committee, violence eradication committee, social protection committee, forest committee, gas development committee, community police committee, union cooperative committee, chairman forum committee.

³Included bazaar committee, business committee, children and female committee, imam committee, child protection committee, freedom fighter committee.

The clubs in the study area aimed at facilitating recreation to its members mainly in two types – athletically and culturally. Few enthusiastic young villagers formed the clubs initially with own fund but at a later stage in order to sustain the club they, on request, receive subscription from the rich villagers, e.g., elite, of the society. This was where most of the respondents played their role (Table 2.3). Besides providing monetary support

they worked as the guardians of the club by giving them advice but not involving them in its routine activities.

The respondents became member of the association, like elsewhere, for own interest. The associations to which the respondents were member had objectives directed towards gaining or preserving economic interests (Table 2.3). Most of the associations and institutions in the study area had committees formed to run these bodies. The members of these bodies together formed the committees for the same. The members in cases were elected but often they were selected.

A more number of respondents from treatment group were members of the cooperatives to those in the control groups. Considerably higher number of the respondents from intervention group (50%) and control group (48.4%) were committee members of different religious institutions in the community (Table 2.3). Similarly a higher number of respondents both from the intervention and control groups were members of the religious institutions in the community. Only 13.4 per cent of the respondents from these intervention group and 14.6 per cent from the control group were not member of any committee.

Table 2.4 | Respondents' human capital by groups

Variable	Group		Significance Level
	Treatment	Control	
Number of LCL Workshop participated			
1	46.0	0	
2	25.7	0	
3	15.1	0	
3+ (4-10)	13.3	0	
Mean number of workshop attended	2.11		
Training similar to LCL workshop received from other organization			
Fully related ¹	91.2	82.3	
Partially related ²	13.5	17.1	
Formal Education (years)			
0	3.1	3.7	
1-4	3.1	3.7	
5 (Primary)	5.1	7.7	
6-9	22.0	20.1	
10 (Higher Secondary)	21.1	11.7	
11-12 (including Higher Secondary)	14.3	12.9	
13+	30.3	37.2	
Religious study(not related to years)	.9	2.9	
Mean year of education	13.9	15.3	t= 0.281
NGO member			
BRAC	4.9	2.3	
Grameen Bank (not an NGO)	3.4	3.7	
Other NGOs	6.0	6.9	
Not member	86.6	87.7	

n: Intervention - 350 Control - 349

¹The trainings were on legal aid, gender, child and female rights, prevention of child marriage, dowry, marriage registration, birth registration, human relations, child and female violations, eve teasing, sexual harassment, rape, child and female trafficking, acid violence, violation of house worker, village *shalish*.

²The training was on family planning, land, women's empowerment and development, social development and reform, clean water and sanitation. In cases it was directed to solve social problems, in cases through Islamic perspective,

Not a single respondent from control group participated in LCL workshop against intervention group who received same training in different numbers (Table 2.4). Forty-six per cent of the respondents from the intervention group attended the workshop once, as they were supposed to, against 15.1 per cent who did the same three or more times in the past. In fact, 54.1 per cent of the respondents attended the workshop more than once. A very large number of the respondents from intervention (91.2%) and control (82.3%) groups received training in the past which had similar content as was covered in the workshop.

Although the difference was negligible, the control group on an average had 1.4 or more years of schooling than the intervention group. Majority of the respondents from both the groups had 13 or more years of schooling followed by the group with 6-9 years of schooling. In contrast 3.1 per cent of respondents from intervention group and 3.7 per cent from the control group did not complete any grade in the school. Very small number of respondents from both the groups had any affiliation with the NGOs or Grameen Bank.

As a whole the section indicates that the intervention and the control groups in general were similar in terms of the variables

discussed in this section. Major difference they had was that the intervention group participated in the workshop and the control group did not. Both the groups have received training with the content as was covered in the LCL workshop. Since both the groups have received such training uniformly it was likely that the effect of the workshop on the knowledge content and the action of the respondents from the intervention group would stand out distinctly from that of control group.

KNOWLEDGE

Knowledge disseminated in the workshop can be divided into three parts: Family Law, Criminal Law, and Household Policy. This chapter assessed the knowledge of the intervention and control groups on these laws/policies in terms of such variables considered in earlier sections. Besides, the section presents the knowledge of the groups on the laws/policies in terms of the source of such knowledge to them.

The Family Law includes laws on child marriage, divorce, dower, and maintenance of wife and children. On an average the respondents scored 76.2 out of hundred in the case of Family Law but it was 63.9 in the case of control group. Table 2.5 indicates that very small number of the respondents scored 25 or less for both the groups. It may be noted that 70.8 per cent of the respondent from control group had knowledge ranging between 51-75 – forming majority among the groups; on the other hand 49.7 per cent of the responded, constituting the majority in the intervention group, scored between 76 and 100. Good number of the respondents in the group scored close to 100. As a whole both treatment and control groups had considerable knowledge on Family Laws.

Table 2.5 | Knowledge score of respondents on laws/policies covered in LCL workshop by groups (%)

Score	Family Law		Criminal Law		Household Policy	
	Intervention	Control	Intervention	Control	Intervention	Control
0	-	-	.0	.6	5.9	7.7
>0-25	.3	1.4	8.3	29.8	7.1	12.9
26-50	4.9	12.6	62.9	62.2	21.9	45.3
51-75	45.1	70.8	28.9	7.2	62.1	33.8
76-100	49.7	15.2	.0	.3	3.0	.3
n	350	349	350	349	350	349

n: Intervention group = 350; Control group = 349

The Criminal Law includes laws on acid violence, trafficking, *fatwa*, sexual harassment and rape. Mean score of the treatment and control groups for Criminal Laws was 42.7

and 32.1 respectively. Overwhelming majority of the respondent scored 26-50, which contributed most to the mean score from both the groups. The lower score indicates that in spite of attending the workshops the respondent from the intervention group failed to retain less than half of the knowledge disseminated in the workshop. Eight point three per cent of the respondent scored between >0-25 against 29.8 per cent for the control group (Table 2.5). Again 28.9 per cent of the respondents scored 51-75 against 7.2 per cent from the control group for the same class interval. The scores of the groups did not project any pattern in relation to their knowledge on Criminal Law.

Household Policy included birth and death registration, and policy on disability and domestic work. Overall score on household policy for the treatment group was 51.1 per cent against 41.5 per cent in the case of control group. The difference was contributed mostly by the respondents who scored 51-75 from the intervention group (Table 2.5). Majority of the respondents (45.3%) from the control group scored between 26-50 points. It may be mentioned that 5.0 per cent of the respondents from the intervention group and 7.7 per cent from the control group had no knowledge on household policies as was discussed in the workshop.

Table 2.6 | Knowledge score of respondents on laws/policies by groups (%)

Score	Group	
	Intervention	Control
>0-25	2.0	3.4
26-50	22.6	54.4
51-75	73.1	41.5
76-100	2.3	.6
n	350	349

When all the laws/policies were viewed together by merging the scores the respondents from treatment group scored 57.3 against 48.2 in the control group. In other words, the respondents from the former group scored little more than half of the information disseminated in the workshop against control group who also had almost half of the knowledge in spite of not attending the workshop. Most of the respondents from control and intervention groups belonged to 26-50 and 51-75 score ranges respectively (Table 2.6).

LCL workshop as a source of knowledge

It appears that the respondents from both intervention and control groups had considerable knowledge on the laws and policies covered in the LCL workshop. It was known that both the groups had exposure to sources other than working which oriented them on the issues covered in the same. So it was considered necessary to have an understanding on the extent BRAC was the source of knowledge for the respondents.

BRAC was not expected to be the source of knowledge for the control group but it appears that BRAC was the source of knowledge on laws/policies for a small number of the respondents from the control group. BRAC as a source of knowledge refers to programmes of BRAC including LCL workshop from where they first received the knowledge.

Table 2.7 | Knowledge score of respondents where LCL workshop was the source of knowledge by laws/policies and groups (%)

Per cent	Family Law		Criminal Law		Household Policy	
	Intervention	Control	Intervention	Control	Intervention	Control
0	15.5	92.8	15.4	94.8	43.2	97.7
>0-25	24.3	5.4	13.0	2.9	-	-
26-50	28.7	1.1	16.6	1.4	26.0	1.4
51-75	19.9	.6	20.1	.3	11.2	.3
76-100	11.6	0	34.9	.6	19.5	.6
n	181	349	169	349	169	349

In the case of Family Law for 92.8 per cent of the respondents from the control group BRAC was not the source of information for them. Similarly for 15.5 per cent of the respondent from the intervention group BRAC was not the source of information for them although they have attended the workshop and it was expected that the workshop would be the source of their knowledge. In general BRAC increasingly became a source of knowledge on Family Law for a smaller number of respondents for both the groups as score increased (Table 2.7).

In the case of Criminal Law, for 15.4 per cent of the respondents in the case of intervention group against 94.8 per cent for control the workshop was not the source of their knowledge (Table 2.7). Thirty-four point nine per cent of the respondents from the intervention group mentioned BRAC as a source of 76-100 per cent of their knowledge on Criminal Law (Table 2.7). The portion of knowledge on Criminal Law where workshop was the source was positively related with the number of respondents from the intervention group but same was not true in the case of control group.

In the case of Household Policy BRAC was the source of knowledge for 2.3 per cent of the respondents from the control group. In context, it may be mentioned that BRAC was not the source of knowledge on Household Policy for 43.2 per cent of the respondents from the intervention group. None of the respondent from either group mentioned that BRAC was the source of knowledge on household policy for those in >0-25 knowledge group (Table 2.7).

When all laws/policies were taken together into consideration it appears that in the case of 11.6 per cent the respondents from intervention group BRAC was not the source of their knowledge in any of the issues covered in the workshop (Table 2.8). For 20-25 of the respondents from intervention group workshop was the source of their knowledge for any class interval (Table 2.8).

Table 2.8 | Knowledge score of respondents on laws/policies where workshop was the source of knowledge by groups (%)

Per cent	Group	
	Intervention	Control
0	11.6	90.8
>0-25	20.0	8.6
26-50	22.9	0.0
51-75	25.4	0.6
76-100	20.0	0.0
n	181	169

Table 2.9 cross-tabulated knowledge scores by selected variables considered to have a bearing on the scores. For most of the variables majority of the respondents from intervention group had knowledge score of 51-75. In contrast most of the respondents from control group belonged to 26-50 knowledge score for most variables.

Table 2.9 | Knowledge score of respondents on issues covered in LCL workshop by selected variables (%)

Knowledge	NGO member		Male		Married		Club member	
	Int.	Cont.	Int.	Cont.	Int.	Cont.	Int.	Cont.
>0-25	6.4	11.6	1.4	2.8	1.8	3.7	0	0
26-50	21.3	46.5	21.6	49.7	22.1	52.8	19.3	32.7
51-75	70.2	41.9	75.0	46.9	73.7	43.3	78.9	67.3
76-100	2.1	0	2.1	0.7	2.4	0.3	1.8	0
Mean	55.1	46.7	58.0	49.6	57.4	48.5	58.1	53.6
n	47	43	292	290	331	326	57	49
p	0.028		0.000		0.000		0.203	

	Cooperative member		Committee member		Participation in LCL workshop		Member of other organisation	
	Int.	Cont.	Int.	Cont.	Int.	Cont.	Int.	Cont.
>0-25	0.0	3.0	1.3	2.6	2.0	-	1.9	3.2
26-50	23.2	54.5	20.4	52.3	22.6	-	17.2	52.5
51-75	75.8	42.4	76.1	45.1	73.1	-	79.1	44.3
76-100	1.1	0	2.2	0.0	2.3	-	1.9	0
Mean	57.1	49.0	58.0	49.1	57.3	-	58.7	48.5
n	95	66	230	235	350	-	215	158
p	0.000		0.000		-		0.000	

Table 2.10 | Knowledge score of respondent on issues covered in LCL workshop regressed on selected variables

Variable	Beta Score
Sex (Male = 1, Female = 0)	.147*
Club membership (1 =member, 0 = not member)	.103*
Participation in LCL workshop (1 = participated, 0 = not participated)	.315*
R ²	.138

*Significant at 5% level

The knowledge scores of the respondents from intervention group had been regressed on a set of variables (Table 2.10). The R² indicates that the model was not very effective in explaining the variation of the respondents' knowledge. Nonetheless, it may be mentioned that all the variables significantly contributed in the variation of the respondents' knowledge.

IMPLEMENTATION OF LEARNING FROM WORKSHOP IN PRACTICE

This section assessed the action of the groups in response to issues covered in the workshop. The assessment has been presented under several heads but without uniformity across issues. The heads are, how respondents got informed about the incidence related to the issue taking place in their community, action they took after being informed, why they decided to get into action in related to the issue, the reaction of those related to the incidence against the respondents' action, and finally why the respondents in cases did not taken any action in relation to the incidence for all the issues together. The section dealt with the action which achieved their objectives as intended by the workshop and those failed.

Action related to child marriage and marriage registration

As reported, 18.3 per cent of the respondents from the intervention group were involved in resisting child marriage against 10.0 per cent from the control group in their communities in the period under observation. In number of cases multiple respondents together intervened in preventing child marriage but in others single in collaboration with non-respondents were involved in the prevention. The respondents were involved in preventing a small portion of child marriage that took place within their community. Among the respondents not involved 82 per cent from intervention and 89 per cent from control group mentioned that incident of child marriage did not take place in their community during the observation period.

The marriages in Bangladesh in one way include five important activities to be performed. These are, deciding the marriage, taking preparation as decided, conducting marriage where religious proceedings are conducted by a priest, e.g., marriage (*nikah*) is conducted by an imam in the case of Muslim, registering marriage, and carrying out social ceremonies like arranging a feast for the invitees in the marriage.

Getting Informed about Child Marriage: The respondents in order to get into an action against child marriage first and foremost had to be informed about that it is in progress, and they learnt about it at different stages of its progression. In cases, they learnt about it when the decision and the preparation for the marriage was in progress, for some it was on the marriage day, and for others it was after the marriage was conducted. The respondents learnt about child marriage at different locations and from different sources in their community.

A marriage going to take place or have taken place within the community was always a subject for discussion among its members. Particularly if it was not a conventional one like, between a 70 year old man and a 14 year old handicap girl, as was initiated in the study area. The respondents learnt about child marriage in one to one or in group conversations at different locations within the community.

For holding an elite position, the parents marrying their children often came to respondents to get advice or for monetary help to conduct the marriage. While advising or helping the parents the respondents invariably asked for the age of bride and bridegroom. The respondents also learnt about the marriage when parents came to invite them in the wedding. In some of these cases the respondents personally knew the bridal parties and the age of child to be married. If the parties were not known the respondents learnt about the age while getting the particulars of the bride and bridegroom.

In a number of instances when preparation for wedding was in progress in the neighbourhood respondents or somebody from his/her family asked those taking preparation or those informed about what was going on in the house taking preparation. Often respondents learnt about the child marriage by attending the wedding party. In the wedding the invitees talked about bride and bridegroom. In these conversations their ages were always an issue and the invitees learnt about it from somebody informed and present there.

The village guards (*gram police*) who visited house to house in relation to their jobs were well informed about the marriages within their catchments. They were often an important source of information to the chairman/member of union parishad on the child marriages being initiated within the constituency. The chairman was often informed about the marriages when the parents came to them for birth certificates of their children to be married. In some of these instances the chairman/member knew that their children were yet to be eligible for marriage but not by others. In latter instances the chairman/member asked them to come back along with their marrying children for verification of the certificate.

When parents were asked about why they would need a certificate for their child they often disclosed the correct objective but also mentioned that their children were already eligible for marriage. The parents coming for false certificate did not want to disclose their intentions for having the certificate. So, the chairman had to play tricks to get the information from them (Box 2.1).

Box 2.1

One afternoon a maternal grandmother of a 15-year old girl, whose marriage was decided, came to the chairman and asked for the birth certificate for her granddaughter. But, she was not willing to disclose the purpose for having the certificate. The chairman asked her to come inside his house and sit on his bed. He prepared a pan (betel-leaf) and gave it to her. The chairman asked her again why she would need a certificate for her granddaughter. Now she disclosed that it was for marrying her off who was yet to be eligible for marriage.

Cross section of people attended UP office for different purposes. While in the office or on the way they exchanged information about the happenings in their community. Marriage taken place or would take place were often a subject for such a discussion. The respondents visited the office always talked to the secretary of the office, who was a good source of information. In one rare instance the underage girl (under 18 years of age) went to the chairman at his office by herself and informed him that his father arranged her marriage which she did not want.

While registering marriage, as a policy, marriage registrars verified the age of bride and bridegroom by checking their birth certificates. In a number of instances the under-aged brides and bridegrooms came to marriage registrar to get married. In both the instances the failure to submit birth certificates made the registrar suspicious that they might be under-aged or when certificate was submitted it revealed their exact age.

The school teachers both from regular schools and in *madrassa* learnt about the marriage of under-aged student of their schools. When a girl remained absent from attending the class for days in a row, the teacher often asked her class mates about the reason for her being absent; and learnt that the absentee got married or would get married shortly. The students also came forward and told the teacher about the marriage of their classmates being arranged. In cases, the students themselves informed the teachers about their marriage particularly if they were not willing to marry. They did this only when they had the teacher under confidence and the teacher had a reputation for working against child marriage.

After knowing about the child marriage the teacher often informed others, including colleagues, school management committee, and individuals outside the school about such a marriage. Through such information the non-teacher respondents also came to know about the marriage.

Why attempted in preventing child marriage

As indicated above, the respondents tried to prevent child marriages after knowing that those were going to take place. Even in the cases where marriage had taken place they

attempted for remedial action against those. Obvious question arises what were the impulses that motivated respondents to go for such an action against others who did not.

In the case of respondents from the intervention group their actions, as confessed, were very much influenced by their participation in the workshop. The messages of the workshop on how marriage could be physically and psychologically harmful for the girls marrying and babies they give birth at that age, how such marriage would affect her in carrying out the family responsibilities which in turn would lead to the deterioration of her relationship with family members were important determinants in initiating the respondent in making a move against child marriage. In some cases the respondents from control group, took action against such marriage, also received some of these messages as disseminated in the workshop, but from sources like TV, newspapers, and books mentioning the demerits of child marriage. These educated respondents wanted to prevent child marriage out of a sense to save young girls from any harm coming upon them due to such marriage.

The respondents from the intervention group observed how the negative consequences of child marriage on the girls in their communities about which they have been oriented in the workshop. The thought of such a consequence that might take place on young girl made them sympathetic and created an impulse in them to take action against such marriages in progress. The urge was more intense in the case of marriages taking place within their extended families compared to outsiders.

The thought about what would happen if a girl would get married before age also encouraged respondents, particularly school teachers, to work against child marriage. These respondents believed that if girls were not married before age that would allow them to have higher education. Such education would empower them thus they would be able to stand on own feet, and serve the nation better. As half of the population of the country was women it was believed that without educating them it would not be possible to develop Bangladesh.

Respondents as conscious members of the community particularly those dealing with the public, like chairman, member, marriage registrar, felt that it was their social and moral responsibilities to save individuals in the community from any harm done on them. The respondents from the intervention group were aware that the child marriage was illegal so they felt that it was part of their responsibilities to prevent such marriages within their constituencies.

Child marriage was socially condemned so respondents did not want it to take place in their families as it would earn bad name for the same. Again the respondent with education from *madrassa* learnt how Islam discouraged child marriage. As because of such learning these respondents were obliged to prevent child marriage in their community.

Strategies adopted in preventing child marriage

Depending upon the stage of marriage in which the respondent intervened they adopted different strategies to prevent child marriage. While adopting the strategies, particularly

the respondents attended the LCL workshop, never failed to complement their strategy with the arguments for not practicing child marriage as they learnt in the workshop (Case 2.1).

When respondent intervened at the preparatory stage of the marriage it was usually done alone by visiting girl's parents arranging marriage but in the case of a few the meeting was done in a small group. In all case they were known to each other. They tried to convince the parents not to marry their girl as it would be a child marriage which was illegal. In cases the chairman or member who happened to be persons with authority, instructed the parents not to conduct the marriage as that would be illegal and they might be punished for the violation.

When parents went to the chairman for birth certificate and if he doubted that the girl to whom the certificate had to be issued was less than 18 years of age and certificate would be used in marrying her chairman refused to issue the certificate and also instructed the members not to issue birth certificate to the girl in his behalf.

In other instances the respondents went to the marriage party without any knowledge that it was one on marrying an underage bride. Very soon the respondents got informed about their ages while in the party. At this, s/he got into action to stop the marriage. For such an instantaneous action when wedding was in progress the respondent had to have considerably power and influence to implement his/her decision on the parents. The respondent first explained them about the demerits of child marriage (Case 2.1), through this he brought others present in the marriage in his side and with that gave decision that the marriage should be cancelled or held up.

The marriage registrars were asked to register the marriage. While doing that the registrars attended the workshop, if suspected that it was a case of child marriage, would ask for the birth certificate of the bride for verification. If she was found under-aged or parents failed to produce the certificate the registrars would not register the marriage with the pretext that it would be illegal to register such a marriage and he would be in problem if he would violate the law.

Some of the respondents after being informed that a child marriage was in progress visited the wedding house with other influential people of the community. It included UP chairman, UNO whom they believed would be effective in preventing the marriage. First they tried to convince the parties to stop marriage, if that did not work they forced the guardians to stop the marriage. In latter instances they often phoned to the police station and informed officer in charge to come to the spot and stop the marriage. They came and stopped the marriage with a complaint that the marriage was illegal as it was a child marriage.

In some cases respondent visited the wedding party with an intention of preventing the marriage but reached there after marriage was conducted or they were informed about the marriage days after it was conducted. The respondents went to the guardians of the

bride to stop the marriage. In few of these cases the respondents convinced the parents that the marriage should be discontinued as it would have a negative consequence on the bride. But, in most cases the respondents fined bride and bridegroom, i.e., their parents, for conducting child marriage. This step was usually taken by somebody with authority like UNO and police officer who went to the spot.

The respondents came up with several arguments to parents against marrying their children before age as learnt in the workshop but with differential emphasis on them:

- ▶ Child marriage was illegal according to the law of Bangladesh. If the law was violated the bride, bridegroom, and their parents would be fined and/or jailed for the violation. Islam advises not to marry before both guy and girl were matured and eligible for the same. There were number of *Hadithes* discouraging underage marriage.
- ▶ If girls were married at early age they would not be able to keep their husbands sexually happy. So, their husbands would become disinterested on them and would look for such pleasure outside the marriage. The girl would lose confidence on her. Before 18 a girl's body was not mature enough for sexual intercourse. During intercourse at such age there would be a higher chance that their genital would get damaged and would have to go through an expensive treatment.
- ▶ Due to child marriage the girl would suffer from several health disorders, like anemia, feeling weak, sore all over the body, hazy vision, and dizziness. They were likely to have sex related diseases. For all these they would not have enough energy to work. The marriage would have a tremendous effect on girl's body. They would age fast and look much older than what they should. As a result their husbands would become interested on other girls.
- ▶ Even if they could handle intercourse at early age their bodies definitely would not be ready for pregnancy. Even if they were pregnant their bodies would fail to grow a healthy baby in the womb. They were likely to have a higher risk of giving birth to mentally retard and physically handicap baby. The babies invariably would suffer from malnutrition and would be underweight at birth, and would have a higher chance of not having expected mental growth over time. These incidents were considered to be a loss for the country. Worst of all was that due to child birth at early age both mother and baby would have a higher probability of being victim of neonatal and maternal death.
- ▶ A girl marrying at early age would have problem in maintaining family. Those girls marrying would not have a clear idea about wife's responsibilities and proper way of behaving with others in the family. They would remain more interested in playing as they did before. On the other hand their husband and relatives in the family where she moved in would have an expectation of having certain responsibilities as housewife. These expectations of carrying out the responsibilities against her

desire to have fun would create a tension between her and the family members. Which would disharmonise the family, bring pain for her, and she would be mentally tormented. The girl would lose self-confidence and the marriage would not bring anything but unhappiness for her family. Marital dispute would become evident and in extreme cases the marriage would end in divorce.

- ▶ When girls were married at an early age they were likely to have more children, as a result the country would become overpopulated. When school going girls were married, in most cases, they would drop out of school. Consequently they would not gain the capacity of becoming self-dependent. As a result they would remain dependent on their husband or others for rest of their lives.
- ▶ Due to child marriage the girls would dropout from school, consequently they themselves would not be prepared to educate their children by themselves and understand the value of education. As a result they would not have much interested in educating their children. In the long run the proportion of uneducated would become much larger in the society affecting the development of the country.

Negative reaction of parents against attempts to prevent child marriage

As mentioned before, the advice on marriage or influence to postpone the marriage as decided, if not asked for, was considered to be an intrusion in the family affairs. The nature of reaction of the parents to the suggestion or opposition by the respondents to marry their children depended on the power of the guardians to conduct the marriage against the power of the respondent intending to prevent the marriage.

When respondent advised the parents not to marry their children during the preparation for the marriage in most cases the parents, irrespective of whether they agreed or not, listened to the argument with patience and in a few instances they placed counter arguments why they decided to marry their child at that age. The conversation was cordial although in most cases the respondent for having a higher status in the society dominated the conversation.

In the cases where respondents went to the wedding with an intention to prevent the marriage they were accompanied by other elites, UNO or staff from his office, and/or police officer. In these cases the parents were in defense particularly because they knew that they were conducting an illegal act by marrying underage children. If the respondent and his entourage arrived at the wedding before the marriage was conducted the parents requested the respondent that the marriage might be allowed for number of reasons.

- ▶ The preparation for the marriage had been taken so it would be a big loss for them to stop it at that stage.
- ▶ The parents were very poor so it was not possible to support their girl by them.
- ▶ The bridegroom was economically solvent so it would be very rewarding for their girl to get married to that guy.

- ▶ Less amount of dowry had to be provided for marrying their girl at younger age.
- ▶ For some Hindu parents it was the security of their girl for which they had to marry them at that age.

The respondents requested not to object to the marriage. It was always embarrassing for both guests and the hosts when respondent intervened in the wedding and tried to stop it. Although the parents placed their arguments, they complied with the instruction of the respondent by agreeing to postpone the marriage. In one instance the parents of the girl was influential enough to overcome the resistance and conduct the marriage.

The parents assured that they would not marry their children in the presence of the respondent and his entourage. In the case of some, in spite of giving the assurance they married their girl with the same guy after a few days. Often the bride and bridegrooms were taken to a distant place at relative's house and got them married (Case 2.1). In number of instances when the marriage was stopped the parents managed the birth certificate indicating that the girl was above 18 years of age and with the help of that they conducted the marriage.

CASE 2.1 CHILD MARRIAGE

Location | Village: Palam; *Upazila*: Shalikhha; District: Magura

Abul was a very poor naïve fisherman. His wife, Rosy, used to take all decisions for the family by herself. They had a 14-year old daughter, Lubna, who was very attractive and was attending 8th grade in a local *madrassa*.

Their neighbour Jalal, happened to be a rich businessman, came up with a proposal for Lubna's marriage with Ramjan from neighboring village. He was a carpenter with a decent earning; Lubna's parents accepted the proposal. Besides income there were other reasons for marrying Lubna at that young age. Lubna for being very attractive young people constantly bothered her with romantic proposals. More importantly, Lubna's mother had an extramarital relationship with Jalal which Lubna used to object. So, her mother decided to get her out of the way of the relationship by marrying her.

Imrul, a village guard happened to be a relative of Abul, learnt about Lubna's marriage from the villagers three days before the date. Abul came to his place to invite him to the wedding. Imrul told him about down side of child marriage and how it might harm an underage girl. He particularly mentioned that child marriage would bring unhappiness in girl's life. She would suffer from malnutrition and gynecological problems. Due to young age girl would not be able to take the family responsibilities seriously. As a result family members would start complaining against her and at the end the guy would divorce her. Abul was not interested in listening to all these. Seeing this, Imrul mentioned that marrying a girl before they were 18 was a legal

offence. If Abul would marry off Lubna, as a village guard, he would have to inform about it to TNO and for this he would be fined and even arrested. At this, Abul left the place for home. Next day Abul came back and asked Imrul to manage him a birth certificate for Lubna, indicating that she was above 18-year of age. Imrul declined to the request and mentioned that he would not help to arrange a child marriage.

Same day Imrul informed about the marriage to Sheikh Latifur Hossain, a member of the UP. Abul also visited Latifur to invite him to the wedding and to get a birth certificate for Lubna with his help. Latifur declined the request, instead mentioned that marrying off Shumi at that young age would bring problem for her and warned Abul that if he would marry off Lubna, measures would be taken to get him arrested. Without heading to the warning Abul expressed his desire to go to the chairman for the certificate. Although Latifur discouraged Abul to visit him he went to the chairman. For being underage chairman declined to issue a birth certificate for Lubna.

Both Imrul and Latifur attended LCL workshop in 2008 organised at local BRAC office. As part of their job responsibility both had to attend a large number of *shalish* on child marriage regularly. But, only after attending the workshop they felt bad when they heard that a child marriage have taken place. This was because workshop convinced them about the demerits of child marriage. So, they tried their best to prevent such marriage whenever they got a chance to do so. Besides the workshop they increasingly felt that it was part of their job to prevent child marriage in their community as they desired the good for their community.

Md Mohidul Rahman a government official from Lubna's village was present there being on leave when the preparation of Lubna's marriage was in progress. Rahman's opinions were considerably valued in the village for holding a higher position in the government service. When he heard about Lubna's case he lectured on the demerits of child marriage to a large gathering in the bazaar by referring Lubna's case. Throughout the days he stayed in the village he tried to convince people against child marriage and repeatedly discussed Lubna's case with the villagers. The discussion created a sentiment among the villagers particularly younger generation against Lubna's marriage. They decided to prevent the marriage.

Abul and his wife did not dare to marry Lubna as planned because of the commotion created against the marriage. But they kept on taking preparation for the marriage in secret. After 15 days from when the marriage was scheduled Lubna was taken to one of her relative's house in another district, Narail. There she was married to Ramjan in a local hotel. The marriage was arranged by Jalal. Within a few months of the marriage Lubna returned back to her parents as Ramjan was not providing any support to her and very soon after this she was divorced.

Action related to divorce

Involvement with divorce refers to prevention of divorce, facilitating divorce, and help the divorcee to take possession of his/her legal rights (i.e. dower, dowry, presents provided during marriage, maintenance, custody of children, etc.) by the spouses.

Although a small section of the respondents were involved in taking action against divorce the intervention group had a higher score (20%) than the control group (13%). The differences between the intervention and control group were statistically significant. Among the respondents having no roles in divorce, more than 81 per cent from the intervention group reported that no divorce took place in their areas during the observation period where as 84 per cent for the control group reported similarly not to have come across any incidence of divorce during the period. Apparently the figures indicate that respondents from treatment group were slightly less active about divorce than that of its counterpart.

Motivation behind involvement in the incidence of divorce

The respondents from treatment group received motivation for playing a role in divorce from the workshop. Respondents learnt from LCL workshop that when any case of marriage related problem comes to them for settlement, they should try first to save the marriage, and if they fails they should make two parties aware of the rules and their rights regarding the act. In context, respondent who was *Kazi* by profession remarked:

I learnt from LCL workshop that if any marriage related problem would come to our knowledge, we have to know the reasons behind the problem first. If the couple wants divorce, then we must find out why they want divorce and try to save the marriage by counseling. We have to show the proper way to divorce if we fail in our attempt in saving the marriage.

Besides LCL, many mentioned that they have received encouragement from Islam to discourage divorce.

Pattern of Actions in Divorce

A pattern was observed the way respondents involved themselves in the incidence of divorce in their community.

First, the respondents tried to unite the spouses where one or both intended to end their marriage through divorce. As a part of their attempt the respondents aware the spouses about the negative consequences of divorce by highlighting social, psychological, and religious

Box 2.2

A wife complained to a respondent from treatment group who was community leader that her husband misbehaved with her because of her dark complexion, and for this he would like to divorce her. The respondent tried to make the husband aware of the negative aspect of divorce, and was successful in changing husband's behaviour and attitude towards his wife thus saved the marriage from a break-up.

implications of divorce (Box 2.2). Some respondents while discouraging the spouses who decided to end their marriage tried to make them aware of the legal bindings related to divorce, like husband's obligation to support wife and children as well as his obligation to give back the asset/property he received as gift/dowry at the time of marriage and days after. Some also mentioned about the existing law regarding violation of women's right according to which husband could be arrested. They also informed their spouses about possible impact of divorce on their children. As a part of such efforts respondents reported to chairman or influential in the community about the divorce decided in order to arrange counseling for their spouses so that they might change their decision. Some also reported to have arranged *shalish* with an objective of uniting the couples. Second, there were instances where respondent tried to save the marriage with the help of elites, in the village but failed since nothing could change the decision of wife and/or husband who wanted the divorce (Box 2.3). In such a situation respondents from both experimental and control groups went for the alternative after failing to save the marriage or when they saw no other choice other than divorce as a solution to mend the problem. Meaning, the respondents helped the couples in getting a divorce. However, most of them considered divorce as the last option about which they suggested or went for when all other attempts to save marriage went in vain.

Verbal divorce

In a number of instances the respondents from treatment group played a role against verbal divorce. After being informed about the verbal divorce, they arranged a meeting with husband, wife, their relatives, and other influential in the community. The respondents informed those present on the illegitimacy of the verbal divorce, and the compensation (like dower, maintenance) the husband's family would have to provide in the case of legal divorce. The meeting also warned husbands that they might be arrested in case of their failure to provide the compensation. After being aware of the fact, the husbands often wanted to take their wife back. Thus, the meetings turned out

Box 2.3

A person came to his uncle, who attended the workshop, for a help in divorcing his wife. The respondent took wife's side since his nephew tortured her physically. The respondent even gave shelter to the wife when his nephew drove her out of home. The respondent tried to change nephew's behaviour through counseling, but failed. Respondent was so much against divorce that he even tried to convince his nephew to take second wife by keeping first one. The marriage ended with divorce in the court.

Box 2.4

When a man informed a respondent, a female UP member attended LCL workshop, that his son gave verbal divorce to his daughter-in-law who was pregnant at that time, the respondent immediately went to son's home and informed him that the verbal divorce was illegal, and divorce in general was illegal when a wife was pregnant. At first, the son did not heed to what she was saying. Later, he agreed to go to the court and follow the legal procedure of divorce according to law when she informed him about the legal punishment for violating the rule.

successful in reuniting the couple (Box 2.4). The respondents from the intervention group took action against number of verbal divorces. In these cases the respondents' attempt made the husband to go to the court and legal procedure that saved wife from the violation of her legal rights during divorce.

Tendencies of taking action against divorce

The respondents had a tendency to settle the case outside the court even in the instances where the case ended in divorce. In context one respondent who was a UP chairman mentioned,

In last one year I tried to solve the case by helping the couple to divorce out of the court. I did not want the couple or their families to go to the court because it was costly and time consuming. So, I convinced them to come to a mutual understanding to break up their marriage through meeting or *shalish* outside the court.

In these cases both groups reported that they especially looked after wife's interest, so that she might get her share as legal right, like dower and maintenance during divorce.

Respondents mentioned about many incidents where their attempts to save marriage went in vain, therefore, made them consider their involvement as failure. Such attempts in many cases were considered as success by the respondent since they managed to convince the couple and their families not to go to the court for divorce. Secondly, respondent helped wives to get their legal right to property during settlement. The types of help included: educating the legal procedure of divorce, helping children and wife in receiving dower and maintenance, and sometimes assets that wife brought from their paternal home at the time of marriage.

In cases wives did not want to receive dower from husband when it was offered by them or did not demand dower from them out of abhorrence towards their husband. In such instances respondents played a role so that wife might change mind and accept dower from her husband (Box 2.5).

Besides workshop many mentioned that they were encouraged by the dictates of Islam as they learnt to discourage divorce. They acted against divorce out of a sense of responsibility attached to their social position as well as due to moral obligation. They believed that divorce destroys family, children, and society as well. In context a marriage register from the treatment group commented: My job is not only to register marriage but also to save marriage from break-up.

Many did not want any divorce to take place in their community for the sake of interest of the

Box 2.5

The wife of a respondent's relative did not want to take anything from husband which she was entitled during divorce. The respondent went to wife's house to check whether she denied her right out of insecurity caused by the husband's side. All the time the wife was adamant in not taking anything from her husband whom she did not want to live with but respondent managed to change her mind.

divorcees, since it was always hard for them to remarry. It was due to the vulnerability of divorcee in the society and values as well as prejudices against divorce. Therefore, the respondents worked to save women's family life by acting against divorce, even if they saw no change for women to get better treatment from their husband and in-laws (Case 2.2).

Some from the treatment group were involved in preventing divorcee because they were aware of the consequence of divorce, e.g., increase in the incidents of polygamy and *fatwa* as well as negative impact of broken family on children. Some of them reported that when they heard that their relatives or colleagues had a possibility of ending their marriage through divorce they played a role in preventing the same in order to save their family prestige and to preserve their professional reputation. In context a marriage register reported:

I discouraged my colleague who was a marriage register to go for divorce when he told me about the problems in his married life. I did so as I feared that if he would divorce his wife, the social reputation of marriage register would be tarnished due to the existing social and religious prohibition against divorce.

Similar motivation as was in the case of intervention group including moral drives, cultural values of families, social stigma against divorce, provided among the respondents from control group. Media was the major sources of motivation against divorce to the control group. Some from the group mentioned that in the past they had observed sufferings of divorcee which prompted them to work for others so that they might not have to go through divorce.

CASE 2.2 ABDUCTION AND DIVORCE

Location | Village: Bujruk, *Upazila*: Badarganj, District: Rangpur

Ayesha was a 16-year old girl. She was pretty and attractive. Her father Selim Alam was a 62-year old farmer. The village they lived in was nearly nine kilometers from the *upazila* sadar, and was a part of a country where almost all families were illiterate. Despite being brought up in such a society Ayesha was attending *madrassa* for education.

Murad residing in Parbatipur *upazila* in Dinajpur was married to one of Ayesha's neighbours. The distance between his and Ayesha's home was about 2.5 kilometres. Due to short distance between two houses Murad frequently visited Ayesha's village. Through visits he became close to Ayesha's family thus also used to visit their home now and then. Through Murad his cousin Pavel also became attached to Ayesha's family. Therefore, he also started visiting Ayesha's house. The visits were noticed by

the neighbours. They suggested Ayesha's parents to arrange her marriage to protect her from any harm done to her as well as to her family.

In September 2012 when Ayesha was almost 15, her family arranged her marriage with a guy from a neighbouring village. Murad and Pavel came to know about the decision and made a plan to abduct Ayesha. In order to execute the plan they took help of Maruf and Rabbanil, two gangsters from their area. They all were looking for a chance to execute their plan. One day Ayesha gave them a chance by coming out alone to buy oil for lamp when it was already dark in the evening. Taking advantage of this situation Murad and his group kidnapped and drove her to Parbatipur by a motorbike. After that Murad forced her to marry Pavel.

The incident frustrated Ayesha very much and she was lost. On the other side, Ayesha's family was socially humiliated. Neighbours started making bad comments on the incident and misinterpret the incidence as Ayesha ran away from home, which seriously tarnished the reputation of the family. Selim Alam filed a case against Murad, Pavel, Maruf, and Rabbanil for abduction. Some neighbours along with Murad and Pavel's side started exerting pressure on Alam to settle the matter outside the court. As because of the pressure he went to traditional village leader, UP chairman, and Mofizur Rahman a *madrassa* teacher, who happened to be Ayesha's teacher, and requested them to settle the case. Murad also exerted pressure on her family through his networks, like friends, neighbours, and influentials of the area to withdraw the case from the court.

Ayesha was passing her days with endless sufferings at Pavel's place. From the very first day she met Pavel she did not like him and considered him ugly looking. Besides she had to live alone days in a row since Pavel worked in India and would come to meet her once or twice a month. In the middle of such unhappiness Murad disturbed her and restricted her freedom. He did not let Ayesha contact her parents.

At this stage Mofizur Rahman was requested for help. As a teacher of a religious institution and a religious leader he had acceptance in the community. Apart from the religious obligations, he was moved to play a role in this incident out of conviction he developed by attending LCL workshop in 2011. Due to his acceptability as neutral person in the village, he was asked to play a role in this incident by both the parties. After four months from abduction, Mofizur Rahman arranged a meeting with the parties in the presence of the UP chairman of the area. While taking the decision, the meeting considered the facts that Ayesha did not have any consent to the marriage and she was under-age, and her education was interrupted as well. Therefore, the meeting unanimously decided that Ayesha would stay with her parents until she would be eligible for marriage and would continue her study. They also decided that Selim Alam would withdraw the court case, and in return Pavel and Murad would pay him Tk.50,000/- for the maintenance of their daughter.

However, all did not go according to the decisions in the meeting. Although Ayesha was sent back to her parents, she did not agree with the decision of continuing her

marriage with Pavel. Therefore, Ayesha wanted to divorce Pavel and she considered him as a nightmare in her life. Both parties sat in a meeting again in order to end the marriage. This time they did not call Rahman and others presented in the first meeting. It was decided that Pavel's family would pay Ayesha Tk.40,000/- instead of Tk.50,000 as was decided earlier, and the marriage would end with a divorce. The amount of money decided was handed over to Ayesha's family and immediately after that the case was withdrawn from the court.

Action related to dower

A very small number of respondents from intervention and control groups involved themselves in the incidents of dower (*mehr*). Even with this involvement more number of respondents in intervention group (3.3%) compared to control group (2.3%) were involved in the incidents (ns). Among respondents who reported to have no role in any dower case, 94% of treatment group and 96% of control group mentioned that the incidents related to dower did not take place in their community during the observation period.

Pattern of action in dower

A pattern had been observed in the action taken by the respondents from both the groups in settling dower related issues.

In many cases when tensions developed between bride and bridegroom's side on dower the respondents informed bridegroom's relatives about the rules for deciding the amount of dower to be paid to bride. Number of respondents from both the groups took part in the incident of dower as they were relatives of the victim, neighbours, or attended the wedding as guests or organisers of the marriage. In some cases, the tensions on dower turned out to be a condition that it almost disrupted the marriage, and at that juncture the involvement of the respondent helped in materialising the marriage (Box 2.6).

There were also incidents where respondents whose efforts of helping bride and bridegroom's sides to decide the right amount of dower went in vain due to uncompromising attitude of the parties involved. In some of these cases the marriage took place with the

Box 2.6

A respondent from the treatment group who was male UP member reported that he acted as a mediator to solve dower related problem arising between bride and bridegrooms side in a wedding ceremony. Although he was there only as a guest he out of a sense of responsibility and moral drive came forward to solve the problem. Due to his social position and acceptability he was successful in solving the problem by making both the parties come to a consensus when dower related problem arose during engagement and again during marriage.

amount of dowry which was not decided according to the procedure. Not only in the incidents of wedding ceremony, some respondents from both the groups have played a role in ensuring proper amount of dowry for wife at the time of divorce.

Action related to maintenance

Like dowry, a few respondents from both the groups reported to have played a role in the maintenance related cases both at familial and community levels. The figure was 2.8% for the treatment and 3.7% for the control groups. Among the respondents who did not play any role in the case of maintenance 95% and 99% from treatment and control groups respectively did not come across any incidence of maintenance in their localities during the observation period.

Means of involvement

Respondents mentioned about several means through which they contributed in the maintenance of wife and children.

Respondents from the intervention group reported to have referred BRAC as the place to get support on maintenance, when any of the community members came to them for help on the issues. A respondent from the same group advised the rules of the payment of maintenance when asked for the help by one of his neighbours. Some respondents helped to settle the amount to be paid as maintenance through *shalish* for women whose husbands remarried without their permissions and were living away from them (Case 2.3). Some also looked after the well beings of the victim even after settling the issue through *shalish*.

A respondent from control group advised a woman having dowry related problem in his area to go to the court. By following the suggestion she went to the court with her problem. After this she was getting money for maintenance from her husband as decided by the court.

Respondents from both groups mentioned that when a case related to maintenance was brought to them they tried to save the marriage from divorce. In some of the instances they succeeded while for others they failed. Some of the respondents from control group considered themselves as failure in their efforts since they could not manage to convince husband to give maintenance to their wives after separation.

Motivation behind the act

Most respondents from treatment group who was involved in the incidents of maintenance mentioned that they were engaged in these incidents as because of the knowledge and motivation received from LCL workshop. Besides the workshop, some also mentioned that their feelings of social and moral responsibilities were the driver for their motivation behind the help they extended. One respondent mentioned that he got motivated to create awareness in the community on the issue from his long working experience in a development organisation called Shompri.

CASE 2.3 MAINTENANCE

Location | Village: Shatali, *Upazila*: Harirampur *upazila*, District: Manikgonj

Thirty-year-old Arefeen, a daughter of late Ali was raised by her maternal relatives. Sadek from neighbouring village got attracted to Arefeen and told her mother about his interest to marry her. At first neither Arefeen's nor Sadek's family had consent to the marriage, but Sadek was so adamant of marrying Arefeen that in December 1996 both families arranged their marriage. His attraction toward Arefeen lasted for two/three months after marriage. Sadek thought her to be ugly and dominating so did not like her anymore. Over years Arefeen had two daughters, 12 and nine years old from their marriage.

Sadek did not work regularly, therefore, could not maintain his family properly. He tortured Arefeen physically when she would ask him to go to work. Along with his negligence to the family, he was attracted to other women. In April 2012 Sadek married Bithi, a girl from neighbouring village. After knowing this Arefeen's family informed Monwar, Kalam, and Mokbull who were traditional village leaders and Abdul Majid, an UP member of the area about the problem in the marriage and asked for justice. Abdul Majid attended LCL workshop in 2010 decided to help Arefeen out of his feelings of social and moral responsibility towards his community. He also feared that if the situation remained unsettled for a long time, Arefeen would commit suicide out of frustration; therefore it was his duty to save Arefeen from this situation.

Following their advice Arefeen's family informed Anwar Hossain Angur, the chairman of the union about the matter. After consultation with community leaders, Majid and Angur arranged a *shalish* with the aim of settling the issue. Sadek was also present in the *shalish*. The *shalish* decided that Sadek would have to support both the wives and his children and treat them equally. It also decided that the house Arefeen was living in had to be registered in her name. But, the meeting did not heed to one of the Arefeen's demand that she would not live with Sadek unless he left Bithi.

According to the decision in the *shalish* Sadek provided financial support to Arefeen and her children for two months, but during this time he never lived with Arefeen. When he stopped supporting as decided Arefeen went to Sadek's home to ask for her share of the money. He refused to provide any, rather he started beating her on the road. The incidence made Arefeen go to Majid again to settling the matter. Majid asked her to inform chairman about the situation. In October 2012, they again sat for a *shalish* where the decision was taken that Sadek would pay BDT 1,500/- each month as the maintenance for Arefeen and her daughters. The arrangement was made as such that in each month Sadek would hand over the money to a traditional village leader who in turn would transfer it to Arefeen. This time Sadek again, was regular in providing money to Arefeen for four months. After this he was irregular and started paying less than the amount he was supposed to.

On the other hand, Abdul Majid, an UP member of Arefeen's ward in consultation with the chairman arranged a job for Arefeen. She worked in the construction site that included earthwork, roadside work and looking after the plants in the streets. She was paid Tk.4,500/- per month; out of which she could withdraw Tk.2,000/- each month from the bank and the rest remained as savings in her account.

Action related to trafficking

All the respondents except one from intervention and control group each reported that they did not play any role in the incidents of trafficking. One per cent from the treatment group and 1.4 per cent from the control group reported that they had some incidents of trafficking in their areas. Rest of trafficking did not take place in their community.

Role played in incident of trafficking and motivation behind playing the role

Respondents from both treatment and control groups reported that after knowing they informed the police, filed legal complaint, and assisted the help seekers by accompanying them in searching the victims in places around. Respondents from both groups reported that they were involved with an incident out of their sense of responsibility as an ex-member of UP towards their neighbor, and also because of their sense of moral duty in general.

Action related to acid violence

Only one respondent from treatment group played a role in the incidents of acid violence in the observation period in his community. Rest of the respondents from both groups reported that there was no such incident taking place in their community during the observation period.

Role played in the incident of acid violation and motivation behind playing the role

The role respondent played includes assisting the victims to go to the hospital as well as providing the victims with financial assistance, and motivating neighbours to do the same. He was informed about acid throwing over cell phone. Immediately after knowing, he went to the victim's place and made arrangement to hospitalise the victim to the nearest *upazila* health complex. He also gave money for the treatment and asked other villagers to provide financial help to the victim. Besides he convinced the victim's family to file a case against perpetrator.

Considering the vulnerable situation of poor people, respondent thought that it was responsible to protect the group from further violence from acid throwing. He realised the seriousness of this crime from LCL workshop where he learnt that the maximum punishment for perpetrators in this case was death according to the law; such realisation also motivated him to make the community aware of the issue.

Action related to sexual Harassment

In most cases, the victims were female students and were sexually harassed on their way to and from school. The harassment was usually verbal, like teasing, making obscene jokes, disturbing by calling over phone, but in some cases, the victims were physically attacked. Respondents from both the groups informed about the incident to victims' parents or others from their families.

Six per cent of the respondents from the treatment group took action in the incidents of sexual harassment against one per cent from the control group. A very large number of the respondent did not take any action. In context it may be mentioned that 44.0 per cent from the intervention and 96.6 per cent from the control groups did not come across any sexual harassment within the observation period in their community.

Role played in the incidents of sexual harassment

Respondents played roles in the incident of sexual harassment that took place in their areas. Most of these respondents were teachers, UP chairmen and members, religious leaders, and other influential, like village doctor (Box 2.7 and Case 2.4).

In many cases, respondents from the treatment group after being informed arranged meeting or shalish along with other influential members of the community on the issue. The punishments that were given to perpetrators ranged from verbal or written warning to physical punishment. In one incident, the perpetrator was beaten with stick and/or asked for monetary compensation as fine. While in others they had to give written or verbal commitment that they would not harass anybody again in future. But for others, the punishment was lenient, like the perpetrators were only mentioned about the negative effect of harassment on their life, and let these perpetrators go unpunished by accepting their apology. In most cases, respondents informed both sides about the legal punishment for the perpetrators

Box 2.7

A respondent from the treatment group happened to be a school teacher after knowing the incident of sexual harassment assisted the victim (his student) to file a case against the perpetrator. Because of case filed perpetrator was arrested. After the case continued for couple of months perpetrator's side successfully convinced the victim side and the school teacher to settle the matter outside the court in exchange of money from the perpetrator. With this understanding the case was withdrawn from the court.

in the case of sexual harassment. In all instances warning was given that legal steps would be taken if victim was harassed again.

Some of the respondents from the treatment group felt that settling the case outside the court as a way out by the perpetrators was intended to save perpetrator from the legal punishment thus deprived victims from getting justice.

In some cases, respondents considered their effort was not successful as they failed to arrange meetings where none of the sides was interested in participating. So, respondents failed to get justice for the victims they stood for. Respondents thought themselves successful in most cases where victims were not harassed after they settled the matter.

The approach of settling the sexual harassment related matters by treatment and control groups were different. The respondents from treatment group settled the matters formally, like by arranging meetings with both parties and other influential community members, taking written or verbal commitment from the perpetrators to prevent them from committing same crime again, and fining the perpetrators. Only in one out of ten cases dealt by treatment group the perpetrator was physically punished. The approach of the group was more in informing or educating the perpetrator about the legal punishment for harassment. In contrast, the respondents from control group were inclined to give physical punishment to the perpetrators and settle the matter informally. In three out of four incidents mentioned by the control group, perpetrators were given physical punishment, like slapping, sit-ups by holding ears, etc.

Motivation behind playing the role: Respondents from treatment group reported that they were inspired by LCL workshop for playing a role in the incident of sexual harassment. Apart from joining the workshop, they, like the respondents from control group reported that they engaged themselves in such incidents out of a feeling of social and moral obligations and by considering it as their duty due to the social position they were holding. So, the respondents who were UP members, chairman, teachers and religious leaders felt that it was their duty to make their community free from sexual harassment. In context one respondent who was a school teacher commented:

If we let the perpetrators of sexual harassment go unpunished, the incident will keep on increasing. The victims will be compelled to leave their studies and eventually will become the victim of child marriage that in turn will increase maternal mortality. Many girls had to quit studies due to the incident like this in the past.

Few from control group were motivated to take action against sexual harassment as influenced by the newspaper. Another who was *madrassa* teacher mentioned that he took step against sexual harassment to maintain a good reputation of his institution.

CASE 2.4 SEXUAL HARASSMENT

Location | Village: Ghrilai; Union: Bishnupur; *Upazila*: Badargonj; District: Rangpur

Yasmeen, daughter of Md. Badrul, a farmer, was a SSC examination candidate in 2014 from Science group. For being one of the brightest students in the school her family often motivated her to continue study.

Yasmeen used to visit her aunt about two km away from her house. For being pretty and attractive, she started getting marriage proposals from aunt's neighbourhood. Although she refused all proposals, in 2011 she got involved with Shaikat, a guy from same neighbourhood. They started dating and communicating with each other regularly over mobile phone and became intimate over time.

After six months of their courtship, one day they went to meet in Baluabhata in the Badargonj Sadar where they met several times before. The place once was covered by litchi garden but at present, there were a few houses built in the garden. On that day, they were attacked by some of the gangsters who demanded money from Shaikat and beat him severely. They also accused Shaikat of making illegal relationship with Yasmeen. They took Shaikat and Yasmeen to a house by force in the garden, and started harassing Yasmeen sexually. It was not possible for Shaikat to do anything to resist them other than scream. At this stage, people from the neighbourhood rushed to the place to save them. One of the neighbours reported police about the incidence.

After being informed, Moniruzzaman, a college teacher and the chairman of the union, rushed to the police station. Yasmeen's uncle informed him about the incident. He called Md. Belal Uddin, who was a headmaster of Yasmeen's school to come to the spot to confirm Yasmeen's identity. Family members of both Yasmeen and Shaikat were also asked to come to the police station. After they were there, chairman, who happened to attend the workshop, along with Md. Belal Uddin helped two families to come to a decision that Yasmeen and Shaikat would stay with their own family and continue their study until they reached the legal age for marriage.

However, in the meantime, the news of Yasmeen's harassment by the gangsters spread all over the area. This made her family worried about the prospect of her future, so they again talked to Shaikat's family about their concern and arranged their marriage next day after the incident. During the marriage, both families decided to stick to the decision that the couples would stay with their own family and continue their study until they became adult. But, the families did not consult the chairman and Belal Uddin while arranging the marriage out of the fear that they might be prevented in arranging the marriage on the ground that it would be a child marriage.

Action related to rape

In total, 6% (20) of the respondents from treatment group and 4% (14) from the control group reported the rape related incidents that took place in their community during the observation period. On average 2.9 per cent of the respondents from treatment group intervened to prevent these incidents compared to 1.1 per cent from control group.

Role played in the incident of rape

Respondents were informed about the incidents of rape from the screaming of the victim, or the crowd at the spot immediately after the incidence. Some also reported that they came to know about the incident from their neighbour or others by mobile phone at a later stage. Others knew about rape from victim's family members, and a few from the victims who themselves came to respondent to inform about the incident.

After knowing about the incidents the most of the respondents advised the victims to go to the police station and file a case (Case 2.5). Some of the respondents helped the victim in this case by accompanying them or their families to the medical centre or police station and also by providing financial support to receive services from them.

CASE 2.5 RAPE

Location | Union: Goakandi; *Upazila*: Durgapur; District: Netrokona

Twenty-six-year-old Mehreen Begum, wife of Md. Jamal Uddin had two daughters; one was four-year old and the other eight.

On March 26, 2012, in the absence of Shirin's husband, Yanus Ali, a UP member of her area, entered her room when she was taking afternoon nap. Seeing Mehreen in the bed with part of her body uncovered Ali tried to have sex with her. Mehreen woke up and started screaming, which brought the neighbors to her house. Yanus managed to escape without being caught. The incident became public to all in the village.

This was not the first time Ali attempted to have sex with her. According to Mehreen three days before the incident Ali knocked her door in the midnight. At that night she was sleeping with her two daughters at home when her husband went to spend a night in one of his relatives' house. At the beginning Mehreen did not respond to his call and refused to open the door as the situation scared her very much. After gathering some courage she opened the door with a knife in hand for protection. She threatened to kill Ali by knife if he would not leave the place immediately. Out of fear Ali ran away from the spot. Next morning, Mehreen shared her experience with her husband and in-laws. They complained about the incident to Yunus Ali's uncle Nasir Ali but did not get any response on the complaint from him.

After second incidents Mehreen's relatives complained to Mohammad Gani, UP chairman of her union about the matter. Mohammad Gani, who attended BRAC LCL

workshop in 2011, advised her to go to the police station to file a case against Ali, as he learnt from the workshop that the rape case could not be settled anywhere other than the court.

On 27th March, 2012 Shirin along with her father Belal and an uncle Md. Mofiz Uddin went to Durgapur police station to file a case. Although the officer on duty received a General Diary on the incident, but did not accept the complaint as a case, showing the reason that at best it might be an attempt to rape incident. Police station asked her to bring medical proof of the rape if she would like to file a rape case. Mehreen's side called Mohammad Gani to help them but he failed in convincing police station to receive the case. According to Mehreen, Ali kept the police in his hand by bribing them.

Three months later, Mehreen succeeded in filing a case against Ali under Women and Child Repression Act in the Netrokona Judge Court. She had to go to the court three times to run the case. But, Ali did not show up in the court for a single time, rather he used the police to influence chairman to settle the case outside the court. As a result, in July 2012 Mohammad Gani again took initiative to settle the case by calling two parties for a *shalish* in his office. Based on the statement from the disputants and the opinion from the jury *shalish* decided that Ali shall pay BDT 45,000/- to Mehreen as compensation, and Mehreen, in turn, shall withdraw the case from the court. But, Mehreen's husband did not accept the decision and refused to withdraw the case ignoring the request of Mohammad Gani. On the other side, according to the decision of *shalish*, Ali left the decided amount of money to chairman who would have to hand it over to Mehreen. The money was still under the custody of Mohammad Gani and the case was not withdrawn from the court.

Box 2.8

A *shalish* was organised on a gang rape of a widow. The *shalish* fined the perpetrators. The money received from the perpetrators was distributed among the chairman and the influential who conducted the *shalish*. A respondent believed that dividing money among them was immoral and he decided to keep himself away from such *shalish*.

A respondent from treatment group, who was chairman of the area, reported that he settled a rape case that took place in his area through arranging *shalish* where the perpetrator was fined. Some reported that they after knowing about the incidents immediately informed the local elites and influential about the case and arranged a *shalish* for the settlement. *Shalish* were often held in the case of rape and the offenders were penalised. When the penalty was paid in case, question was raised in occasion – who was supposed to receive the cash (Box 2.8).

In many cases, rape victims did not want to go to the court as it would make the incidents public. The common decisions on the incidents that came from the *shalish* included physical punishment, fine, exert pressure on perpetrator to marry victim. Some claimed to have achieved success by making perpetrators marry the victims (Box 2.9). In some cases the perpetrators fled away where as in one instant the accused rapist was living under political shelter, and in other the arrested perpetrators were under trial.

Motivation behind the act: Both groups mentioned the sense of moral and social responsibility as the main force that drove them to take actions in the above instances. Respondents from the treatment group also mentioned that the LCL workshop as the source of their encouragement to play a role in the incidents. They also believed that if they would leave the perpetrators unpunished the incidents of rape would increase in the society.

Some respondents by themselves tried to settle the cases without taking the incidents to the court reported that they did so as they felt that making the incidents public would be harmful for victims and even for the perpetrators due to the provision of death sentence as punishment for the offender. One respondent from treatment group who released the perpetrator after punishing him physically reported that he did so since he thought that the punishment that was given to the perpetrator was enough to prevent him from committing the same crime again.

Some differences have been observed between the actions taken by treatment and control groups against rape. Control group was more inclined to settle the case outside the court, therefore discouraged the victims to take help of formal legal system while the treatment group encouraged the victims to seek justice from the court. In order to avoid further humiliation from the victims both the groups considered marrying victim to perpetrator was the best solution. The respondents from control groups stuck more to this solution than the treatment group.

Box 2.9

One respondent from treatment group along with other influential members of the village, like UP chairman and members held a meeting for the settlement when a rape took place in the village. They exerted pressure on the perpetrator to marry the victim. The perpetrator agreed and got married to the victim and they were living together

Action related to domestic worker and disability

Except one respondent from each group, all reported that violation of human rights of domestic workers in their areas did not come into their knowledge. The respondent witnessing the incident took steps against it, while one from the control group intentionally kept himself away from protecting domestic worker's rights.

A few respondents took steps in establishing rights of disabled in their community. Only 4.1 per cent of the respondent from intervention group against 2.6 per cent from control group was involved in helping the disabled. Among the respondents from the treatment group who did not act to establish the rights of disabled, almost 95.1% reported that they did not come across any incidents on human right violation of disabled in their community against 97.4 per cent in the case of control group during the observation period.

Role played in the incidence of disability: Both treatment and control groups seem to have played almost similar roles in protesting against violation of rights of disabled. They were informed about the distress of disabled by the neighbours and the family members of such person whom they helped. Some intended to help the disabled by observing their condition they were in. Some respondents reported that the persons whom they assisted were from their family.

In most cases respondents went to chairman or UP members or other influential, and social service officials to help the disabled (Case 2.6). Apart from seeking help from influential, one from treatment group also raised fund from others in order to provide financial support to a disabled (Box 2.10). Some were active in protecting disabled from tease and harassment by other (Box 2.11). Other types of initiatives taken by the respondents included raising money from elites to arrange marriage of disabled girl and provide advice about going to the organisations or schools for the disabled.

Box 2.10

A respondent from treatment group who was a school teacher helped a physically disabled girl of his school. The girl could not walk, so she used to crawl to the school. Previously she did it by taking a paved road. Since last year she was in hesitation to use the same road therefore she started using an unpaved road. By observing the change, the respondent had a desire to help her. He convinced other teachers and headmaster of the school to help the girl. Because of his initiative the teachers raised a fund by themselves to buy an auxiliary crutch for the girl.

Box 2.11

A respondent from the treatment group reported that he saw a boy teasing and making fun of a school deaf and dumb school going girl for her disability. Respondent tried to make the boy understand that the girl could not talk and hear. So, as a human being he should not make fun of her impairment.

Motivation behind playing the role on disability: Respondents from both treatment and control groups reported that it was their instinct that drove them to help the disabilities whose life was full of misery and distress. Religion also played a dominant role in encouraging them to help these people. They reported that they were inspired in preserving the rights of disabled from the Holy Quran and Hadith. Besides, some became aware of the rights of disabled by reading books and newspapers. A considerable number of respondents from treatment group more or less aware of the rights of disabled got motivated to work on disabilities only after attending LCL workshop. Before attending the workshop they did not give much attention to the special needs of disabled around them. But, the workshop by highlighting the needs, sufferings, and violation of the rights made the cause of disabilities a big concern for them therefore, motivated them to work for the rights of this group.

CASE 2.6 DISABILITY

Location | Village: Bunahati; Union: Bunahati; District: Magura

Shubir Das was 49 years of age with 8th grade education. He ran a small shop and worked as a veterinarian in the village. Besides wife he had a daughter and two sons. In 2006 he ran into a serious accident, for which he had to stay under medical care for three months, and the treatment cost him Tk.80,000/-. After running out of savings he met the medical bills by borrowing money from relatives and friends. In spite of the treatment one of his legs had to be amputated.

After the accident, as Shubir's movement was impaired so he could not earn, like before, thus his family was in economic hardship. He was unable to arrange marriage of his elder daughter who was 20-year old due to the financial crisis.

Maya Begum, female UP member of his ward and also from his village provided Shubir a big support during his bad days. After being informed about the accident from people in the market, she went to see Shubir next day in the hospital and requested doctors to take special care of him. She also provided Shubir's wife with financial help for the treatment at the hospital. She continued her support to Shubir in different ways even after he returned home.

One year after the accident, Maya took initiative to arrange disability allowance for Shubir from UP fund. Two months after the initiative, Shubir started receiving the allowance of Tk.300/- each month. But it was not easy for Maya to arrange the money for him due to chairman's reluctance to provide the allowance to Shubir for being the supporter of different political party than that of chairman. Maya had to convince the chairman about the allowance as she discussed about which with other UP members and convinced them about the valid reason why Shubir should receive the allowance. According to the advice of other UP members, she took the

issue to the knowledge of Syed Kamal Uddin, the secretary of UP. In March 2013 Shubir received a plastic made artificial leg from the Centre for the Rehabilitation for the paralysed. Now he can walk without the support of crutch.

Maya received motivation to help Shubir out of her feelings of responsibility towards her community. Besides, Shubir was also her neighbor. She also felt an urge to be involved in Shubir's case because of being an elected UP member who was accountable to the community for their wellbeing. She also helped Shubir to increase her political acceptability in Shubir's community (Rishi) for next election. Above all, she became sensitive towards disable person to act for their interest from BRAC LCL workshop attended in 2006. She also realised that a person could turn to a disable anytime from an accident. That was why nobody should misbehave with a disable person rather should have a helpful attitude towards them. She advised people not to call disables by bad names and help them as much as they could.

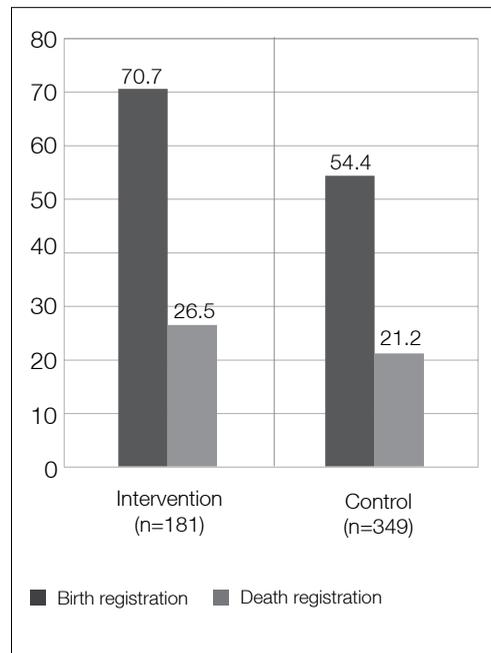
Shubir, experienced many negative comments and mistreatment from his community for his disability before, but now-a-days he observes some positive changes in their behavior towards him. Maya believes that her community is more sensitive and aware of the rights of disables.

Action related to illegal fatwa, and birth and death registrations

Except one respondent from the control group, all from both the groups reported that they did not take part in illegal fatwa because they were not informed of any incident of its kind in their areas as well as in the family during the observation period. A respondent from the control group did not play any role when a man from his neighbourhood was forced to walk entire village wearing a necklace of shoes after his head was shaved off.

More number of respondents from intervention groups played a role in registering birth and death compared to respondents doing the same from control group in the observation period (Fig 2.1).

Fig 2.1 | Respondents played a role in birth and death registration by groups



Why action was not taken by respondents

In a number of instances the respondents did not get into any action in response to the incidence on the issues covered in the training. In case the respondents did not intend to get into any action but for others in spite of having an intention they could or did not for variety of reasons. The reasons as mentioned are discussed below.

Not informed: In spite of having an intention to play a role as a response to incidents of rape the respondents could not, as they were not aware about it when planned or when conducted. It happened when the respondents were away from home or far away from the incidents so they were late in knowing about the incidence.

In case of child marriage the parents took measures so that the respondent might not know about the marriage as s/he was known for being active in working against such marriage in the community. Apart from this, when parents were aware that child marriage was an offence, they always conducted this in secrecy so most of the people, including respondents, knew about the incident much after marriage was conducted. When respondents were informed about the incident after it was conducted nothing much they could do. Similarly, during the attempt to stop child marriage before or when it was in progress number of guardians produced certificates indicating that the bride was above 18 year of age. In those instances attempt to prevent child marriage had to be abandoned by the respondents even if it was beyond controversy that the bride was under 18 year of age.

Bad experience from past

Bad experience from previous attempt to stop child marriage in cases deterred respondent in taking such attempt again. After respondent attempted to stop child marriage the guardians of the bride and bridegroom complained about the attempt to the chairman or member of their ward (Box 2.12). The parents considered the reason behind the attempt by the respondent to stop marriage was that s/he did not want any good of their family. So, a bad relationship developed between the respondent and the family – the relationship that respondent did not desire. The respondents who intended to contest in the election in the future took the development of such a relationship very

Box 2.12

In an effort to stop child marriage a school teacher, attended the workshop, when tried to convince a farmer for the second time not to marry his daughter was insulted. The farmer reported about the attempt by the teacher to the chairman and asked for his help in marrying his daughter. The chairman helped him by issuing a birth certificate to his daughter indicating that she was 19-year old. Due to all these the teacher in one hand lost face to the community and on other earned the wrath of the farmer. After this the teacher stopped opposing child marriage.

seriously as it was likely to affect their vote count negatively in the election they intended to contest in the future. There were incidents where the honest effort of the respondent to stop child marriage was politically colored and respondent was harassed. Considering all these some respondents refrained from taking any action against child marriage.

Age

Some were old enough to limit their movements outside the house. So they were discouraged in visiting the family and spot where the incident was taking place. Again some of the respondents felt that because of their old age they were given less importance and they were no longer valued in the community. So they kept away from implementing their learning from the workshop in relation to relevant incidence by believing that those would be ignored. Even if they were not aged the respondents were discouraged to get into action if the incident was taking place at a place considered far away from theirs. Similarly some female and Hindu respondents also did not take any action, particularly in the case of child marriage, as their opinions were always ignored in the past. Some respondents did not get into action as they expected that they would be approached for action on the incidents. As nobody approached them for help so they did not get involved in those incidents.

In cases the respondents were sick when the incidents took place so they failed to participate in *shalish* as elites or decision makers on the issue in their community.

Busy

Respondents failed to take action as because they were over-occupied with activities, like running family business or teaching. In contrast a respondent happened to be a religious leader commented, "I am an imam. I am always engaged with prayer and have to teach in *madrassa*. So I cannot get involved in the problem on sexual harassment. These problems are dealt by other people of the community."

Considered intrusion

One from treatment group mentioned that by tradition nobody in his area got involved to other people's life thus he did not get involved in the incidents of trafficking. A respondent from treatment group cited that he did not take any action in incidents taking place in his community out of the fear of being considered as an intruder by others since he was not UP member anymore. Similarly, a few ex-officio of UP were less interested in taking action against certain incidents, e.g., child marriage, discussed in the workshop. They felt so for believing that for not holding office any more it was no longer their responsibility to get into action on the happenings related to the issues in their community.

Responsibility

Taken care by others

Some of the respondent felt that it was no longer necessary for them to get themselves involved in the incident when they saw that chairman or UNO got involved in the incidents.

Some respondents from both groups even though they heard about incidents of sexual harassment in their community immediately after it took place they did not play any role because it was handled by others. According to one respondent from the treatment group:

A girl studying in this Mourat High School was sexually harassed by his male school mates. When the incident was disclosed to local people, the matter was solved by the headmaster of the school. He did not ask me to come, so I could not get involved.

When respondents were informed, the matter was already settled either by the interference of others, like teachers, local people through shalish, or by the court they did not have a scope to get into action. For example, one from control group reported that the incident he knew was closed by the court after penalizing the perpetrator. Therefore, he could not take part in the incident. Most of the respondents who did not play a role in the incident of rape in their community reported that they knew about it from others some days after the incident. In number of instances the case was settled or handled by the village elite or a case was filed to the court by victim's relatives.

Some of the respondents did not get into action as they believed that it was not their responsibility to get involved rather UP office bearers, influential or elite in the committee, were supposed to get involved in such incidents. The respondents believed that there was gender division of labour in their society so was in the case by incidence covered in the workshop which they could get into action. Similarly a respondent from control group who was a female UP member said that she could not play a role in an incident of trafficking because male usually played a role after such an incident. Two female UP members although they knew that dowry was practiced in their community they did not involve themselves against the practice as they maintained purdah. They were not used to coming in front of male non-relative, and also because of gender division of labour that determined that it was men's job to get involved in the incidents of marriage and after dowry.

Professional reason

Some respondents who were marriage registrar from treatment group did not play any role for dower because they had to remain neutral otherwise they would have been misunderstood as someone belonging to one of the parties involved in dower related incidents.

Other reasons

A few respondents from both groups although they saw some disable persons needing help in their community, they could not help them in spite of their intention to help them. The reasons behind this non-involvement, were availabilities of limited number of disability card, reluctance or uncooperative attitude of some of the UP members, respondent's conflict with concerned authorities, etc. while one from control group mentioned that he

intentionally kept himself away from a *shalish* on a rape case in his community, because there was some unfair dealing between the perpetrator and those conducting *shalish*. For some of the respondents from this group not having enough knowledge on the issue was the reason for their non-involvement in the incident. A female respondent from intervention group could not get involved because no *shalish* was arranged on the incident rather the case was directly filed to the court by those conducting *shalish*.

AWARENESS BUILDING

The effort on awareness building demonstrated variety of tendencies. Some of the respondents communicated with the target, i.e., people from the community, on one-to-one basis but in a few cases it was to a very small group. Again in the case of some respondents they went to the target to aware them whereas in the case of others the targets came to the respondent. In cases the awareness building was planned against others it was spontaneous. In all instances the respondents participated in the workshop strategised awareness building based on the knowledge received in the workshop. In some instances the awareness building was targeted on an issue but in others several issues, particularly if they were somehow linked, were done in same initiative.

Places awareness building were initiated

A group of respondents, happened to be teachers in most cases, believed that the awareness building on some of the issues should start at home. So, they visited the houses with the intention to aware the grownups on the issues like demerits of child marriage and the significance of registering marriage. During their attendance the neighbours also visited the house so they also received the messages disseminated by these respondents.

In the case of some respondents while making social visits to the houses after noticing that grown up girls, eligible for marriage, present in the house advised their parents to register their marriages when it would be initiated. Again, whenever respondents heard about a marriage have been decided in the community they voluntarily went to the houses initiating marriage and oriented the parents of bride and/or bridegroom about the significance of registering marriage. A female respondent as she had attended the workshop visited almost all houses in her village with the motive of aware them on the demerits of child marriage. Similarly another respondent attended the workshop distributed leaflet, and another hired a mike and a rickshaw of own cost to broadcast the demerits of child marriage and significance of registering marriage in the community.

There were respondents as they had difficulties in moving for becoming old and being busy with family business, did not visit the houses rather took the advantage when anybody paid visit to them by informing them about the issues they learned in the workshop. Often these respondents raised the issue of child marriage and marriage registration for discussion by

themselves. A doctor attended the workshop never failed to mention about the demerits of child marriage and significance of registering marriage when attending patients at his chamber. A chairman attended the workshop mentioned about the demerits of child marriage to 50-60 parents of teenage girls and their parents visiting his office every week. For holding the position often 15-20 people from the community regularly congregated at these respondents' house to discuss different issues. The respondent took advantage of the situation and discussed the issue to them.

The village meetings¹² (*gram shava*) were organised both by male and female respondents attended the workshop. Some of these meetings were held in the courtyard (*uthan*) of the participants. The objective of these meetings were to aware participants about the importance of marrying children at right age and the demerits of child marriage and the significance of registering marriage. Although it was an open meeting the chairman, member, imam, and marriage registrar were invited to attend the meeting as they were considered instrumental in preventing child marriage and registering marriage.

Meeting

Meetings/workshops were also held periodically as part of the activities of different organisations, e.g., UP and UNO offices, bazaar committee, functioning in the village. In some of these meetings child marriage and registering marriage were only agendas for discussion but in others the issues were brought as additional agenda for discussion. Some of the respondents including imam and marriage registrar participated in the meeting when invited. The objectives of some of the meetings were to orient the organisational staff and others like, imam and marriage registrar, considered important about the issues in hand. So that they might prevent child marriage from the standpoint of the office/ position they were holding in the organisation and in the community. These meetings regularly reiterated the importance of preventing child marriage to imam and marriage registrar. In the case of other meetings it was directed to orient the community about conducting marriage at right age and registering the same. The meetings were attended by 50-60 villagers including young boys and girls to be married in future.

Informal get together

During leisure the female neighbours met for a chat in the courtyard of a house. Similarly male folk did the same in the tea stalls in the local bazaar. The respondents participated in these chats often discussed about child marriage and marriage registration. Irrespective of whether the issue was made the subject for discussion by the respondent or others in the group former conscientized the gathering about the demerits of child marriage and encouraged them to marry their children at right age.

¹² Conducting village meeting (*gram shava*) is an age old practice in Bangladesh. The meetings are organised whenever considered necessary by the influential of the village; and the common problems of the village is a common issue for discussion in these meetings.

Shalish

The respondents as because of holding distinct positions in the society often had to conduct or participate in *shalish*. Besides disputants and their relatives the *shalishes* were attended by many others. Often the *shalishes* were on child marriage. Some of the respondents attended were particular in mentioning the demerits of conducting child marriage to those after the *shalish* was over by referring to how the marriage dealt in the *shalish* got into problem due to the marriage before age. Similarly a good number of *shalish* were on divorce. The respondents took advantage of discussing the importance of registering marriage in these occasions by referring how the *shalish* could have been avoided or how the decision of *shalish* could have gone in favor of the wife had the marriage being registered.

School/Madrassa

The teachers of the schools and madrassas particularly those attended the workshops were considerably active in campaigning against child marriage. The teachers conscientized community against the child marriage in different meetings organised by the school. The meetings were: Teacher's meeting, Management Committee meeting, Teacher Parent meeting, Teacher Student meeting, and other meetings.

Through these meetings the elites, parents, students, and villagers not associated with the school were oriented not to conduct child marriage by themselves and by others. In these orientations the respondent both from intervention and control groups played dominant role in achieving the objectives of the workshop on marriage.

Orienting the attendees in the mosque and temple on child marriage was widely practiced in the respondents' community. The imams attended workshop oriented the attendees about the child marriage during *Khutba*¹³ in *Jumah*¹⁴ prayer. They did this of their own initiative and as was instructed by other respondents in the community. In number of instances the respondent spoke about child marriage to the attendees after the prayer outside in the mosque compound. The demerits of child marriage were discussed by the *imam* in the *waz* organised and in the *milad mahafil* conducted by the imam in the locality. The respondents also took advantage of disseminating the message to the invitees in the working party. When the issue of bride and bridegroom came up in the discussion the respondents took advantage of the situation and aware the attendees on the issue.

¹³ Sermon on social issues during special namaj (prayer) on Friday.

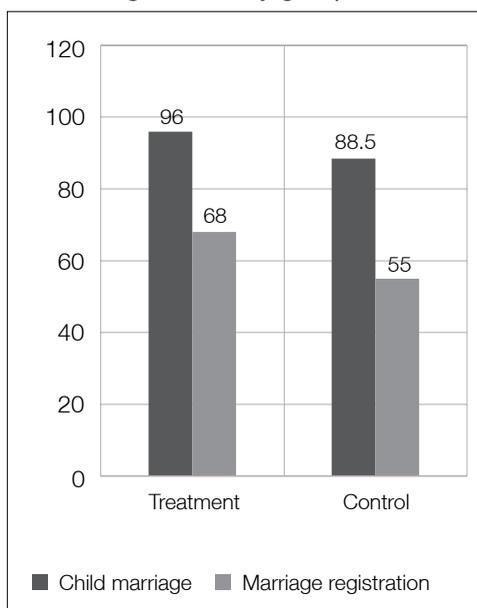
¹⁴ Special prayer at early afternoon on Friday.

Awareness building on child marriage and marriage registration

Considerably higher number of respondents both from treatment and control groups took initiative to aware people on the demerits of child marriage and merits of registering marriage in order to prevent and encourage the activities respectively in their community (Fig 2.2). Slightly higher number of respondents from treatment groups compared to control aware people on the demerits of child marriage and the importance of registering marriage (ns).

The respondents both from intervention and control groups gave considerable effort to aware people in preventing child marriage and in promoting registration of marriage in their communities. Although child marriage and marriage registration were very much linked with each other respondents not necessarily aware people on these issues together in all instances.

Fig 2.2 Respondents aware community or child marriage and marriage registration by groups



Messages on Child Marriage and Marriage Registration Disseminated in Awareness Building:

- ▶ According to the law of the country it is compulsory for Muslims to register marriage and it should be done within three months of the marriage. In other words, not registering marriage would be violation of a legal procedure, thus it would be a punishable offence. A respondent commented that in order to have legal ownership of land it must be registered, similarly in the case of marriage it should be registered and the marriage certificate should be kept in possession. It is also a dictate of Islam to register marriage. According to Islam to legitimise marriage it should be registered.
- ▶ In the case of marital problem if any of the spouses would like to take the issue to the court for the settlement first thing that needed to be established was that they are married. This could be done most conveniently by submitting the marriage registration certificate to the court. Without such a proof the court would not proceed with the case.

- ▶ The misbehavior, like physical and verbal assaults, and demand for dowry by husband would remain less if their marriage is registered. It is likely to be so as in these cases husband would remain aware that their wives would be able to take the incidence of his misbehavior to the court by submitting the marriage certificate. In contrast, if marriage is not registered nothing can be done against marital problems as she would not have any document to prove her marriage with the perpetrator.
- ▶ Registration of marriage acts as a safeguard against child marriage. While registering marriage it is a procedure that the marriage registrar should check the birth certificate of bride and bridegroom. If it is detected that any of the party in the marriage is underage the registrar is not supposed to register the marriage.
- ▶ Marriage registration also works as a guard against remarriage by husband in presence of a wife. Husbands would refrain from such a marriage by thinking that if he would do so existing wife may file a case against him on the ground that her permission is not taken before subsequent marriage. In such a situation she would have to show the marriage certificate to the court.
- ▶ Marriage certificate is needed most in the case of divorce. The certificate mentions the amount of dower to be provided by husband to wife. If husband refuses to provide dower to the divorcee she may take the issue to the court and only to do that she would have to produce marriage certificate to the court. Besides proving that the couples are married the certificate indicates the amount of dower that was decided. The marriage certificate proving that they are married also helps the wife to receive the maintenance cost of their children when they stay with their mother.

The respondents repeatedly emphasised that spouses particularly wife would be deprived of above advantages if their marriage was not registered and if they did not possess the marriage certificate. Respondents opined that without registration wife cannot have right over husband. People should not marry their daughter without registration to save money. Violence against woman and divorce is so rampant in the society that all marriages should be registered to safeguard the married girls.

Awareness building on divorce

Respondents did not want any divorce to take place in their community for the sake of interest of the divorcee, since it was hard for them to re-marry. Therefore, the respondents worked to save women's family life by conscientizing people about divorce. Seventy-three point seven per cent of the respondents from the treatment group and 58.7 per cent from the control group were involved in developing an impression against divorce because they were aware of the consequence of divorce, e.g., increasing the incidents of polygamy and fatwa as well as negative impact of broken family on children.

Messages on divorce disseminated in awareness building

Most of the respondents reported that there was a moral drive that involved them in creating awareness on the issue in the community. The messages that they disseminated in the awareness building were:

- ▶ Divorce is not encouraged by Islam at all. Divorce should be the last option that a couple might chose if they fail to continue their marriage.
- ▶ Divorce has serious negative implication on women's life. Society holds a negative attitude towards divorcee. So, it becomes difficult for them to remarry or start a new life. They become burden for the family as well as for the society. In many cases divorcee attempts to commit suicide out of frustration. They get involved in various anti-social activities, like prostitution. Divorce can make children motherless thus they are deprived of love, affection, and care from own mother.
- ▶ Women should not abandon their husband since husband is the most important person in their life.
- ▶ The divorce should follow legal procedure. The legal procedure for divorce involves providing dower and maintenance to wife and children and so on. People should keep in mind that one cannot divorce a pregnant woman.
- ▶ Verbal divorce is illegal. Divorce becomes effective after 90 days from filing the application for divorce to the concerned office/authority. Women should inform UP chairman or other authority, like police immediately if the woman is the victim of physical or other type of torture by their husband or in-laws.
- ▶ Respondents informed people about the organisations or place where they should visit if they had problem related to marriage or divorce. BRAC was referred to as an organisation where they could visit.
- ▶ People should know the rules related to marriage in detail and remain careful while arranging marriage, so that the marriage did not end up in divorce.
- ▶ Information in detail about the marriage procedure should be acquired and remain careful while arranging a marriage so that the marriage does not end up in divorce.

Awareness building on dower

A statistically significant difference has been observed between treatment and control groups in term of per cent of respondents who were active in making community aware on dower. Number of respondents from intervention group who informed the community on dower was fairly higher than those in the control group.

Motivation behind awareness building

There were several encouragements for awareness building on dower by the respondents:

- ▶ Most of the respondents from treatment group reported to have received motivation of making people aware on dower from LCL workshop. Some although knew about dower from other training or discussions in UP office or other place, they became more aware of it after attending LCL workshop.
- ▶ Some mentioned that the books were the source of their knowledge and motivation on the issue. They had motivation for creating awareness on the issue as because they thought it as their social, moral, and religious duties towards their community. Some of the UP members worked to create awareness on dower in the community as a part of their official responsibility since UP operation manual instructed them to be involved in the activities of this kind.
- ▶ Some respondents from control group became motivated to work for women's rights of dower after receiving trainings on the topic from organisations, like UNDP, Islamic Foundation, etc. Most of the respondents from both groups had knowledge on dower from family, books, newspapers, TV, radio, and Hadith besides religious books.
- ▶ The respondents learnt about dower from various speeches given by religious leaders including imam and marriage registrar which in turn encouraged them to create awareness in the community. Respondents from control group mentioned that the source of their knowledge on dower was the village meetings conducted by various NGOs and legal organisations.
- ▶ The respondents working on women's right were inspired to work for dower from elderly people in the community. They learnt to take steps on dower by observing the act of the elderly people in their family in the situation arising from dower related problems.

Messages on dower disseminated for awareness building

- ▶ Dower has great religious significance. According to the Koran and Hadith, it is mandatory for every Muslim man to provide dower to his wife. Without paying dower it is not legal (*halal*) for a Muslim man to live with his wife. According to religion, even if a husband dies without paying dower to his wife, he would be asked about his deeds on the issue at the Day of Judgment unless his wife surrenders her claims for dower.
- ▶ It is women's right to receive dower from their husbands. Dower ensures women's economic and social security. If they do not get dower problems would likely to take place in their married life. If there is provision of dower in a marriage, then a husband or his side would think twice before taking the decision of breaking the marriage.

- ▶ The amount of dower to be provided should be based on husband's income and properties possession. Therefore, people should also be aware of the fact that husband should not be imposed with a dower which is beyond his capacity to pay.
- ▶ Not providing dower is a legally punishable offense, according to state's law. If a husband fails to pay the dower committed to wife husband would be fined, confined, or both.

Awareness building on maintenance

A statistically significant difference was observed between treatment and control group in terms of raising awareness on maintenance. The figure was 29.8% and 22.1% for the treatment and control groups respectively.

Motivation behind awareness building

Respondents cited various sources from which they received motivation to engage themselves in the awareness raising activities on husbands' obligation to maintain their wife and children.

Most respondents from treatment group were inspired by LCL workshop that they attended to get engaged in the awareness raising activity. In this workshop they learnt about women as well as of children's rights to get maintenance from their husband and father. They also learnt from the workshop that not providing maintenance to wife and children was a punishable crime. Such awareness motivated them to act in creating other people aware and sensitive about maintenance.

- ▶ Respondents who were UP members were instructed by their office to provide the right motivation on the issue in their community. Thus they act accordingly when they came across the incident related to maintaining rights.
- ▶ Some also reported to have inspired to work in raising awareness for maintenance from the Holy Quran and *Hadith* and other documents.
- ▶ Many respondents from both groups created awareness on the issue among people because they thought it was their social and moral duties towards their community as because of the position they were holding in the community.
- ▶ A few respondents from control group received motivation of creating awareness from the trainings they participated from organizations other than BRAC, like UNDP.

Awareness building on trafficking

Although a small number of respondents played a role on trafficking a good number, particularly from the treatment group tried to aware community on the demerits of trafficking. Fifty point six per cent of the respondents from treatment group and 35.2 per cent from the control group worked on awareness raising against trafficking.

Motivation behind awareness building

Most of the respondents learnt about trafficking from LCL workshop, TV, and newspapers. Again some of the UP representatives learnt about the matter from the UP manual in their office. A few respondents from treatment group learnt about the matter from the training provided by organisation other than BRAC. These sources highlighted the destructiveness of such incidence and the far reaching impact of trafficking on people's life. Some UP members apart from their sense of social responsibility to the community got involved in such activities because of their obligation as a member of local government.

Messages on trafficking disseminated for awareness building.

- ▶ Respondents mentioned that the promise for better jobs and money as the main tricks used by traffickers to convince women, especially young girls to go out of their home. Often they marry the women they target for trafficking. Traffickers also allure children with sweets and toys and fun. Sometimes their trick is to make friendship with the person and gradually convince them to leave for other cities or countries by making the false promises of love, marriage, job, etc.
- ▶ Respondents highlighted the consequence of trafficking of women and children while making people aware of it. They mentioned that traffickers sell different body parts of the trafficked and use women in illegal and antisocial activities, like prostitution and begging. They also do porno business through internet by using trafficked women and children.
- ▶ The respondents also advised people not to trust any strangers and not to let their children eat food offered by them. If villagers see any unknown people in their area, the respondents advised them to get information about the stranger. They also gave the message that people should assist police or law enforcement agency so that the perpetrators could be brought under justice. They also encouraged people to make sure that all the marriages were registered in their area as well as get all information on bridegroom when they marry their daughters or other female family members.
- ▶ Respondents also suggested parents to accompany their children on the way to and from school. Many respondents thought that not maintaining proper *purdah* by women was one of the major causes behind trafficking. Therefore, they tried to convince parents to keep their daughters under *purdah*. Few worked to motivate people for forming committee to protest the act of trafficking in their locality.

- ▶ Respondents also built awareness on the legal punishment of the perpetrators for trafficking.

Awareness building on acid violation

Respondents from both intervention and control groups were active in creating awareness against acid violence from their respective positions in their community. Higher number of respondents from treatment group (36.0%) took initiative to aware community on acid violence compared to control group (22.1%).

Since the incident of acid violence was almost non-existing in their community some respondents did not talk much about the issue. When they were informed about any violence of the kind took place only then the issue came to their conversation and then they tried to make people aware about the problem. Apart from this some respondents took organised steps in conscientizing people on acid violation.

Motivation behind awareness building: The respondents reported that they were informed about trafficking and its negative effect on the victim as well as on perpetrator through TV and newspaper. Most of the respondents from treatment group were informed about the issue from the LCL workshops they attended.

All respondents felt creating awareness on acid violence as their social and moral responsibility. They mentioned that the incidents would take place in their home if they allowed it to occur in their community. The respondents who were members of local government also worked on awareness building as it was part of their job responsibilities. Same motivation was observed in other type of respondent, like *madrassa* super since they consider the act of mobilising and educating community about acid violence as part of their religious duty (*imani daitto*). In general, all the respondents from intervention group were especially motivated to work on the issue after attending LCL workshop.

Messages on acid violence disseminated in Awareness Building:

- ▶ Acid throwing is a serious crime. It destroys victim's life by damaging their face, and other parts of the body.
- ▶ It also brings humiliation to victim's family. No male would like to marry an acid victim. So she becomes a burden for the family.
- ▶ The physical damage and social isolation caused by acid violence may compel the victim to commit suicide.
- ▶ According to the state law, the maximum punishment for perpetrators of acid violation is death.

- ▶ Immediately after the incident, enough water should be poured on damaged part, and victims must be taken to the nearest health complex or hospital. The treatment group exclusively mentioned that if there was no health complex nearby victim should be taken to the nearest BRAC office. They also disseminated the information on BRAC's service of providing legal assistance to the victims of acid violation free of charge. So victims should take advantage of the facilities.
- ▶ Respondents discouraged the practice of rehabilitation of acid victims by arranging their marriage with dowry.
- ▶ Victims should file case against the perpetrator. In the case of such violence, it was not legal to arrange *shalish* for settlement.
- ▶ Respondents discourage indiscriminant selling of acid to anybody.

Awareness building on sexual harassment

Both intervention (62.1%) and control groups (43.3%) reported to have created awareness in the community on sexual harassment. They mentioned about various occasions where they disseminated the message.

Motivation behind awareness building

Most of the respondents from treatment group mentioned LCL workshop were the major source of their motivation in raising awareness on sexual harassment. Apart from the workshop, the respondents from this group along with control group felt that it was their social and moral responsibilities to act against sexual harassment. Some from treatment group started working on the issue after one or two incidents of such harassment in their area. The incidence was a drive to work against sexual harassment. Some also mentioned that other organisations, e.g., Imam Foundation and Islamic Foundation, motivated them to work against sexual harassment.

Messages on Awareness Building Disseminated in Awareness Building.

- ▶ While telling about the source of their knowledge on sexual harassment most of the respondents from the treatment group mentioned about LCL workshop. Besides, some reported that they received knowledge on the issue from newspapers and TV. The respondents disseminated several messages on sexual harassment during raising awareness on the issue:
- ▶ Discussed about various forms of sexual harassment. The forms they mentioned were: teasing, making comments on body, sending objectionable message through indecent body gesture, whistling or making other noises, sending indecent text message through mobile, taking improper photo, pulling by clothes, and touching.

- ▶ Talked about the consequence of sexual harassment on victim's life. Due to social and cultural values, women feel humiliated and harassed when they face such treatment. Eventually they stop going to the school and most of the time also become the victim of child marriage. Sometimes they lose self-confidence due to harassment they had to face and they become so frustrated that they intended to commit suicide.
- ▶ Informed people about the legal punishment for the perpetrator of sexual harassment.
- ▶ Advised girls to inform their parents, teachers or other guardians if they became victim of sexual harassment instead of hiding the incident. Also encouraged the parents and girls to take legal steps against the perpetrators of sexual harassment.

Awareness building on rape

Like other issues, both treatment (42.6%) and control (31.5%) groups worked to make community resist and prevent rape.

Motivation behind awareness building: Most respondents from both group mentioned that their sense of morality was the driving force that engaged them in creating awareness against rape in the community. The respondents from control group were inspired by medias (TV, newspapers), books, and training they received from different institutions, like Islamic Foundation and *Ogrogati* as the source for their inspiration in building awareness. Most of the respondents from the treatment group mentioned that after attending LCL workshop they became more active in awareness raising, although they were more or less aware of the issue before. Besides workshop some of the respondents from this group named UP office that encouraged them to work on the issue.

Compared to intervention group, relatively higher number of respondents from the control group considered indecent dress-up and lack of *purdah* was mainly responsible for rape. Respondents from control group advised parents, so that their girls maintained proper dress code in order to save themselves from rape. Although both group mentioned to have created awareness on the negative impact of rape on victim's life as well as about legal punishment for the perpetrators. It was observed that respondents from control group gave less weight on these aspects and emphasised more on practicing *purdah* as an effective means of preventing rape.

Awareness building on domestic worker

Almost 25 per cent of the respondents from treatment group reported to have worked in making community aware of the rights of domestic workers while for the control group it was 16 per cent.

Motivation behind awareness building

There were various sources from where respondents received motivation to involve themselves in the awareness raising activities on domestic workers. The common sources cited by both the groups included TV, newspapers, the Holy Quran and *Hadith*. However, another source mentioned exclusively by the treatment group was LCL workshop. The workshop created an urge in them to work in protecting the rights of domestic workers which they did not have before although they learnt about the violation of the rights of domestic workers from other sources.

Messages on domestic work disseminated in Awareness Building.

- ▶ Before hiring domestic workers the employer should decide with them about their salary, job responsibilities, and leisure time to be given through consultation.
- ▶ Domestic workers are human being so they should not be verbally or physically abused.
- ▶ They should be provided with food, clothes, and accommodation as their basic requirement.

Awareness building on disability

More than 45 per cent of respondents from treatment group reported to have involved themselves in awareness raising activities on disabilities which was around 23 per cent for the control group. The difference between the two groups was statistically significant.

Respondents from both the groups worked to aware community on the rights of the disable. They mentioned about the informal gatherings where they developed awareness on disability.

Motivation behind awareness building

Most of the respondents from both the groups reported that the difficulties of the disable made them sympathetic to raise awareness on the issue. Some of the respondents from treatment groups mentioned that participation in the workshop inspired them to raise awareness about this issue. Through this workshop they came to know the human rights of the disable. A few respondents who were the member and chairman of UP, mentioned that UP had an operation manual on the rights of disable. The manual encouraged them to raise awareness on their rights.

Apart from this, respondents also mentioned about TV, radio, books, and newspaper as the source of their motivation to aware community on the issue. One respondent from control group came to know about the rights of disabled from human rights commission and it inspired him to raise awareness on the rights of the disable.

Messages on disability disseminated in Awareness Building,

- ▶ The human rights of disabled should not be neglected and violated.
- ▶ Disabled should not be discriminated on the ground of their disabilities.
- ▶ People should not make fun, tease, or call them by sarcastic names, for example, *boba* (deaf and dumb), *lula-langra* (physically disabled), *kana* (visually impaired), etc.
- ▶ People with disabilities should be provided with assistive devices, like wheel chair, crutch, spectacle, etc., as required.
- ▶ People should give *jakat* and *fitra* to disabled.

Awareness building on illegal fatwa

Although respondents reported to have no incidence of illegal *fatwa* took place in their areas, 13.8 per cent of the respondents from the intervention group and 8.6 per cent from the control group were active in building awareness on the issue in their community.

After attending LCL workshop, reading newspapers, books, and watching TV respondents became aware of the issue and did that in turn of others. Some of the respondents did not disseminate knowledge to community with the aim of informing others, since illegal *fatwa* did not come to their mind as an issue to work with. The absence of such incident in their community made them consider the issue less important.

Motivation behind awareness building

The respondents engaged themselves in raising awareness against illegal *fatwa* for being the representatives of their community. The respondents who were religious leaders mentioned that when it was about illegal *fatwa*, it became their religious duty to make people aware of the misinterpretation and misuse of religious tenets through it. The respondents from the treatment group received the motivation to work on the issue after attending LCL workshop. From attending the workshop they learnt on various forms of *fatwa* and its religious and legal aspects associated with illegal *fatwa*. According to one respondent who was journalist and attended workshop:

Sometimes we see news on women being victims of illegal *fatwa*, like lashing, shaving their head, etc. I was indifferent about these incidents before but, after participation in LCL workshop I realised its significance and knew that there was no law permitting lashing or shaving anybody's head. Since then I started working to create awareness in the community against illegal *Fatwa*.

Few respondents also mentioned about other organisation, like Islamic Foundation, apart from workshop, from where they received motivation to work on the area. All the respondents reported that above all it was a moral drive which made them work to against illegal *fatwa*.

Messages on Illegal *Fatwa* disseminated in awareness building.

- ▶ Respondent aware villagers about various forms of punishment given by illegal *fatwa*. Those included forcing women to go through *hilla* marriage, verbal divorce, boycott, punishing somebody (both physically and mentally) in cruel and inhuman manner which was legally not allowed.
- ▶ Educate community about the evil intention of immoral religious and community leaders involved in giving *fatwa*. It was mentioned that some community leaders were engaged in this evil act to get their interest served in the name of religion, and uses *fatwa* as a tool to oppress poor. Therefore, respondents advised community to protest against illegal *fatwa*.
- ▶ They tried to make the community aware about the fact that the existing practice of *fatwa* degrades Islam. Although Islam allows *fatwa*, the way it was given did not have any relation with Islam. Moreover the practice violated the state law. Therefore, the practice should be stopped. They explained people about the issue in the light of the Quaran and *Hadith*. The *fatwa* would be acceptable only when the decision was based on the Quaran and *Sunnah*.
- ▶ As a part of raising awareness, respondents also talked to villagers about the negative consequence of illegal *fatwa*. They said that 'so called' religious leaders did not know Islamic *fatwa*, and as because of their limited and incorrect knowledge they gave wrong judgments while settling an issue or giving judgment in *shalish*. This judgment brought sufferings to the victims and gave wrong message about Islam to people. In most of the cases, women were made the victims of illegal *fatwa*. Religious leaders target women to oppress them more and use them for their own interest. They warned villagers that victims of such practice might commit suicide due to humiliation from illegal *fatwa*.

Awareness building on birth and death registration

Significant number of respondents from both the groups, i.e., 81.8% and 63.6% for intervention and control groups respectively, were active in raising awareness on birth and death registration.

Apart from the above mentioned ways, some of the respondents although did not talk much about death registration, were always involved in creating awareness among people on birth registration. The respondents from the control group revealed that they did not talk about death registration since they themselves were not much aware about it. Some from both the groups also reported that most of the people in their community were already aware about birth and death registration so, they did not have to talk on the issue. But, when the issue was relevant to an occasion or discussion they tried to motivate people in such registration.

Motivation behind awareness building

Majority from the treatment group referred BRAC LCL workshop as the major source of their motivation in engaging themselves in community mobilisation on birth and death registrations.

The respondents from both groups received motivation from seminars organised by some other development organisations, like RDRS and Plan Bangladesh. Some were also informed about the issue from meetings organised by BRAC programmes other than HRLS, like TUP programme. The respondents from control group received motivation for awareness raising initiatives, e.g., radio, TV, newspapers, books, UP operation manuals, etc. The respondents from both the groups engaged themselves in this kind of activities out of their senses of social and moral responsibilities. The respondents who were UP members from both groups carried out awareness raising activities as part of their job responsibility.

Message on birth and death registration documented in awareness building.

- ▶ Now-a-days birth registration certificate is needed for admission in school, making passport, job application, marriage registration, opening bank account, receiving allowance for elderly people and so on. One also could not register land without birth registration certificate.
- ▶ Death registration is also needed for making insurance, receiving pensions, taking bank loans, land mutations, etc.
- ▶ Birth registration must be made within 15 days after birth, and death should be registered immediately after death.

CONTACT BETWEEN ELITES AND HRLS STAFF

One of the objectives of LCL workshop was to build rapport between HRLS staff and elites of the community. It was observed that staff often had to interact with the community; where in order to uphold human rights they had to act against the interest of the perpetrators violating such rights of the victim. In such a situation if they had the elites of the community on their side it became easier for them to implement rights in such a situation. It was believed that the rapport building with the elites of the community would help in easy facilitation of such an objective by staff. By keeping this strategy in mind half of the members in the LCL workshops, as a policy, were staff. Considerable time was given at the beginning of the workshop in introducing staff with the elite participants. They also interacted with each other throughout the workshop.

As because of these interactions it was felt necessary to know the extent and nature of interaction between the two during the observation period. The respondents were asked

about number of contact that took place between the two and on the natures of the contact.

As a whole small number of respondents from intervention and control groups had a chance to interact with the elites within the observation period (Table 2.11). Considerably more number of respondents from the intervention group (16.6 %) had contact with the elites against respondents from the control group (2.0 %).

Table 2.11 | Respondents' contact with elites in one year by groups (%)

Contact	Group	
	Intervention	Control
Yes	16.6	2.0
No	83.4	98.0
n	350	349

Table 2.12 | Number of contacts between respondents and HRLS staff in one year by groups (%)

Number of Contact	Group	
	Intervention	Control
1	77.6	85.7
2	13.8	14.3
3	8.6	.0
n	58	7

Multiple responses

On an average respondents from intervention group had 1.3 contacts with the staff compared to 1.1 contacts between control group and staff. More number of respondents from control group had one or two contacts with staff compared to similar contacts with the respondents from intervention group but opposite was the trend in the case of three contacts in the observation period (Table 2.12). It may be noted that 58 respondents from intervention

group had contact against only seven in the case of control group.

There were a variety of reasons for which the contact between staff and the respondents occurred. The problems within the family were the most important reason for the contact between the two both for intervention and control groups (Table 2.13). Meeting/training were second most important reason for the contact in the case of intervention group. This was obvious as a good number of respondents from intervention group were communicated for participation in LCL workshop besides others meeting/training held at BRAC office. Respondents from treatment group had contact with the BRAC staff to tackle variety of problems, like child marriage within their community. Much higher number of respondents from the control

Table 2.13 | Reasons for contact between respondents and HRLS staff (%)

Reasons	Group	
	Intervention	Control
Family problem	62.1	71.43
Social problem	10.3	0.0
Case/shalish	1.7	28.6
Meeting/training	50.0	14.3
Others	6.9	0.0
n	58	7

group had contact with the staff in relation to case/shalish against very small number from the intervention group.

Through meeting/workshop the respondents were informed that HRLS provides help to destitute woman by providing legal aid at nominal cost. So, if any women with the problem related to dower and maintenance, physically torture by husband, sexual harassment, etc. came to respondents to seek legal help respondents suggested the victims to go to the BRAC office, i.e., Legal Aid Clinic, for such help. Sometimes, the respondents directly came to BRAC Area Office or called staff over the cellphone to help these victims. As a representative of the society they also came to Clinic to attend ADR. Respondents came to BRAC office along with the victims as former was requested to attend ADR session. Staff also called the respondents over cellphone and requested them to attend ADR session. The respondents who attended workshop/ meeting, mentioned that staff issued invitation letter often requested them to attend ADR session.

Both respondents and staff initiated communication with each other, it appears that in more cases staff initiated contact with the respondents both from intervention and control groups (Table 2.14) In general intervention group had more contact than the control.

Different media as mode of communication were used for contact (Table 2.15). Of these modes, mobile phone followed by personal visits was the most commonly used for communication both in the case of intervention and control groups. It may be noted that none of the contacts was made through other person and letter in the case of contact between staff and respondents from the control group. It may be noted that a good number of contacts were made through personal visits.

Almost all contacts took place at BRAC office both for the intervention and control groups (Table 2.16); meaning that the respondents visited BRAC office for making a contact. It must be mentioned that some of these contact in the case of intervention group was in connection to attending LCL workshop. In the case of control group none of the contact took place at home. The contacts under ‘other’ included market, road, and workplace mainly.

Table 2.14 | Initiator of contact between respondents and HRLE staff by groups (%)

Initiator	Group	
	Intervention	Control
Respondent	44.83	42.9
BRAC staff	86.2	71.4
n	58	7

Multiple responses

Table 2.15 | Medium of contact between respondent and HRLS staff by groups (%)

Contact	Group	
	Intervention	Control
Mobile/phone	60.3	71.4
Through person	6.9	.0
Letter	29.3	.0
Visit	36.2	42.9
n	58	7

Multiple responses

After rapport building through workshop it was expected that there would be lot of functional interaction between staff and the respondents where the latter would refer problems they came across to staff. In reality, the intervention group was referred more number of times compared to control group (Table 2.17).

Table 2.16 | Place of contact between respondents and HRLS staff by groups (%)

Place	Group	
	Intervention	Control
BRAC office	62.1	85.7
Home	36.2	.0
Other	32.8	28.6
n	58	7

Multiple responses

Table 2.17 | Number of times HRLS staff were contact by respondents (%)

Number of contact	Group	
	Intervention	Control
0	83.7	96.3
1	7.1	1.7
2-3	9.1	2.0
n	350	349

It might be mentioned that a good number of contacts in fact were recommendation to ADR. In the case of intervention group most of such recommendations were related to divorce and dower followed by violence by husband (Table 2.18). In the case of control group it was 'other' problem within family followed by violence by husband.

Table 2.18 | Reasons for contact made to HRLS by groups (%)

Reasons	Group	
	Intervention	Control
Dowry	25.0	15.4
Divorce and Dower	55.4	30.8
Violence by husband	48.2	48.2
Other problems within family	26.8	84.6
Violence/problem outside family	16.1	7.7
n	56	13

Multiple responses

SUMMARY FINDINGS

The aim of the study was to assess the impact of the LCL workshops organised by HRLS programme of BRAC in terms of promoting legal justice as well as changing the existing exploitative structure of the community. The study assessed the impact of workshops in terms of addition of knowledge of the participants due to their participation in the workshop and the implementation of knowledge through awareness building and in the real life situation in the community.

The assessment of the presence of knowledge disseminated in the workshop was grouped under three heads – Family Law, Criminal Law, and State Policy. The average knowledge score of treatment group was significantly higher than that of the control group for both the laws and

policy. Same was obviously true in the case of the scores for the groups (treatment group 57.3 and control group 48.2 per cent) when the laws/policies were considered together but the difference between the groups was not very wide.

For a small number of respondents who attended workshop (15.5 per cent) BRAC was not the first source of their knowledge on Laws; in contrast for some (7 per cent) from the control group BRAC was the first source of their knowledge on Laws from the issues covered in the workshop although they did not attend the workshop. To a good number of respondents from the treatment group (43.2 per cent) workshop was not the first source of their knowledge on policies, in contrast a negligible portion (2.3 per cent) from control group mentioned that BRAC was the first source of their knowledge on household policies. The respondents from control group got informed about the issues covered in the workshop either from other programme of BRAC or via individuals who attended the workshop.

The groups were not active in awareness building among their neighbours and relatives on the issues covered in the workshop, like child marriage, marriage registration, maintenance of wife and children, divorce, dower, trafficking, acid violence, sexual harassment, illegal *fatwa*, birth and death registration, and rape. They also worked to aware others on the rights of domestic workers and disable. In all instances, significantly higher number of respondents from the intervention group compared to control group were involved in awareness building activities.

In most cases, the learnings from the workshop was the motivation for getting involved in awareness building by the intervention group while most from control group reported to have received motivation to do the same from the sources, like radio, TV, newspapers, books, and UP manuals.

Compared to awareness building much lower number of respondents from both the groups were involved in implementing knowledge in real life situation. The implementation of knowledge into practice by the groups varied among the laws under the heads but for all the laws the rates of participation for both the groups were very low. In spite of this low level of participation, the respondents from intervention group had a higher level of implementation compared to those from the control group. The reasons for having no or a little role in protesting or preventing certain social vices related to laws/practices covered in the workshop was that the respondents were either not informed on such vices during their occurrences or did not come across such vices in their community. The respondents from intervention group who involved themselves in implementing knowledge into action mentioned that moral obligation was the major driving force that made them play a role in establishing others' rights in the cases of child marriage, divorce and dower and maintenance discussed in the workshop.

Apart from exploring respondents' knowledge, action, and involvement in awareness raising activities, the study also investigated whether workshop could build rapport between BRAC staff and elites of the community participation in the workshop. Within

the observation period, a small number of respondents from both intervention and control groups had communicated with elites. Although a few from both the groups interacted, intervention group was more active in such activities compared to control group. The problems within the family were the most important reason for which the contact was made. Inviting the leaders to attend the meeting or training was the second most common reason for the communication between respondents and BRAC staff, while many from the treatment group contact BRAC staff to face variety of problems, like child marriage within their community. Much higher number of respondents from the control group had contact with the BRAC staff in relation to case/*shalish* against the number from the intervention group.

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CHAPTER THREE

HUMAN RIGHTS AND LEGAL EDUCATION

Training is the crux of HRLE – the pivot around which the whole programme revolves. In order to reach a large number of VO members in a shorter period a training ‘cascade’ have been developed; where training is offered at three levels. At the top level, i.e., Training of Trainers for HRLE, the staff/trainers from the HRLS programme offer training to the trainees from the BRAC Learning Division, who in turn at the Teacher’s Training (TT) for HRLS level offer training to selected VO members chosen by the programme. These VO members after successful completion of TT (now referred to as HRLE *Ain Shebika*) offer Legal Education (LE) training to VO members in the village. The HRLE training at all the levels are conducted on set modules.

Over the course of time the HRLE evolved mainly in terms of the duration of the course and its content. In response to the recommendations from the consultants (Hossain *et al.* 2007) and *Ain Shebikas*, for the convenience of the trainees as well as to keep up with the programme’s focus on women’s property rights, in 2010, the content of the course underwent through the latest change. Since then the training module includes chapters on family and society, gender discrimination in society, violence, fundamental needs, marriage, dowry, divorce, separation, guardianship, custody, rights in marital property, women’s rights on property, women’s control and ownership over property and resources, mutation, tax, khas land, and criminal law.

At present HRLE, i.e., LE at earlier time, is offered not only to VO members but also to anybody from the community intending to participate in the training.

The distinctive features of present HRLE module are:

- ▶ Precise and short in duration addressing the demand of the learners.
- ▶ Entrenched focus on women’s equal participation in decision-making and control over resources.
- ▶ Maintaining a proper sequence of the content starting from family life and concluding with the relationship between state and citizens.

- ▶ Inclusion of more pictures and case studies for an interactive session.
- ▶ Field visit after the class.

Since 2010 HRLE started conducting a course with a maximum of 25 trainees for a 2-hour session each for 20 days. The class is held at conveniently located courtyard of a trainee. The training schedule and location are democratically decided as per majority's decision. Various training techniques are used including lecture-cum-discussion, group discussion, question-answer, role-play, practical experience sharing, brainstorming, demonstration – making the training an interactive exercise.

At the end of the course, a 3-member Odikhar Bastobayan Committee (OBC) is formed from among the trainees based upon their performance in the training and availability. The OBC members are explained about their responsibilities and a 20-point handout is distributed to them. The handout identifies the desired outcome of HRLE training in the community.

The central purpose of HRLE is not only to take the knowledge of human rights to the grassroots, but also link the knowledge of poor women with the objective of protecting them from all kinds of injustice, acquiring the skills of questioning the status quo, and power structure; thus, enhancing the capacity of the rural women in establishing just and equitable society. More precisely the HRLE has number of objectives, these are to:

disseminate information on laws to all instead of keeping it in the control of a few;

- ▶ make VO members conscious about laws and provide them the skills for their application;
- ▶ advance/encourage VO members to abolish existing superstitions by using laws; and
- ▶ help in having self-confidence and skill to resolve small problems through arbitration or *shalish*.

The following subsections included a short discussion on the method considered relevant to the component under consideration, i.e., HRLE training, description on the profile of the respondents observed and the variables considered having a bearing on the respondents in terms of HRLE related training, and the impact of the training. The impact was observed in terms of change in knowledge, change in attitude, and involvement in awareness building on and implementation of the training in practice.

Method

The sample size for intervention and control groups was 451 and 452 respectively. In the case of intervention group, HRLE trainings conducted in 2010 and 2011 were singled out first. Out of these 1,168 trainings held in observation period 38.6 per cent was randomly selected. In order to select the control group first a village was selected against the village

with HRLE training considered in the study. Next, a PRA like exercise was conducted with key informants in the village selected to prepare a list of the individuals having similar characteristics as those selected for the intervention group but did not participate in HRLE training. From the list the respondents for the control group was randomly selected. Thus data were collected from 18 *Upazilas* in 14 districts in July-August 2013 from the study areas.

The schedule used for this study had a section that assessed the legal knowledge of the respondents. Besides, the schedule contained a section with the statements. The response to the statement recorded in a four-point Likert scale was supposed to be as such reflecting the attitude of the respondents as legal issues covered in the training. Number of questions and statements related to assessment of knowledge and attitude respectively were proportional to the number of legal issues considered in the training. For further understanding on the method see Method in General (pp. 13-14).

Matrix 3.1 | Content of HRLE training module

Law	Legal issue
Family Law	<p>Muslim Family Law Definition and usefulness of law, Muslim marriage and its condition, negative effect of child marriage, legal punishment of violating rules of Muslim marriage, marriage registration and legal aspects of marriage, birth and death registrations, dowry, rules of divorce, remarriage, multiple marriages, custody of children, guardianship</p> <p>Hindu Family Law Hindu marriage, condition of Hindu marriage, separation between husband and wife, widow marriage, juvenility, guardianship and maintenance</p>
Constitutional Law	Constitution, fundamental rights, human rights, inhuman punishment, and road safety
Criminal Law	Principles of criminal law, job responsibility of police, does and don'ts of an arrested person and bail, acid throwing, rape, trafficking in women and children
Inheritance Law	<p>Muslim Inheritance Law Property distribution among Quranic heirs and residuary heirs, rights of orphans, fetal rights, rights of childless person</p> <p>Hindu Inheritance Law Persons entitled to share properties, rules of distribution, rights of widow, women's rights to property</p>
Land Law	Definition of land, evidence of the ownership of land, rules of changing ownership, government land, mortgage,

For the pose of analysis the content of the training was grouped under five laws along with sub-laws under them. Some of the sub-laws were in fact not laws (Matrix 3.1). The sub-laws under Family and Inheritance Law were grouped according to those relevant for Muslims and for Hindus. The findings in this section on knowledge, attitude, and action had been presented under these heads.

Socio-demographic Profile

The respondents in all instances were members of NGO, those in some cases were local and national but others were international in terms of the location of their head offices. Theoretically, the treatment group was different from the control as the former received HRLE but the latter did not. Table 3.1 compared the treatment and control groups in terms of socio-demographic profiles.

Age

On an average the treatment group (38 years) was slightly older than the control group (34 years). Most of the respondents for both the groups (42.1 and 40.7 from intervention and control groups respectively) belonged to 31-44 age groups – the age when they were at the prime stage of playing a role in the community (Table 3.1). Other than this the distribution of respondents in the groups for rest of the age categories was considerably different. It may be noted that a good portion of the respondent from the control group (43.1 per cent) were younger, belonging to 18-30 age group compared to that of the intervention group (27.9 per cent).

Table 3.1 | Socio-demographic profile of groups

Variable	Group		Significance Level
	Treatment	Control	
Age			
18-30	27.9	43.1	
31-44	42.1	40.7	
45-57	27.1	15.5	
58-70	2.9	0.7	
Mean age	38.0	34.0	p=0.00
Marital Status			
Married	92.7	96.5	
Single/divorce/separated/widow	7.3	3.5	p = 0.01
Religious Affiliation			
Islam	78.3	83.6	
Hinduism	21.7	16.4	
Education (class completed)			
No education (including <class 4)	64.3	56.1	
4-5	16.4	20.8	
6-10	19.1	22.1	
>10	.2	1.1	p=
Mean year of education	2.6	3.0	p= 0.03
Main Income Generating Activity			
Not engaged	92.2	94.0	
Service	1.1	1.3	
Day labour/self employed agriculture	4.9	3.8	
Business	1.8	0.9	p=0.57

n: Intervention - 451, Control - 452

¹Includes day labourer (agricultural and non-agricultural), village transportation, fishing, house work, handicraft, etc.

Marital Status

An overwhelming majority of the respondents from both intervention (92.7 per cent) and control (96.5 per cent) groups were married (Table 3.1). A portion of the respondents who were not married from the intervention group were divorced, separated, or widow. It was so as a higher portion of the respondents from intervention group (30 per cent) belonged to 45-70 age group – the age when they were supposed to remain married but they were not.

Religious Affiliation

The respondents observed in the study were either Hindu or Muslim. There were more number of Hindus in the control group (21.7 per cent) compared to intervention group (16.4 per cent) (Table 3.1). It was believed that development of attitude and going to action by the respondent of a faith learning laws related to another faith was likely to be different compared to the group where the faith of the respondents and the laws related were the same.

Education

On an average the respondents from the intervention group had 2.6 years of education against 3.0 years in the case of control group (ns). Considerably a higher number of respondents from intervention group (64.3 per cent) and control group (56.1 per cent) were without any or less than four years of education (Tab. 3.1). Less than four years of education was considered not sufficient to make one competent to read and write, thus not functional and same, like having no education. Table 3.1 indicates that there were more number of respondents from the intervention groups with four years of education compared to those in the intervention group. This was probably because the control group had higher number of younger respondents who were likely to have attended and continued in school.

Income Generating Activities

Only 7.8 per cent of the respondents from the intervention group against 6.0 per cent from the control group were involved with income generating activities. Overwhelming number of the respondents who were involved with household chores only were likely to have more time for HRLE related activities compared to those involved with household chores and income generating activities (IGA) (Table 3.1). It may be noted that only 4.9 per cent of the respondents from intervention group were engaged in self-employed agriculture in day labour/self-employed agriculture IGA category in the table.

It should be kept in mind that HRLE training was not only the source of knowledge on the issues for the respondents. Other sources directly and indirectly contribute to the knowledge to those who were exposed to those sources. In cases the knowledge disseminated by the sources was not completely similar to that provided by the training, but helped those exposed to sources deduce and derive knowledge similar as disseminated by the training. Thus, the sources indirectly contributed to the knowledge

as was disseminated by the training. Table 3.2 presents some of the knowledge sources likely to cover issues similar to those provided by the training.

Table 3.2 | Respondents involved in activities considered contributing in gaining HRLE related knowledge by groups (%)

Activity	Group		Significance level
	Intervention	Control	
Affiliation with GO programmes containing HRLE elements	2.2	0	
Membership in cooperative	1.1	0.9	
Watched/participated in theatre related to HRLE	13.7	11.1	.29
Attended/conducted <i>shalish</i>	5.1	1.8	.01
Observed TV/dish/CD (in last one week)	42.6	29.2	.00

n: Intervention: 451; Control: 452

NGO Programme Affiliation

There were NGOs that had similar programme like HRLE. Thus, the members affiliated to those NGOs and exposed to such programmes were likely to have similar intervention as provided by HRLE training. It was observed that only 1.1 per cent of the respondents had such exposures. In the case of control group none of the respondents had exposure to any such programme of NGOs providing similar knowledge as HRLE training.

Cooperatives

A negligible number of the respondents from both the groups were affiliated with local cooperatives which at present were coming up as an alternative to NGOs for development in the rural areas (Table 3.2). The cooperatives are mostly motivated towards economic development at micro level but in cases they deal with HRLE related issues if any of their members come across. The process oriented them on the issues and take action if needed. None of the respondents were member of clubs function in their community.

The respondents had a chance to participate in the theatres, particularly popular theatre, organised in their communities (Table 3.2). Slightly higher number of respondents from the intervention group participated in such theatres compared to those in the control group. Like theatre some respondents attended the *shalish* conducted in the community often on legal issues covered by the training. Participation to these *shalish* no matter in what capacity was a source of learning for the participants. Although a smaller number of respondents from the intervention group participated in *shalish* (5.1 per cent) it was much higher than those who participated from the control group (1.8 per cent). Watching the media was also a source of direct and indirect knowledge on issues related to training. Although a good number of respondents from both the groups watched the media, again

a higher number from intervention group (42.6) did that compared to those in the control group (29.2).

KNOWLEDGE ON HRLE

Only 21.5 per cent of the respondents from treatment group attended all the 20 sessions offered by the training. On an average the respondents together from the intervention group attended 13.5 per cent of the sessions. The discussion in this section started with mentioning of mean scores on laws in the test.

Table 3.3 | Knowledge score of respondents on family law by groups (%)

Knowledge Category	Muslim Family Law		Hindu Family Law	
	Treatment	Control	Treatment	Control
0	0.7	1.3	10.0	18.8
>0-25	22.0	35.2	45.5	50.9
26-50	42.4	42.7	28.4	22.6
51-75	31.9	20.1	15.1	7.7
76-100	3.1	0.7	1.1	0.0
n	451	452	451	452

In the case of Muslim Family Law on an average the respondents from the intervention group scored 42.0 per cent against 33.8 in the case of control group. The respondents scoring 26-50 constituted the majority among the knowledge categories for both the groups and constituted almost the same number of respondents in both instances (42.4 and 42.7 for intervention and control groups respectively) (Table 3.3). A negligible number of respondents from both the groups were without any knowledge on the Law.

In the case of Hindu Family Law on an average the respondents from the intervention group scored higher (21.7 per cent) than that of the control group (17.9 per cent). The scores of both the groups were much lower to that of the Muslim Family Law. This was mainly because the Muslim respondents constituting the majority were reluctant in learning

Hindu Family Law and also in implementing that. Number of respondents without any knowledge was high for both the groups but it was relatively higher for control group (18.8 per cent) compare to that of intervention group (10.0 per cent) (Table 3.3). Majority of the respondents from both the groups (45.5 and 50.9 for the intervention and control groups respectively) had some knowledge on the law but they scored less than 25 per cent.

On an average the respondents from the intervention group scored higher (28.0 per cent) than that of the control group (19.2 per cent) in the case of Constitutional Law. Most of the respondents from both the groups also had some knowledge on Constitution Law but it was not more than 25 out of 100 (Table 3.4). A good number of the respondents had no knowledge on the Law but their number was higher in the case of control group (36.7 per cent) compared to that of intervention group (19.3 per cent). Less than one per cent (0.7 per cent) of the respondent

scored 76-100 but there was none with such score from the intervention group.

In case of Criminal law, the average scores of both the groups were considerably low as on an average the respondents from the intervention group scored 8.1 against 3.6 in the case of control group. This was particularly because none of the respondent scored above 50 from any of the groups. A little less than one-third of the respondents (28.8 per cent) from the control group were without any knowledge on Criminal Law against about one-sixth (15.7 per cent) in the case of experimental group (Table 3.5). Majority of the respondents were with knowledge scored not more than 25 from the groups (78.7 per cent for the intervention group and 71.0 per cent for the control group).

Table 3.4 | Knowledge score of respondents on constitutional law by groups (%)

Knowledge score	Treatment	Control
0	19.3	36.7
>0-25	40.6	41.2
26-50	27.1	17.3
51-75	13.1	4.2
76-100	0.0	0.7
n	451	452

Table 3.5 | Knowledge score of respondents on criminal law by groups (%)

Knowledge score	Treatment	Control
0	15.7	28.8
>0-25	78.7	71.0
26-50	5.5	0.2
51-75	0.0	0.0
76-100	0.0	0.0
n	451	452

In the case of Muslim Inheritance Law the respondents from the intervention group on an average scored 25.6 against 16.3 in the case of control group. A good portion of the respondents were without any knowledge on the Law as it was 31.0 per cent in the case of intervention group against 44.7 per cent for the control group (Table 3.6). Almost same number of respondents (32.6 and 32.7 per cent for the intervention and control groups respectively) were with the scores between >0-25 from both the groups. Although the respondents representing the categories was the largest of all in the case of intervention group but second largest, in the case of control group.

In the case of Hindu Inheritance Law the respondents from the intervention group scored 12.2 on an average against 12.4 in the case of control group. The level of knowledge of both

the groups was very low and the difference was not statistically significant. Table 3.6 indicates that substantially higher number of respondents from both the groups (69.2 per cent for the intervention group and 86.5 per cent for control group) were without any knowledge on the Law.

Although a good number of the respondents were without any knowledge on Muslim or Hindu Inheritance Laws there were also a number of respondents in both the groups particularly in the case of intervention group scoring 76-100 indicating that they were considerably knowledgeable on the Laws.

On an average in the case of Land Law the respondents from the intervention group scored 27.9 out of hundred against 20.9 for control group. Most of the respondents from both the groups (58.5 per cent for the intervention group and 47.1 points for the control group) scored 51-75 in the test (Table 3.7). A small portion of the respondents from the intervention group (8.4 per cent) were without any knowledge on the Law against relatively a higher number (18.6 per cent) in the case of control group.

Table 3.6 | Knowledge score of respondents on inheritance law by groups (%)

Knowledge Score	Muslim Inheritance Law		Hindu Inheritance Law	
	Treatment	Control	Treatment	Control
0	31.0	44.7	69.2	86.5
>0-25	32.6	32.7	15.7	9.3
26-50	24.8	19.7	9.5	2.7
51-75	7.1	2.2	3.3	1.3
76-100	4.4	0.7	2.2	0.2
n	451	452	451	452

Tab. 3.7 | Knowledge score of respondents on land law by groups (%)

Score	Treatment	Control
0	8.4	18.6
>0-25	27.1	33.4
26-50	58.5	47.1
51-75	5.8	0.9
76-100	0.2	0.0
n	451	452

Tab. 3.8 | Distribution of respondents by knowledge on laws together (%)

Knowledge score	Treatment	Control
0	0.0	0.2
>0-25	53.0	82.3
26-50	44.3	17.3
51-75	2.7	0.2
76-100	0.0	0.0
n	451	452

When all laws were taken together the respondents from the intervention group scored 25.7 out of hundred against 18.3 in the case of control group. There was none in the intervention group without any knowledge on the laws covered in the training against negligible 0.2 per cent from the control group. Majority of the respondents from both the groups (i.e., 53 per cent in the case of intervention group and 82.3 per cent from the control group)

scored >0-25 in hundred (Table 3.8). For the second largest knowledge group constituting 44.3 per cent of the respondents from the intervention group and 17.3 per cent from the control groups scored 26-50 out of hundred.

Table 3.9 | Respondents' score on HRLE related knowledge by selected variables considered contributory in gaining knowledge by groups

Group	Education		Marital status		Religious affiliation		IGA involvement	
	Yes	No	Married	Single	Islam	Others	Yes	No
Treatment	28.8	24.0	25.7	26.1	26.2	23.8	27.5	25.5
Control	20.9	16.3	18.2	20.5	18.9	15.3	19.4	18.2
P-value	0.00	0.00	0.00	0.15	0.00	0.00	0.05	0.00
Group	Participation in <i>shalish</i>		Watched theatre		Watched media		Mobile	
	Yes	No	Yes	No	Yes	No	Yes	No
Treatment	27.2	25.6	25.1	25.8	28.0	24.0	27.4	21.9
Control	17.1	18.3	17.4	18.4	20.9	17.2	19.1	17.2
p-value	0.02	0.00	0.00	0.00	0.05	0.00	0.00	0.00

The average knowledge score of the respondents from the treatment group was 25.7 against 18.3 in the case of control group. Table 3.9 presents the bivariate distribution of knowledge scores of treatment and control groups in terms of selected variables considered to have a bearing on the variation of knowledge in the study areas. The knowledge scores of treatment group for all categories under the variables in Table 3.9 were greater than that of control group. The differences were also statistically significant except those who were single under marital status.

Tab. 3.10 | HRLE related knowledge of respondents regressed on selected variables

Independent variable	Beta score	Significance Level
Age in years	.132	.00
Education: in years	1.011	.00
Attended HRLE training (yes = 1, no = 0)	6.938	.00
Religious affiliation (Islam = 1, else = 0)	3.344	.00
Involvement in IGA (yes = 1, no = 0)	2.244	.07
Observed media in last one week (yes = 1, no = 0)	2.945	.00
Mobility in last one month	.095	.01
Constant	6.80	.00
R ²		.24

The HRLE related knowledge of the respondents had been regressed on a set of variables (Table 3.10). The R^2 indicates that the model was slightly effective in explaining the variation in the HRLE related knowledge of the respondents. It may be noted that other than involvement in IGA activities rest of the independent variables significantly contributed in the variation in the HRLE related knowledge in the respondents at five per cent level of significance. Among these variables the participation of the respondents in the HRLE training in gaining knowledge was the maximum followed by number of years respondents attended school.

ATTITUDE ON LEGAL ISSUES COVERED IN HRLE TRAINING

Cumulative scores obtained by the respondents against the issues represented the attitudes of the respondents. The score of the respondents could have ranged from 25 to 100. On an average the attitudinal score of the respondents from the treatment group was 87.0 against 77.9 in case of control group. Higher score indicted more positive attitude and lower score less positive attitude towards the legal knowledge which HRLE training intend to inculcate. Median score was used to divide the less favorable attitude from the more favorable attitude. Meaning that the respondents who scored less than median was treated as having less favorable attitude and those scoring more than median considered having more favorable attitude. Those with the median score were considered neither with less nor with more favorable attitude, i.e., they were with an ambivalent state of mind

on the legal issues covered in the training. In the case of Family Law there were a good number of respondents (21.7 and 19.0 per cent for the treatment and control groups respectively) who had an ambivalent attitude towards the law (Table 3.11). There was less number of respondents from the intervention group who had less favorable attitude towards the Law compared to control group for the same laws. On the other hand there were more number of respondents from the intervention group who had more favorable attitude towards the Law compared to that of the control group.

There was slightly more respondents in the control group (42.7 per cent) who had less favorable attitude towards Constitutional Law compared to that of intervention group (39.7 per cent) (Table

Table 3.11 | Attitude on family law by groups (%)

Attitude	Treatment	Control
Less favorable	34.8	46.7
Ambivalent	21.7	19.0
More favorable	43.5	34.3
n	451	452

Table 3.12 | Attitude on constitutional law by groups (%)

Attitude	Treatment	Control
Less favorable	39.7	42.7
Ambivalent	16.9	17.5
More favorable	43.5	39.8
n	451	452

3.12). There was almost similar number of respondents (39.8 per cent) in the control group who had an attitude more favorable to the Law as those from the treatment group (39.7 per cent) but with less favorable attitude.

A good number of respondents from the control group (17.5 per cent) had an ambivalent attitude towards Criminal Law (Table 3.13). By following the trends as in case of laws discussed earlier there were more number of respondent in control group having negative attitude towards the Law compared to treatment group but the difference (1.5 per cent) was negligible. In contrast number of respondents with favorable attitude was slightly higher (6.8 per cent) in the case of intervention group compared to those in the control group.

Table 3.13 | Attitude on criminal law by groups (%)

Attitude	Treatment	Control
Less favorable	36.8	38.3
Ambivalent	12.2	17.5
More favorable	51.0	44.2
n	451	452

Inheritance Law was considered to be the most difficult of all laws covered in the training. In spite of this the respondents with ambivalent attitude was not higher than that of other Laws (Table 3.14). The distribution of the respondents in the case of attitudes for treatment and control groups was negligibly different. In spite of this similarity there were slightly more number of respondents from the treatment group having positive attitude towards the Law compared to control group and reverse was the trend in the case of respondents with less favorable attitude towards the Law.

Table 3.14 | Attitude on inheritance law by groups (%)

Attitude	Treatment	Control
Less favorable	35.5	36.7
Ambivalent	16.2	17.0
More favorable	48.3	46.2
n	451	452

A good and equal number of respondents from both the groups (20.8 per cent each) had an ambivalent attitude towards Land Law (Table 3.15). Again by following the trend of laws discussed before there were more number of respondents from the control group having less favorable attitude towards Land Law compared to treatment group and opposite was the trend in the case of the respondents having positive attitude towards the laws.

Table 3.15 | Attitude on land law by groups (%)

Attitude	Treatment	Control
Less favorable	35.7	38.9
Ambivalent	20.8	20.8
More favorable	43.5	40.3
n	451	452

When all laws were taken together there was slightly more number of respondents (5.2 per cent) from the control group who had less favorable attitude compared to that of treatment group (Table 3.16). On the other hand there were 6.1 per cent more respondents in the treatment group

with more favorable attitude towards the laws together compared to that of control group.

Table 3.16 | Attitude on all law together covered in HRLE by groups (%)

Attitude	Treatment	Control
Less favorable	43.9	49.1
Ambivalent	3.1	4.0
More favorable	53.0	46.9
n	451	452

Table 3.17 presents the bivariate distribution of attitudinal scores of

treatment and control groups in terms of selected variables considered to have a bearing on the variation of attitude in relation to knowledge disseminated in the training. The differences in the attitudinal scores between the intervention and control groups for all the variables considered in the table were small. Other than both the categories of religious affiliation and those who did not watch media the differences between the values of the groups for all the categories in rest of the variables were not significant. In spite of no differences it may be mentioned that the treatment group scored higher than the control group indicating that the former had a more favorable attitude towards the training.

Table 3.17 | Attitudinal score of respondents by selected variables and groups (%)

Group	Education		Marital status		Religious affiliation		IGA involvement	
	Yes	No	Married	Single	Islam	Others	Yes	No
Treatment	81.1	79.4	80.0	80.3	80.5	78.2	83.1	79.8
Control	79.5	76.8	78.0	77.3	78.5	75.3	80.0	77.8
P-value	0.62	0.32	0.34	0.87	0.02	0.01	0.82	0.24
Group	Participation in shalish		Watched theater		Watched media		Mobile	
	Yes	No	Yes	No	Yes	No	Yes	No
Treatment	74.6	80.3	83.0	79.6	79.5	80.4	80.2	79.5
Control	73.8	78.0	79.8	77.7	77.4	78.2	77.7	78.4
p-value	0.89	0.17	0.18	0.43	0.70	0.03	0.57	0.26

Table 3.18 | Respondent's attitude on HRLE related knowledge regressed on selected variables

Independent variable	Beta score	Significance Level
Age in years	0.017	0.67
Years of education	0.435	0.00
Marital status (married = 1, not married = 0)	0.623	0.68
Attended HRLE training (yes = 1, no = 0)	2.486	0.00
Religious affiliation (Islam = 1, else = 0)	2.943	0.00
Involvement in IGA (yes = 1, no = 0)	3.124	0.01
Observed media in last one week (yes = 1, no = 0)	-1.130	0.09
Mobility in last one month	-0.015	0.70
Constant	73.189	0.00
R ²	0.05	

In Table 3.18 the attitude of the respondents on HRLE related knowledge was regressed on a set of variables. The R² indicates that the model was hardly effective in predicting the variation in the attitude of the respondents. The table indicates that number of years respondent completed school, participation in the HRLE training, affiliation to Islam, and involvement in IGA were effective in predicting the prevalence of positive attitude towards knowledge disseminated in HRLE training at least at five per cent level of significance.

AWARENESS BUILDING ON ISSUES COVERED IN HRLE TRAINING

It was observed that 84.3 per cent (380) of the respondents from the treatment group participated in awareness building on issues related to HRLE training against 58.6 per cent (265) from the control group. The realities in relation to dissemination of awareness building could be divided into three:

- ▶ The situation as existed in the families and communities in relation to the issues.
- ▶ Respondents providing knowledge on the steps to be taken to avail the advantages of the situation related to the issues or to save themselves from the unwanted consequences of the situation related to the issue along with the justifications why the steps should be taken.
- ▶ The measures to be taken when an individual became victim of the situation related to the issue.

These steps were not followed uniformly by the respondents in the awareness building. Although the sources of knowledge were different for intervention and control groups they followed same strategy in the awareness building so separate treatments were not given in the presentations on findings for groups in this section.

It must be noted that the distribution of respondents in terms of certain cells in Table 3.19 were very small. For example number of respondents who attended *shalish* were 23 and 8 for treatment and control groups respectively. It appears that other than those who moved there were more number of respondents from the intervention group involved with awareness building compared to control group in terms of all the variables considered in the table.

Table 3.19 | Involvement of groups in awareness building by selected variables (%)

Group	Educated (T=161, C=198)		Not educated (T=290, C=254)	
	Involved	No involved	Involved	Not involved
Treatment	89.4	10.6	81.4	18.6
Control	65.7	34.3	53.1	46.9
Religious Affiliation				
Group	Islam (T= 353, C=378)		Other (T=98, C=74)	
	Involved	Not involved	Involved	Not involved
Treatment	85.6	14.4	79.6	20.4
Control	59.3	40.7	55.4	44.6
Marital Status				
Group	Married (T= 418, C=436)		Single (T=33, C= 16)	
	Involved	Not involved	Involved	Not involved
Treatment	84.0	16.0	87.9	12.1
Control	58.7	41.3	56.3	43.8
IGA Involvement				
Group	Involved in IGA (T=35, C= 27)		Not involved in IGA (T= 416, C= 425)	
	Involved	Not involved	Involved	Not involved
Treatment	80.0	20.0	84.6	15.4
Control	51.9	48.1	59.1	40.9
Watched/participated in HRLE related theatre				
Group	Watched/participated (T= 62, C=50)		Did not watch/participate (T= 389, C= 402)	
	Involved	Not involved	Involved	Not involved
Treatment	90.3	9.7	83.3	16.7
Control	74.0	26.0	56.7	43.3
Participation in <i>Shalish</i> in last one year				
Group	Participated (T=23, C=8)		Did not participate (T=428, C= 444)	
	Involved	Not involved	Involved	Not involved
Treatment	100.0	0	83.4	16.6
Control	75.0	25.0	58.3	41.7
Watched media in last one week				

[Table 3.19 | Contd..]

[...Table 3.19 | Contd]

Group	Watched (T=192, C= 132)		Did not watch (T=259, C= 320)	
	Involved	Not involved	Involved	Not involved
Treatment	88.5	11.5	81.1	18.9
Control	62.9	37.1	56.9	43.1
Movement without help of others in last one month				
Group	Moved (T= 314, C= 263)		Did not move (T=137, C= 189)	
	Involved	Not involved	Involved	Not involved
Treatment	11.1	88.9	73.7	26.3
Control	96.01	39.9	56.6	43.4

Table 3.20 | Respondents' awareness building on HRLE related issues regressed on selected variables

Independent variable	Beta score	Significance Level
Age in years	.002	.83
Years of education	.110	.00
Marital status (married = 1, not married = 0)	-.245	.53
Attended HRLE training (yes = 1, no = 0)	1.375	.00
Religious affiliation (Islam = 1, else = 0)	.283	.16
Involvement in IGA (yes = 1, no = 0)	-.283	.38
Observed media in last one week (yes = 1, no = 0)	.266	.12
Mobility in last one month	.006	.66
Constant	-109	.86

Awareness building on the HRLE related training was regressed (logistic regression) on a set of independent variables (Table 3.20). The table indicates that respondent's year of education and participation in the HRLE training were only variables that appeared to have influenced their involvement in the awareness building. Although not significant, marital status and involvement in IGA were likely to have negatively affected the awareness building initiatives by the respondents.

Birth and death registration: It was observed that 53.9 per cent of the respondents from the intervention group aware others on birth registration against 19.9 per cent from the control group. On the other hand 7.8 per cent from the intervention group did the same in the case of death registration against none from the control group.

In emphasising the importance of birth and death registrations the respondents mentioned about the advantages of registering and disadvantages of not doing so. As mentioned by

some of the respondents the significance of registering birth lied in the fact that when a birth was registered the certificate against it was issued, an official document indicating when one was born, thus helped to figure out what was the exact age of a person at a given time. Similarly the death certificate issued when death was registered indicated the date when a person expired. According to the state policy the citizens of Bangladesh had to mention their age with a document of proof (i.e., birth certificate) while applying or availing certain facilities, or exercising certain rights. In either of these cases the citizens could conveniently submit the birth or death certificates – possible only after those were registered.

The respondents categorically mentioned that the birth certificate was needed to get children admitted to school as a proof that the candidate was at right age to start schooling. They also mentioned by referring to their cases or of others how it became a problem in admitting their children in the school for not having the certificate. Similarly in order to register the marriage bride and bridegroom need to present the birth certificate to prove that they were at right age for marriage. The certificate was needed to become a voter. Besides the certificate was needed to get a passport essential in going abroad to open an account in the bank, and to get a job in GO and in NGO and business organisation in most cases. Birth certificate was needed in buying and selling land. Besides the certificate is a proof of being a citizen of Bangladesh.

The respondents mentioned that the death should also be registered. The certificate received due to registration had to be furnished to claim the money of deceased person in the bank by his/her inheritors. Also it was needed to transfer the ownership of the property, particularly land of the deceased to his/her offspring.

Marriage registration

Forty-one point nine per cent of the respondents from the intervention group against 13.5 in the case of control group engaged themselves in awareness building within the observation period.

The respondents emphasised considerably on the importance of registering marriage. It was mentioned that it was the policy of the state that the marriage should be registered; the marriage would not become legal/official if it was not registered. Above these, the marriage should be registered immediately or as soon as possible after it was commenced. The couple receives a certificate as a proof of their marriage. The respondents mentioned that the registration had lot of implications during marriage and after that for the bride. When the marriage was registered she was less likely to be misbehaved both physically and psychologically by husband and relatives from his side, along with the demand for dowry on her would likely to be less after marriage. The marriage becomes sustaining and the husband would less likely to go for multiple marriages. Moreover, if the marriage was registered the husband refrained from violating wife by keeping in mind that he might be taken to the court for misbehaving with her. In extreme case when wife was divorced she retains the right to receive dower and maintenance of their children from the ex-husband. In such an instance if she was denied of the rights she could file a case against ex-husband in the court in order to receive her rights. To do this, she was supposed to

provide the proof of their marriage – conveniently by submitting the marriage certificate. In order to aware on the advantages of registering marriage respondent also highlighted on the disadvantages of not registering marriage by setting examples on how wives became loser due to not registering their marriages from own community.

Dowry

Forty-seven point nine per cent of the respondents from the intervention group worked on the awareness building against the practice of dowry compared to 16.4 per cent in the case of control group.

The respondents considered that the practice of dowry in marriage was a social curse. Some of the respondents mentioned that taking dowry was haram so it was a sin. Others mentioned that the practice was illegal according to the law of the country so, one might be taken to the jail if case was filed against person receiving or demanding dowry. Most of the respondents, in their effort to aware others against dowry emphasised on the negative consequences of the practice on the couple and their relatives. Both the families offering and receiving dowry would be doing an offence. Respondent emphasised more on the negative implication of the practice on the parties involved.

Respondent pointed out that there were grown up girls in the community who could not be married because their parents could not afford dowry demanded in their marriage propositions.

The demand for dowry creates a tremendous economic hardship for the bride's family. For not having any saving such families in most cases were often forced to sell their land and homestead to meet the demand for dowry, meaning that they were forced to deprive themselves from their income sources; consequently the families would get poorer. If dowry was given during marriage it increases the greed of the bridegroom and his family for more dowry. Often they kept on asking for dowry repeatedly after marriage. If she denies to ask for dowry to her guardians in his behalf or if the proposition is refused the husband misbehaves with her and in many cases it turns to a severe physical torture. Respondents mentioned that the bride did not receive any respect in husband's house if they were married with dowry. On the other hand bride did not respect husband and relatives from his side as because they received dowry which was against the will of the provider and a practice socially condemned. The ill treatment towards bride in cases compels her to commit suicide, if not, the marriage turns into an unhappy union of the two or ends through a divorce.

Multiple marriages

It was observed that 33.9 per cent of the respondents from the intervention group initiated in the awareness building against multiple marriage compared to 7.1 per cent in the case of control group.

The respondents reminded about the legal bindings for marrying again in presence of a wife. They mentioned that one could get married only after taking permission for the

same from the existing wife. For violating the rule existing wife could file a case against the husband and if proven guilty it was likely that he would be jailed. The respondent mentioned that multiple marriages were socially condemned so society looks down on the person with more than one wives. In order to develop opinion against multiple marriages the respondents mainly talked about the demerits of such a marriage. The respondent cited example from the community where first wife became so unhappy after husband's second marriage that she committed suicide and the incidence consequently put husband in lots of problems as the husband was taken to the court. In such a marriage the family was likely to become bigger for having more members in the family. With this, the house for the family had to be large enough to accommodate members along with a requirement for more food, clothes, and other amenities. The expenditure of such a family invariably would be higher. They mentioned that there would be misunderstandings among the wives who would always fight among themselves which in turn would bring disharmony in the family. At one point husband would get involved in the quarrels with the wives and that might lead to divorce with one or all the wives. The respondents pointed out that such a marriage was likely to ruin the family by bringing nothing but unhappiness and hardship.

Road Safety/accident

The respondents asked the road users, particularly school going children, to use roads carefully and follow the traffic rules while on the road, and emphasised that by doing these they could avoid accident on the road. The respondents advised, while crossing the roads they should observe for the oncoming vehicles first on their left side and then on their right, in the case of traffic signals present they should cross the road only when red light on the signal for the vehicles was on, if foot path was available they should use that for walking and in its absence they should walk by the left side of the road, they should never get up and get down from the moving vehicle. The paddle vehicles should be driven carefully particularly on the highways. A respondent whose husband was a heavy vehicle driver asked him not to speed while driving and avoid driving at late night. In order to emphasise in following these traffic rules the respondents mentioned that in case they run into accident and don't die their life would be miserable as they would be seriously handicap for rest of their lives. Along with this their family would be in deep agony for them. A respondent from the control group asked the drivers passing by her house to drive carefully so that they could avoid hitting anybody on the road.

Acid Violation

Nine point five per cent of the respondents from the intervention group did awareness building against acid violation compared to only 0.9 per cent in the case of control group. To prevent the incidence of acid violation the respondents mentioned that throwing acid, for whatever reason, was a social injustice; society looks down on the person who threw acid on others. They further mentioned that throwing acid on other was a crime and one committing such an offence could be taken to the jail and in worse case could be sentenced to death.

As a precaution against acid throwing one should always keep in mind that acid throwing might take place on them, so while sleeping at night they should keep the windows closed. In case one became victim of acid throwing the affected part should be washed with water immediately and after that the victim should be rushed to the hospital. The victim's life would be ruined as because of acid throwing. Due to burn from acid throwing the victim loses attraction to others so they would have problem in getting married. Also their body parts, like eyes, might get damaged. In both the cases they might have to remain dependent on others for rest of their lives.

In order to minimise the incidence of acid throwing in the community the respondents proposed that the perpetrator should be handed over to the police. The matter should not be tried in any other institutions other than court and as a first step to that a FIR should be filed to the local police station. Taking the perpetrator to the court, so that they might be punished, should be an example for the community so that similar incidence might not repeat again. The children should be taught that they should not get involved in acid throwing as they did not have the right to harm others by such an act for whatever reason there might be.

Rape

It was observed that 14.9 per cent of the respondents from the intervention group mentioned that they were involved in awareness building on rape compared to 1.5 per cent from the control group.

The respondents believed that the precaution against rape should be taken both at individual and collective levels. The girls should not do anything or go anywhere so that they might have a greater chance of being raped. As a precaution against rape they should remain vigilant not to be the victim of deception or allured by such male who would like to establish physical relationship with them. The girls should remain careful in moving around alone in the village. If they would get out of the house they should be accompanied by someone reliable particularly one from the family. A respondent proposed that girls should use *borkha* while going outside the house as that would keep them safe. The parents should not allow them to develop any relationship with guys and talk on mobile phone for a long period as that was the beginning of the development of the relationship which they were advised not to do. The respondent mentioned that whole community should be in guard against rape of their girls. If an incidence like this was likely to take place the community collectively should come forward to prevent it.

Some of the respondents advised the guys not to rape girls. They mentioned, when a girl was raped she had lesser chance of getting married. She would be looked down by the society and would lose honour and pride. She would feel so humiliated and remain psychologically tormented that in extreme case she might commit suicide.

The respondents mentioned about what should be done in the case of rape. After rape the parents should be informed. The victim should not take bath in next 24 hours rather during the period she should be taken to the hospital for a medical checkup. Next, with

the report of intercourse/rape from the hospital the incidence should be reported to the police station and finally the case should be filed to the court. Instead of trying to save the perpetrator or to resolve the case in local shalish the case should be taking to the court. Some of them advised that the case should be taken to the ADR system of BRAC for further action. The respondents emphasised that instead of trying to save the perpetrator the community should facilitate in their punishment.

Child/women trafficking

Twenty per cent of the respondents from the intervention group worked for the awareness building as a guard against child/women trafficking compared to 3.8 per cent in the case of control group.

The respondent aware guardians on how they should take precaution to save children from being trafficked. The children should not be allowed to travel on road by themselves, like going to school alone. If they have to go out they should be escorted by elders. The children were told that they should not talk to any stranger when they were by themselves; also they should not take any food from stranger if they were offered. The food might be used to convince children to come with them or it might have drugs which would make children unconscious and after that they would be taken away. The girls were asked not to establish relationship with strangers or talk to them over mobile. If they were trafficked they could not be identified again. If grown up girls were offered jobs abroad they should make sure that the job was same as told and the place they would stay was a safe one before accepting the job offer or going to the place for work. In the name of arranging job the girls might be seduced to come with the trafficker and taken to a country where they would be forced to do antisocial work. The respondents from the control group warned the children if any stranger ask them to get into their vehicle they should not do so. The traffickers might take them to a distance place with the help of their vehicle. In cases respondents asked the parents to advice their children to follow above instructions.

Inheritance Law

In the case of Inheritance Law it was 8.6 per cent of the respondents who worked to build awareness on the Law against only 0.4 per cent in the case of control group.

In most cases the respondents mentioned that the property should be divided among the heirs as per Islamic Law of Inheritance. But in few instances they were specific about the share some of the heirs were supposed to receive. For example, the respondents mentioned that both sons and daughters were supposed to inherit the property of their father after his death. Similarly wife would inherit the property of their dead husband. In more specific term they mentioned that son was supposed to receive double of what their sisters would receive. The respondents emphasised that the heirs should be given what they deserved. There was no scope of depriving them or giving them less than what they deserved for any reason.

Right of orphan

It was 9.3 per cent of the respondents in the case of intervention group who worked to build awareness on the rights of the orphan against none in the case of control group during the observation period.

The respondents observed that in many instances the property was not distributed among heirs as it was supposed to. The orphans often became the victim of such a deprivation. In cases they were deprived of their share in full or in part with a pretext that money had to be spent in raising them so the care taker deserved to receive a share or whole property on which the orphan had the right. The respondents mentioned that it was not a proper act; they categorically mentioned that under no circumstance the orphans could be deprived of their right of inheritance. To substantiate the argument it was mentioned that according to Islam the orphan should receive their share of property and it would be a grave sin in part of the person who deprives the orphans of their rights; the person would go to hell after death. It should be the duty of the family head and others within to make sure that the orphans receive their due share. The respondents also aware their communities and the families within while dividing the property among the heirs that the orphans had the right to their parental property.

Land Law

Six point seven per cent of the respondents from the intervention group tried to build awareness on land related laws against 0.4 per cent in the case of control group during the observation period.

The respondents were quite informed about how their neighbours became loser by not knowing and/or not following the land transaction procedure in purchasing and preserving land. The respondent basically oriented on how the transaction should be made. They mentioned that before purchasing land the buyer should make sure by checking the document that the seller was the legally owned of the land. The *dag* and *kothian* numbers of the land to be purchased should be verified in the map to make sure that those match with other documents. Before or while paying for the land it should be registered in the name of the buyer by visiting the land registration office. The buyer should receive a copy of the document indicating the new owner from the registration office. Immediately after the purchase the buyer should take physical possession of the land. The land should not be kept unused. It should be brought under use through plantation or building a house on it. The respondents particularly mentioned that nobody should sign on blank paper.

Government land and land tenure agreement

Only 4.7 per cent of the respondents from the intervention group aware people on government land and land tenure agreement against 0.9 per cent in the case of control group.

The respondent mentioned that the government land could not be sold or purchased but one could lease five *kathas* of such land for five years from the government through

a written agreement on a stamp paper. If it was not done the agreement would not have legal validity. The respondent also aware on the share of output that the farmer and the owner of the land was supposed to receive in different mode of contracts, like *borga*, lease, *bondokh*, etc. practiced in the community

The dynamics in awareness building

The respondents aware others on the issues covered in the HRLE usually at three locations and accordingly they addressed four different groups for awareness building.

The awareness building was done to grownup family members in one to one basis or in a group particularly during meal or at a chat within family during leisure. Often the relatives or neighbours visited the respondents. The respondents also mentioned about the issues to the guests visiting them.

The respondent mentioned about the issue while visiting the neighbour or relatives. The awareness was done in one-to-one conversation or in a group while chatting with the hosts.

The respondent mentioned about the issue in informal get-togethers in the neighbourhood. On a regular basis the neighbours met at a spot, like courtyard of a house, or under the shed of a tree between these houses during their leisure. The respondents were member of such get-togethers. In these get-togethers the issues covered in the training was often subject of discussion.

The respondents mentioned about the issues in formal social gatherings to discuss on the issues covered in the training. In these events the respondents mentioned about the issue to the participants and those organising the event.

In these meetings held at different locations the respondents got themselves updated on the incidences in the neighbourhood including those related to issues covered in the training. In cases the respondents learnt about the incidence after it took place but in others before it was going to take place. In both the instances the respondent worked on the awareness building. In cases the respondent attended the meetings with the set intention that they would discuss certain issues covered in the training in the meeting. But in other they did not have such an intention beforehand. In these meetings the issues covered in the training came up, the respondent took advantage of the situation and oriented the participants on the issues.

Although the general motive of awareness building was to help people to take right decision and save themselves from loss and/or to gain from a situation the effort could also be grouped in three to whom it was targeted, thus awareness was likely to develop differentially within the community.

The respondent aware anybody they came across so that they might take right steps in relation to the issues in the future thus avoid any loss or become a gainer. For example,

a respondent mentioned about the significance of registering marriage to every female guests present in a bridal party. It was done with the motive that in case the guests would marry their children or relatives they might take right decision.

The respondent felt the need to aware persons who were likely to be in a situation related to the issues covered in the training. For example, a respondent oriented a mother on the significance of registering birth after noticing a baby girl eligible for starting school in the house while making a social visit to that house.

After an incident related to an issue had taken place the respondent aware the parties involved with the situation related to the incident. For example, a respondent aware the daughters on the portion of father's land they have right to inherit during dividing the land of a deceased persons among his offsprings. In these cases the respondents aware either the parties or one of the two. The respondents could aware only after the incident has taken place.

Motivation behind awareness building

The respondents from the intervention group mentioned that the training they received strengthened the foundation of their knowledge. These respondents were confident about the presence of knowledge in them on the issues on which they aware others. Some also mentioned that they had knowledge on some of the issues on which they were trained but they did not try to aware other before they received the training. The respondents from the intervention group unanimously mentioned that it was the training that developed an impression in them that the knowledge they received was very much related to their life and their application was benefiting to them. They also developed the empathy for those who suffered and would suffer for not following the dictates of the training. The empathy was in fact the driving force initiated the respondents to make an effort in awareness building. The sources of knowledge of the respondents from the control group were TV, books, and knowledge received from others on the issues covered in the training. The empathy developed in them was also the driving force for them to work for the awareness building. That was why one of the respondents mentioned that severe accident she observe in the TV motivate her to request the drivers stopping close to her house that they should drive vehicle carefully and they should not speed.

Why did not aware anybody

The respondents in cases did not aware others on an issue covered in the training. The reasons as stated are given below. All reasons were not relevant for not involving in awareness building in all instances.

Did not feel the need

The respondents did not aware people on the issue as she felt that the issue was not important enough for mentioning to others. Moreover, the respondent did not have any interest on awareness building on the issue. The respondents did not understand the

significance of the issues and behaving in certain ways relating to the issues as was proposed by the training. To aware other was considered to be a hassle so did not like to take the pain of informing others. As a result the respondents also did not take any initiative to apply the training on self or on own family. Particularly they were not interested in awareness building on legal issues in somebody from other religion and on the laws relevant to them.

Objection from the family

A few respondent did not visit anywhere outside the house. Their husbands and in cases other male elders in the family did not like them to go out of the house or talk to people outside the family. In cases they did not restrict respondents visit outside the house but forbid to discuss on the issue as covered in the training. Under these situations the respondents felt that they did not have any scope to aware people on the issues. They refrained from awareness building in order to follow the instructions of the family members.

The content of the training was considered sensitive thus felt it would not be liked as a topic for discussion by many in the community. The respondents in cases were afraid that discussing such issues might develop bad relation with those persons as they might think that the respondents were trying to give bad advice to them. In cases the respondent felt that there were issues culturally not appropriate for female to talk with the male, for example rape. So, respondent refrained themselves from discussing the training altogether or a part of it with others.

Failed to learn

Some of the respondents from intervention group failed to learn any or certain part of the training received. This was because they could not understand the content of the training, for training being too short, being too complicated, and difficult to understand. It was mentioned mainly by those who did nothing to aware others on Land and Inheritance Laws. Other reason was that the respondents remained absent from most of the training session. In one instance the respondent was too old to follow the training. As a result the respondents felt that they did not have sufficient knowledge to aware people on the issue. In cases the respondent learnt from the training but for attending the training long time back forgot everything they learnt.

No time

Some of the respondent considered that they did not have any time to aware people on the issue. They were either busy in taking care of the house and children for the whole day and in case of others they had to do all these after working as day labor in the field or at other's house. Earning money to run the family was the biggest concern for them. After working for the whole day they were left with no time to aware people on the issues they learn in the HRLE.

Personal quality of the respondent

In cases the respondents were not confident that they would be listened if they would try to aware people on the issues covered in the training. As they were poor, female, uneducated, and/or involved in occupations they felt that their advice on the issue would not be valued. The minorities felt that people had a tendency of not listening to them for their religious affiliation. When Hindus talked about Muslim laws to Muslim or poor advising the rich the latter groups did not like listening to former.

Not required

Respondents believed that everybody in the locality were aware of the issue and how to protect themselves from the bad consequences related to issue(s). In cases the respondent observed that others, like chairman and member of UP discussing on the issues in their constituency. They discussed on the significance of registering birth in meetings they attended. Some of the respondents not taking any initiative observed that the incidents related to the issue did not take place in their community. For example, some respondents mentioned that there was no road in their village so there was no scope of violating traffic rules and running into an accident by the people of the village. These respondents did not aware others on road accident. In all these instances the respondent did not fill that they should be personally involved in the awareness building of others on the issues in their community.

Traditional belief

Activities related to some of the issues by tradition were dealt by the male members of the family. The respondents were under the impression that if they would try to aware people on these issues at particular time that would not be welcomed by the male members of the families concerned. For example, dividing property among family members was always the responsibility of male members of the family, *gosthi prodhan*, and traditional village leaders. The initiative to aware family members on how property should be divided among the member when it was in progress was not likely to be liked by the male members in charge. So, the respondent did not try to aware family members in such a situation.

The level of knowledge of the respondents and attitude towards the knowledge was positively correlated. The Pearson correlation indicated that in 35 per cent of the instances there was positive association between the two variables.

ACTION TAKEN ON ISSUES COVERED IN HRLE TRAINING

The respondents' participation in the application of knowledge received in HRLE training was different in nature in term of their applications and had different outcomes. In cases the respondent themselves got involved in the application of the law but in others they influenced others to do the same in their behalf. Again, in some instances the application of knowledge had an outcome as intended by the training but for others it did not. In all these instances, whether respondents succeeded or failed to bring desired outcome, it was considered that the respondents applied their training in the observation period.

Table 3.21 | Number of HRLE related incidents took place in study area in one year according to respondents and their involvement in the incidents by groups

Legal Issue	Incident reported to have taken place (mean)		p-value	Involvement in HRLE related incidence*		p-value
	Treatment	Control		Treatment	Control	
Dowry	1.39	1.28	0.41	6.6 (15)	3.7 (8)	0.18
Multiple marriages	0.05	0.24	-	4.8 (1)	12.5 (1)	0.46
Orphan's right	0.0	0.0	0.00	0.0	0.0	-
Acid throwing	0.01	0.0	0.02	0.0	0.0	-
Rape	0.01	0.0	0.04	0.0	0.0	-
Trafficking	0.02	0.0	0.03	20 (1)	0.0	0.00
Inheritance	0.02	0.02	0.43	0.0	25.0 (2)	0.00
Land	0.11	0.03	-	0.0	0.0	-
n	451	452		17	11	

*Calculated based on the respondents indicated that they were informed about HRLE related incidents taking place in their community in last one year

The respondents reported that on an average a very small number of incidences related to legal issues have taken place in their community (Table 3.21). Obviously there were a very small number of incidences where respondents were involved in implementing their knowledge. The respondents from both the groups were mostly involved in taking action against dowry and multiple marriage related incident. But, the difference between the groups in terms of number of action taken was not statistically significant. On number of legal incidences on which the respondents were trained none from the intervention group and also from control group got involved in implementing their knowledge. It may be noted that for a number of issues not a single action have been taken in their community in a year period.

No variation was observed in the process of applying HRLE related knowledge by the intervention and control groups, so the discussion on the application of knowledge by the groups had been done together.

Dowry

Respondents played a role in dowry related incidents that took place among their close family members, like daughter and granddaughter. Again in cases the actions of the respondents tried to prevent the practice of dowry but for others it was in facilitating the practice.

Stopped and attempted to stop dowry

Only one respondent from the treatment group reported that she succeeded in preventing one of her male family members from taking dowry in his marriage (Box 3.1). Number of respondents tried to prevent dowry in marriages but their efforts went in vain due to the widespread practice of accepting dowry in their communities (Box 3.2). Some tried to stop dowry only when they saw bride's family was unable to pay the demand for dowry in marriage. The respondents both succeed and failed in preventing the practice mentioned that the awareness against the practice raised from the HRLE training they received was the motivation for them in their action against dowry. As reported many of them have been trying to prevent the practice whenever they heard about it in their community.

Facilitated dowry

Some of the respondents who reported to have played a role in the marriage mentioned that they themselves encouraged or even arranged wedding with dowry in the case of their family members or neighbours.

The respondents, both from intervention and control groups, arranged marriage for their daughters with dowry because if they would not agree to offer dowry as demanded by the bridegroom's family it would have been impossible for them to arrange marriage of their daughters (Box 3.3). The respondents were aware of the demerits of practicing dowry but they accepted the reality and agreed to provide dowry. Some girls were in problem in getting married for having dark complexion, again there were guys who were with a greater demand in the marriage market due to their higher education or income. The respondents felt that it was worth giving dowry in marrying their daughters with such guys. Again some of the respondents revealed that they were rather happy to give dowry when they found suitable bridegroom for their daughters. Some of the

Box 3.1

A respondent from treatment group took initiative to prevent dowry when she heard that one of her elderly relative demanded dowry in her brother's marriage. Hearing this, the respondent went to him and mentioned about the demerits of dowry in the married life and most importantly the practice of dowry was illegal according to the law of the country. In order to authenticate these information the respondent mentioned that she learnt about all these from the HRLE training she received from BRAC.

Box 3.2

After being informed about one of the neighbour's marriage was arranged with dowry, a respondent from treatment group rushed to bride's parents to convince them not to give dowry in the marriage. In order to convince the parents she mentioned that dowry would not bring peace in the family of those being married. The practice makes husband greedy and encourages them to exert pressure on wife for dowry again and again throughout their marriage, and such a pressure often leads to domestic violence of much serious in nature. But the parents did not heed to respondent's words on the demerits of dowry rather remarked, it was never possible to arrange marriage without dowry in their locality. The marriage was conducted with dowry.

respondents mentioned that they agreed to give dowry in the marriage of close female family members, e.g., daughter and sister, because of their failure to marry them when proposition for dowry was refused in their marriages in the past.

Respondents reported that they happily received dowry in their son's or other male family member's wedding. They justified their position by showing the reason that they invested lots of money for their son's education therefore, bride's family should give dowry if they wanted to establish marital relationship with these 'educated' guys (Box 3.4). They also viewed dowry as a security for the marrying couples.

Polygamy

Only two respondents from treatment group reported that they tried to prevent polygamy but failed. One of the respondents was informed by the person himself decided to take second wife, where as in the case of other it was the neighbour of the persons intending to marry informed the respondent about the decision to marry again.

The role they played

Immediately after knowing the decision for marriage both the respondents tried to convince the men who decided to marry not to do so as they had wives and the marriage would be illegal. The respondents also highlighted the demerits of polygamy in the family, like it would have negative impact on children and would develop an unhealthy environment within the family. One of the respondents also consulted with the elders in the community about the decision and went collectively to the marrying man to change his decision. But ignoring all the advices both the men married for the second time. The respondents mentioned that the HRLE training was the source of their motivation in taking steps against polygamy. The training made them aware and responsible to prevent polygamy. Besides, these two respondents reported that their sense of morality was also the driving force which made them work for the rights of existing wives in marriage.

Box 3.3

A respondent from treatment group requested all elderly member of the community to arrange her daughter's marriage. The elders could not arrange her marriage without dowry. Then it was decided that they would pay Tk. 40,000/-, and provide some gold and silver jewelries as dowry in the marriage. She agreed to the proposition since her efforts of arranging daughter's marriage went in vain several times in the past when she refused to pay dowry in the marriage as was demanded.

Box 3.4

Lalit, son of a respondent from treatment group, was a school teacher. He got married by receiving Tk.7,000/- and a motorbike as dowry. While arranging son's marriage respondent encouraged her family members to support her in the demand for dowry. She wanted to take dowry in her son's marriage as in the Hindu community marriage was the only event when money and assets can be received from the bride's family. If the claim was not done during marriage it would not be proper for a Hindu man to take things from bride's family in rest of his life. Besides, respondent thought that taking dowry was justified as she spent a lot of money for son's education, and she intended that her son should have a decent future by utilising the dowry.

One respondent from control group mentioned that she took action against polygamous marriage in the case of her daughter. A year back her daughter not knowingly was married to a man who had a wife from earlier marriage. When respondent learnt about it from her daughter she got her back from husband's place and arranged divorce for her. The respondent and her family took this action believing that as second wife her daughter would have to live in agony from a bad marriage throughout her life.

Inheritance

A respondent from control group played a role in settling a property related tension that developed among her in-laws after the death of her father-in-law. He died leaving behind two sons and a daughter. After the death, his son-in-law asked to handover the property his wife was supposed to inherit. Centering this demand, tension developed among the members who were claimants of the property. The respondent suggested their relatives to settle the issue by dividing the land to each claimant legally owning the property. The respondents convinced the heirs to share the property so that none was deprived from their rightful claim, thus played a role to settle this property related problem in her family. The respondent played this role because she feared that the dispute might be taken to the court, which would involve lots of time and cost.

Buying and Selling Land

Only one respondent from treatment group have played a role in buying and selling a piece of land in her family which took place about a year back. Respondent's sister-in-law proposed her whether she would buy the land from her in-law who inherited it from her father. The respondent discussed the issue with her husband and they agreed to buy the land. She managed part of the money for the purchase by selling a piece of land that they owned and the rest by taking loan from an NGO. Then they visited local UP member to know about the formalities in purchasing land. As advised and what she remembered from the HRLE training received they went to the land register office and got the land registered in her husband's name. The respondent purchased the land as she did not want a non-relative to become their immediate neighbor as that might result into a dispute with them if such a family would start living there.

Why not involve in HRLE related action

In contrast to number of respondents participated in awareness building a small number of respondents have involved themselves in implementing HRLE related knowledge in practice. That is, implemented knowledge in relation to incidents before or after it has taken place. In cases the respondents did not intend to play a role. Again for other respondents, in spite of having an intention of playing a role they did not. The respondents came up with variety or reasons, which were overlapping and linked for not getting involved with the incidents. The reasons varied from incident to incident but those did not vary in terms of intervention and control groups. The reasons for not playing a role discussed below.

Informed late

The respondents, from both the groups, reported that they heard about the incidents taking place in their community but did not have a chance to get involved with the incidents as they learnt about the incidents after those were settled or there was no scope to get involved. For example, in the case of marriage with dowry nothing much the respondents could do if action was not taken before such marriage was commenced and/or dowry was handed over to bridegroom's family.

The respondents were not informed about the incidents as because they were away from the community when the incidents took place or simply because the information was not communicated to the respondent although they were present in the community when it took place, or the incidents took place secretly, like polygamy or practice of dowry in the marriage, so respondent did not have a chance to know about the incidents. Whatever might be the reason, due to close interaction among members within the community, the respondents often learnt about the incidents after their commencement.

In cases the respondents were not present in the locality when marriage with dowry was conducted. On their return, they were informed about the matter, but it was too late to get into an action against dowry in those marriages. In cases the respondents learnt about the incidents late but still there was a scope for them to get involved but they did not as others get involved in incidents for their settlement, particularly when somebody with a higher status in the community, like traditional village leaders, members, and chairman got involved. A respondent from control group mentioned that she did not take any action against a rape in the community as when she heard about the incident the issue was already being taken over by the police and a case was filed against it in the court (Box 3.5).

Busy

Some of the respondents were so busy with household chores that they could not make time to work in relation to incidents. Again some in the group were additionally busy as they had to day-labour to run their family besides carrying out household chores. In cases, the respondents had members seriously sick at home. The respondents had to take care

Box 3.5

After a girl was raped by her father she herself went to police station and filed a complaint against her father. When police came to arrest the father neighbours including respondents were informed about the matter. The respondent did not have any scope to get involved in preventing the rape. The perpetrator has yet to be arrested.

of these sick at the time when incidents took place, so, they could not give attention to the incident. In context, it may be mentioned that only four respondents from treatment group reported about trafficking in their locality that took place during the observation period. The respondents did not play any role in relation to these incidents for being overburdened with other responsibilities. In other instances the respondents heard about the incidents when the victims were already being trafficked out of their localities.

Physical condition of the respondent

Some of the respondents were old enough not to move out of their house unless it was absolutely imperative. So, they did not go to the spot where incident took place for an action on the incidents. It was more true for the aged respondents if the spots where incidents took place were located far away. Besides, the respondents in general were reluctant to go for an action at a place outside their community. This was mainly because of the need for personal security and there was a cultural barrier in the movement of the female outside the house. It was commented, Even if we knew about any dowry related marriage taking place we could not do anything by visiting the spot if it was located far way.

Being a woman

The respondents believed that women's opinion did not have little or no acceptability in the male dominated society. The respondents feared that their opinion would be rejected for them being female. Because of such a belief respondents were hesitant to get into action against number of incidents, such as marriage with dowry. They believed that as taking dowry was decided by male members of bridegroom's family so it was wise for them to keep their eyes closed in such an issue. The respondents reported that they did not feel encouraged to interfere about the dowry related matter because they knew that their opinion would not be valued for them being women. Respondents who were divorced or widow did not get involved in any marriage related matters due to the existing social stigma that divorced women's involvement in the marriage would bring unhappiness in the marriage.

Only five respondents from treatment group and one from the control group heard about the incidents of rape taking place in their locality. But, these respondents from both groups did not take any action to prevent or protest against the incident due to several reasons. They feared that their opinion would be ignored for being female and for belonging to a lower class. In addition to this, one reported that she did nothing because the rape took place in a village far away from her.

Not a female issue

A few respondents mentioned that dividing property among the heirs was an issue dealt by the male. So, being females they had to face a barrier in getting involved in the matter. A respondent from the control group in justifying her position for not getting herself involved in dividing land among heirs in a family questioned,

How can I get involved in the affair? I am a poor and illiterate woman and have no value in the society. I also do not understand anything about property-related matters. So, I could not go to one of my neighbouring family when that was in a dispute on dividing land among the members. They themselves did it.

Cultural factor

Respondents refrained themselves from preventing dowry because of the reality that without dowry the marriage could not be arranged and if they would try to prevent the practice they would be blamed for breaking the marriage. In context a respondent from the treatment group belonging to Hindu community remarked,

I feel no need to prevent dowry, when I know that it is quite impossible that without dowry a marriage could be arranged for a Hindu girl. So, to prevent dowry means doing something against my culture.

According to another respondent, from treatment group,

For being a woman I do not want to do any harm to other woman. After setting up time and date of marriage the amount of dowry to be given was decided. If I say something against dowry then the marriage could be cancelled. In our village no marriage was arranged yet without dowry. Villagers do not think any bad about dowry. They think this is the ritual of a marriage. Dowry was considered to be part of their wedding culture.

According to one of the respondents from treatment group, polygamy takes place secretly. She commented;

Even though I know about it,

I don't feel like preventing it because I know that I cannot do anything against this male dominated society. So, respondent don't play any role in the incident of polygamy.

Class difference

Some of the respondents from both groups revealed class barrier as the cause for their non-involvement on the issue. In cases the respondents were aware of the marriages taking place with dowry in the upper class but they did not do anything about it because of class barrier and for the fear that they would be humiliated by the upper class if they would try to prevent the practice in their marriages. In context, a respondent remarked:

I did not have any involvement in the three marriages that took place with dowry in my neighbourhood. The parents of both bride and bridegroom were influential and elites in the community, so they would not care about what a poor woman, like me would say. In the case of polygamy, when respondents saw that it was practiced by somebody from upper class they decided to remain

silent on the issue to avoid any conflict with them. One respondent from control group commented. Two months ago a man who was an influential in our village took second wife without the permission of the first. I heard about it from my neighbours. I am not in a position to tell anything to them about it. If I do so I will be in problem.

Restricted from family

Respondents did not get involved in opposing many of the practices the HRLE training intend to prevent because the male members of their families, like husband, son, father-in-law did not allow them to get involved against such practices. In cases they did not allow the respondents to get out of the house or talk to anybody other than family members and other relatives. A respondent from the control group did not take action in preventing dowry as her husband did not want her to do so in the marriage. So, she did not take any step to prevent such a practice in the marriage.

Was not invited

Against the expectation of some respondents that they would be invited in deciding the marriage, they were not. In context a respondent from intervention group commented,

I know everything about the marriage starting from when it was decided. Therefore, I could have engaged myself with the marriage and I had a desire to do so but, I was not asked for that. Why should I be? I am an uneducated ordinary housewife. So, it is not expected that people will ask for my opinion while arranging a marriage. The respondents in cases also did not feel any need to get involved in land related matter since nobody asked for their advice.

Forgot training

Some of the respondents from the treatment group reported that although they took HRLE training and learnt about how to buy and sell land now they could not remember what they learnt about. They felt that no longer they have the competence to play a role relating to land. Respondents also mentioned that they could not learn anything from the training either because they did not attend most of the sessions of the training or it was too difficult for them to learn anything from the training.

Personal business

The respondents did not want to play any role on the issue because they did not like to interfere into other people's matter as considered it was not appropriate. A respondent with such an opinion from treatment group commented – Who am I to ask other not to take or give dowry in their marriages? Dowry is decided by two parties. There is no scope for outsiders to give opinion on this matter. Similar opinion was expressed by respondents from control group. As remarked:

Why would I care if someone decides to take or give dowry in his children's marriage? I do not like to talk about this personal matter.

In relation another respondent from this group commented about a man who took second wife from her neighbourhood:

He [man] feels the need to have another wife, that's why he married again. I don't see any need to tell him anything about it. Even if I would tell him not to marry again, he would not listen to me, for sure.

SUMMARY FINDINGS

HRLE training was expected to bring changes in participants' level of knowledge, attitude towards knowledge gained, and implementing the knowledge in the form of awareness building and applying it in real life situation. In general the intervention group had a better performance (25.7 per cent against 18.3) in all these counts compared to control group.

The training curriculum could be grouped under four heads: Family Laws for Hindus and Muslims, Criminal Law, Inheritance Laws for Hindus and Muslims, and Constitutional Law. The test scores of intervention group for all these laws together and separately were higher than that of the control group. In general, the test scores for all Laws except Criminal Law were low for both the groups. It appeared that the respondents from both the groups who were Muslim in majority scored particularly low in the case of Hindu Family Law and Hindu Inheritance Law.

On an average, the positive attitudinal score of the respondents from the intervention group (87.0 per cent) was higher than that of the control group (77.9 per cent). More explicitly when all laws were taken together there was slightly more respondents from the control group who had less favorable attitude compared to that of treatment group. On the other hand, there were 6.1 per cent more respondents in the intervention group with more favorable attitude towards the laws together compared to that of control group. There was slightly more respondents in the control group (43.5 per cent) who had less favorable attitude towards Constitutional Law compared to that of intervention group.

In the case of Family Law there were a number of respondents both from intervention and control groups who had an ambivalent attitude towards the law. Again a good number of respondents from the control group (17.5 per cent) had an ambivalent attitude towards Criminal Law. On the other hand an equal number of respondents from both the groups (20.8 per cent each) had an ambivalent attitude towards Land Law.

It was observed that 84.3 per cent of the respondents from the treatment group participated in awareness building on issues covered in the training against 58.6 per cent from the control group. The respondents made their community aware at four locations and accordingly they addressed four different groups. That is, awareness building was done within the family on a one-to-one basis or to a small group of family members; neighbours or relatives while visiting their places; neighbors in informal get-togethers in the neighbourhood, like courtyard of a house or under the shade of a tree between

houses during their leisure; and participants presented in formal social gatherings by raising the issues covered in the training.

The respondents from the intervention group felt that the training they received strengthened the foundation of their knowledge. They became confident about the correctness of the knowledge they possessed on the issues on which they used to aware others. A few from this group were already informed on some of the issues on which they were trained but they did not try to aware others on those before they received the training. But they did after the training as they felt that it was the training that developed an impression in them that the knowledge they received was very much related to their life and their application would be benefiting to others in the community. They also developed an empathy for those who suffered relating to issues on which the knowledge was disseminated in the training. The sources of knowledge of the control group on the issue covered in the training were TV, books, and from others who received the training. The empathy developed in them was also the driving force for them to work for the awareness building.

A good number of respondents from both the groups did not aware others on an issue covered in the training as they did not feel the need for that. In cases, restricted mobility due to being women was the reason for their non-involvement in awareness raising activities. Other reasons, like failure to learn anything from training, being too busy with own work, lack of confidence, etc., were some reasons for not getting involved in awareness building.

In contrast, to a number of respondents who participated in awareness building activity a small number of respondents involved themselves in implementing their knowledge into practice. It may be noted that none from any of the groups got involved in implementation of knowledge on number of legal incidences covered in the training. According to respondents from both the groups there was a very small number of incidents related to legal issues that took place in their community. So, there was limited scope for getting involved in the implementation of knowledge by the respondents. Again for others respondents, in spite of having an intention of playing a role they did not as they were informed after incidents had taken place, lack of time, lack of physical fitness or for being disabled, not considering the issue as female issue, so left the matter to male folk for solution, lack of family support, class difference, forgot training and considered the matters/issues related to training as very personal. Whatever scope was there they were mostly involved in taking action against dowry and multiple marriage related incidents.

CHAPTER FOUR

ALTERNATIVE DISPUTE RESOLUTION IN BRAC

INTRODUCTION

Historically, Alternative Dispute Resolution (ADR) is a dispute resolution mechanism or a procedure for settling dispute other than through traditional court based litigation. ADR is a term often used to describe a wide variety of dispute resolution mechanisms that work as an alternative to full-scale court procedure (ADR Practitioner Guide 1998). ADR is a structured negotiation system in which disputants usually refer their disputes to a third party for evaluation and/or facilitation for resolution. Although some scholars questioned the capacity of ADR to deliver justice by commenting, "... solutions reached by diversionary procedures may deliver cheaper but also a less satisfying form of justice" (Brennan 1996, pp. 141-142) there were circumstances for disputants where ADR appeared to be the best and most appropriate method of dispute resolution. The strength of ADR lies in the fact that a dispute has a low monetary value, therefore going to court to solve the dispute is not a cost effective option; where preservation of ongoing relationships between disputants is important, such as, in family law matters, neighbourhood and commercial disputes, where a particular remedy (for example an apology is sought) is not otherwise available using litigation in the court.

The means through which ADR resolves disputes includes arbitration, negotiation, mediation, conciliation, and other kinds of alternative mechanisms/processes designed for specific cases and subject matters.

Arbitration: It can be both a binding and non-binding technique in ADR.

- ▶ In a binding form of ADR, more closely resembling the traditional litigation system, it involves a neutral approach to review evidence, hear arguments, and issue a binding decision. In this form of arbitration, decisions taken by third party must be followed by disputants even if they do not agree with the decision, like judicial litigation process.

- ▶ In a non-binding form of arbitration, parties can reject third party's decision (ADR Practitioners Guide 1998). In this context it may be mentioned that negotiation, mediation, and conciliation are non-binding forms of ADR.

Negotiation

In negotiation two or more parties communicate with each other for the purpose of influencing each other's decision (Goldberg *et al.* 1992). Here, both parties try to come to a decision that satisfies most of the interests of the parties involved.

Conciliation

Here a third party helps both parties with agenda setting, recording, and other administrative concerns. Third party does not play active role in resolving dispute, rather acts as a moderator when joint meetings are held or acts as go-between when parties do not directly meet (Shamir 2003).

Mediation

It is a negotiation process in which an impartial third party encourages and facilitates the discussion among the two parties in dispute. In this process, mediator does not have control over the decision and outcome of the negotiation, but has control over the process. Here mediator acts as an intermediary who helps two parties to settle their dispute or to come to an agreement (Shamir 2003).

Theoretically, there are various types of approaches that are adopted by mediators in mediating between two parties. Of these approaches, there are two which are mostly used: the evaluative approach and the transformative approach (Shamir 2003).

- ▶ In evaluative approach, mediator guides the discussion on the basis of his/her knowledge on laws and experiences on specific field. Here, mediator also makes parties aware of the possible consequences they might face in the court if the mediation process fails. Since evaluative mediator plays a dominant role in the process, mediator directs some or all the outcomes of the process.
- ▶ The transformative approach views conflict as an opportunity for solving a problem through transformation (Folger and Bush 1994). Here, mediator leaves the responsibility to disputants but guides them to identify and analyse their problems, gain greater clarity about their goals, resources, options, and preferences. This approach aims to transform the potentials in two aspects: empowerment and recognition (Folger and Bush 1994). In this approach, parties are viewed as capable of identifying and defining their problems and finding out acceptable solution. On the other hand, parties go through the experience of understanding and recognising the problems and its solutions from other's point of view (without necessarily agreeing to it). By going through this process the disputants may gain the ability to use the same technique in solving future disagreement as well as see the problems as an opportunity from which both

parties can benefit. Therefore, this transformative approach leaves the impact on the parties involved as well as on the society.

In mediation, mediator adopts one of these approaches or their combination depending upon the nature of the problem, parties involved his/her knowledge on particular issues, and expertise.

HRLS programme has tailored its ADR system by adopting the combination of these characteristics discussed so far.

ADR PROCESS OF BRAC

The ADR system follows several steps in its operational procedure. Generally, HRLS staff in an Area Office takes the complaint for ADR on week days. If the nature of complaint is more serious than usual the exception is made by receiving the complaint on weekends. It is also the responsibility of staff to initiate in receiving the complaint when they are informed about it through sources other than the complainant (p8).

Firstly, staff at Area Office decides whether the problem can be dealt by ADR system or should be sent directly to the court through existing facilities of the programme. If the complaint fulfills the conditions of ADR system the staff registers the complaint. The complainants require to pay Tk.10/- in order to register their complaints. If a complainant is incapable of paying the registration fee, s/he is registered without the fee. After registration, the complainant is provided with a registration card. While registering the complaints the complainant needs to submit relevant documents, e.g., marriage registration certificate in the case of complaint on marital problem.

Next, ADR system mails a notice to person complained against, i.e., defendant, in which s/he is informed about the accusation from the complainant and asked to report to Legal Aid Clinic at Area Office at a particular time and date. Usually, the defendant is asked to respond within 15 days from the registration of the complaint. Defendant has the option to report in person or send someone in behalf. Second notice is served to the defendant if s/he did not respond to the first one in 15 days from the date the notice was sent. If the defendant does not respond to the second notice, the HRLS sends a legal notice to defendant through panel lawyer, with this the case goes out of ADR system to legal process of formal court.

When the defendant or his/her representative comes to Legal Aid Clinic, staff decides the date and time for ADR process as per convenience of both the parties. If both the parties agree ADR session is also arranged on the day defendant reports for the first time to ADR system. Both parties are requested not to bring too many companions in the meeting as that would create chaos in the session rather than helping them in coming to a decision. The task of staff in the ADR session is to create a favorable environment where disputants (i.e., complainant and defendant together) can express themselves freely on the complaint.

At the outset of the first session both parties are informed of rules of ADR session that to be followed, and signature of the participants and their companions are taken in the consent form as evidence that both parties agree to sit in the session. In the session, the disputants are mentioned that they themselves would have to solve their problem through discussion where staff would work as a moderator. The complainant is asked to tell about his/her complaint and associated problems. Then defendant is asked to clarify his/her position related to the complaint.

If conflict arises in a session such as shouting, calling by bad name, trying to hit each other, staff asks them to maintain discipline of the session as well as that of BRAC office. Staff guides disputants to come to a decision to solve their problem rather impose any on them.

Staff proposes for the formation of a decision committee of 3-5 members representing the complainant and defendant from those present in the session. The members are selected as per consent of the disputants. At the end the HRLS process committee reads out the decisions taken to all present in the session and the decision is recorded in writing. The parties give commitment to abide by the decision. After this, staff assists disputants to come to an agreement about how to implement their decision taken.

The resolved cases are followed up by staff for six months. If defendants do not abide by ADR decision, then the Legal Aid Clinic, if complainant agrees, takes the case to the formal legal procedure through panel lawyer. If in any cases, disputants solve their problem by themselves prior to ADR session but after the case was filed for ADR the cases is recorded in the office with a status, resolved by self-initiative. In this case, complainants required to submit a signed statement how and under what condition the problem have been solved.

The objective of this study in general is to assess the direct and indirect impact of the service on the disputants. More specifically the objectives of the study are to:

- ▶ Evaluate ADR decision; and
- ▶ Evaluate the immediate and long run implication of ADR decision on the disputants both on personal and social life.

Method

Since an overwhelming number of cases (98.1 per cent) filed in the ADR system was on dowry and maintenance thus the study exclusively dealt with these issues. The study observed both complainants and the defendants who received ADR decision in 2010-2011. The total sample size for complainants and defendants were 386 of which half belonged to each group. The defendants in 89.6 per cent of the instances were or used to be husbands of the complainants during data collection. The complainants were randomly selected from their list preserved at Area Office. Data were collected during January-February 2014 from the catchments of 16 Legal Aid Clinics under consideration

in this study. Besides survey, the study conducted 10 case studies on those availed ADR system of BRAC.

The study used a four point satisfaction scale on which the respondents were asked to respond in terms of their satisfaction with the ADR decision. Along with this they were asked to justify their level of satisfaction. For further understanding on the method see Method in General (pp. 13-14).

FINDINGS

The presentation of findings has been grouped under a number of heads. The section started with the socio-demographic profile of the disputants. Next, the section provided a short description of the ADR process that the disputants followed. Finally, the section dealt with the effect of the ADR decision on the disputants. The effect included immediate reaction on the decision by the respondent and change in their socioeconomic status within the family and in their community at large.

Table 4.1 | Socio-demographic profile of disputants considered in the study

Variable	Group		Significance Level
	Complainant	Defendant	
Age			
18-30	77.2	39.4	
31-44	20.2	49.2	
≥ 45	2.6	11.3	
Mean age	28.2	34.7	p= 0.00
Sex			
Male	0	100.0	
Female	100.0	0	
Marital Status			
Married	84.5	95.8	
Divorced	9.8	2.1	
Separated/widow	5.7	2.0	p = 0.002
Religious Affiliation			
Islam	95.9	95.9	
Hinduism and Buddhist	4.1	4.1	p = 1.00
Education (class completed)			
No education (including ≤ class 4)	35.8	52.3	
4-5	24.4	21.2	
6-10	37.8	23.8	
>10	2.1	2.6	p= 0.01
Mean year of education	4.6	3.4	p= 0.00.

[Table 4.1 | Contd...]

[...Table 4.1 | Contd]

Variable	Group		Significance Level
	Complainant	Defendant	
Main Income Generating Activity			
Not engaged	81.3	0.5	
Service	4.7	6.2	
Day labour/self employed agriculture	13.0	76.7	
Business	1.0	16.6	p=0.00
NGO Membership Status			
BRAC	14.5	2.1	
Other NGO and Grameen Bank	22.3	3.1	
Not member	63.2	94.8	p= 0.00
Membership in Cooperative			
Member	0.0	99.0	
Not member	100.0	1.0	p= 0.16
Membership in Club			
Member	0.0	1.0	
Not member	100.0	99.0	p= 0.16
n	193	193	

¹Includes day labourer (agricultural and non agricultural), village transportation, fishing, house work, handicraft, etc.

Table 4.1 presents statistics on selected socio-demography of the disputants considered to be relevant in explaining the impact of ADR on them. In general the defendants were older than the complainants, indicating that if other factors remained consistent, the former would be more experienced than the latter thus, defendant would be in a position to handle ADR process better. Majority of the complainants (77.2 per cent) were in 18-30 age group, which in the case of defendants (49.2 per cent) was in 31-44 age group. Not only all complainants and defendants were female and male respectively they were married once and with the exception of a few they were living at separate locations when the complaints were lodged. At the time when data were collected a greater number of defendants were married compared to complainants, meaning that more number of defendant remarried compared to complaint where ADR decision was for divorce. Overwhelming number of complainants and defendants were Muslim.

In general the complainants were more educated than the defendants. It may be noted that a higher number of defendant (52.3 per cent) was not educated compare to complainant (35.8 per cent). For both the groups those who had schooling were with 6-10 years of education. Overwhelming number of complainant (81.3 per cent) was not engaged in any IGA after undergoing through ADR process. Those involved with IGA were working as day labourer or engaged in self-employed agricultural sectors from both the groups. Most of

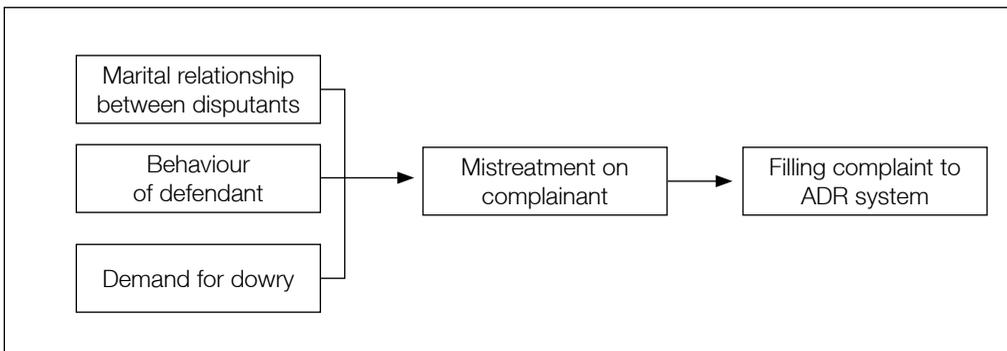
the complainants involved with IGA were living on their own or with their parents¹⁵ after ADR process.

Participation in NGO, cooperative, and club are often direct or indirect sources of knowledge on legal issues. In cases, these organisations extend legal help to their beneficiaries on the problems related to human rights. A moderate number of complainants (36.8 per cent) were NGO or Grameen Bank beneficiaries but none was of cooperative or club in their neighbourhood. In the case of defendants their participation in these organisations was very low.

Why lodged complaint to ADR system

An overwhelming number of cases (92.2 per cent) filed to ADR system were recorded on dower and maintenance, 6.2 per cent on maintenance only, 0.5 per cent on reunion and the rest (1.0 per cent) on physical violence. There were number of overlapping reasons that led the complainant to lodge complain against the defendants who in all instances were complainants' husbands. The reasons for filing cases, considered in this study, ultimately boiled down to single denominator mistreatment with the complainant. The root causes of the problem that led complainant to take help from ADR process as observed in this study, in broad term, emerged from three overlapping factors: extramarital relationship between disputant, personal behaviour of the defendant, and demand for dowry by the defendant and/or his relatives (Diagram 4.1).

Diagram 4.1 | Pathway for participation in ADR process



Marital relationship

In some cases the defendant had extramarital relationship with somebody either within or outside his extended family. When complainant came to know about it she objected

¹⁵ Parents were often father or mother who took care of the disputants but in a few case they were other relatives, like elder brother or uncle who were in charge.

to the relationship; the objection in turn made the defendant mistreat her. At one point the complainant realised that she would not be able to make the defendant give up the extramarital relationship.

In a number of instances the defendant married for the second time. In cases they married the girl with whom they had extramarital relationship but in others the complainant discovered that the defendant already had a wife before the complainant was married to him. The co wives did not go well. In the case of altercation, whether verbal or physical, between the two the defendant always mistreated the complainant by supporting the co-wife. In cases the defendant wished that the complainant and her children should stay elsewhere preferably with her parent.

In a few instances the complainant and the defendant were in love before marriage and they married without seeking the permission of their parents. The marriage was not accepted by the relatives from defendant's side and they blamed the complainant for alluring defendant to the marriage. They always looked for the fault of the complainant and made it an issue for mistreating her. Besides, relatives brought false allegation against her to the defendant. At one point the defendant went against the complainant and also started mistreating her along with the relatives.

In other cases where marriage took place with the permission of the parents and complainant moved to defendant family after marriage she had hard time in adjusting herself in the new setup. The members always found fault in her and reported about these to the defendant. At one point based on these complaints the defendant alone or in collusion with the members mistreated the complainant. Besides, being mistreated she was additionally hurt by seeing that defendant was valuing the words of other members more than that of her.

Personal behaviour

After marriage the complainants, in some cases, found that the defendants did not have any job or did not work regularly. As a result for not having any or sufficient income, the defendant often kept the complainants with children to their parent's house for a long period. Besides not working, some of the defendants were addicted to alcohol or drug. They frequently sold family belongings or complainants' jewelries to maintain addiction. In these cases when defendants were asked to work or give up addiction they mistreated the complainants.

Dowry

Dowry was not only widely practiced in the rural community but was also a major cause for contention in the family. Dowry was demanded and received in different forms, like cash, gold, furniture, etc., by the defendants and/or their parents. Dowry was demanded both during and after marriage.

In some of the marriages the commitment of dowry, made before marriage, was partially met during marriage with a promise, that the rest would be met shortly. But, the

promise was not met by complainants' parents with different pretexts. In other instances defendants came up with fresh demand for dowry after marriage. The demand was justified by mentioning that the dowry would be used for a productive purpose, like start a business, which would well-off their family. Often the demand for further dowry was made after the dowry that was received during marriage was misused or spent to meet family expenses.

In all instances where dowry was demanded after marriage, the defendant did that to the parents of the complainants, but through them. Initial reaction of all complainants was not to convey such a demand to their parents; while some of them stuck to the decision but other in course of time, conveyed the message to their parents. In later instance the parents either refused to meet the demand for dowry on the ground that they did not have the capacity for that or they did not believe that the defendant would make use of the dowry for which it was asked for.

The noncooperation in providing dowry, whether by the complainant or her parents was always responded with violence on the complainant and in cases even on her parents, e.g., mother. It started with psychological abuses, like not communicating, rebuking, saying of sin words, and threatening to divorce. Following this, the physical torture came with not providing food, kicking, and beating with stick and even iron road. The beating in some cases was so severe that the complainant bleed and had to be hospitalised. The mistreatment was done not only by the defendant but also by his relatives, like mother-and sister-in-laws.

When torture failed to force in providing dowry or as a part of the strategy to force in providing dowry the defendant drove the complainant out of the house where she was residing with him. In cases where the complainants had children they were driven out both with or without them. Different modes were followed in driving them out of the house. In some cases they were just pushed or dragged out of the house whereas, in others the mistreatment was so severe that they complainants failed to bear it thus let the house by themselves or their parents came and took them along. Whereas, in other instances the complainants were tricked to go to their parent's house willingly and the defendant returned back living them with their parents. After getting rid of the complainant the defendant not only stopped all contacts with the complainant but also stopped providing her any support and even prevented her return back to the defendant.

Why file case? At this point the complainant filed case to ADR system with a hope that the complaint would make the defendant to take her back or when realised that she would not be taken back she filed case to receive dower and maintenance for children. Similarly in the case of problems relating to marital relationship and personal behaviour of the defendant, overwhelming majority of the complainant wanted the rectification of defendant's behaviour with the help of ADR service but in a few cases divorce was preferred.

ADR SYSTEM

The disputants followed a set course of action before they took the problem to ADR session.

Coming to ADR system

At the initial stage of the problem the relatives and neighbours themselves came forward for the solution of disputant's problem. When the efforts did not work the disputants resorted to local institutions, like *shalish* conducted by traditional village leader and elders (muribby) of the village, for the solution of their problem. In some of these initiatives the defendant did not show up so the *shalish* could not be conducted. In other instances *shalish* could be conducted and a decision was given, the defendant agreed to the decision right-in-front but, did not abide by it. When judgment was not honored the complainant informed about it to village leaders and elders, and in cases the *shalish* was held again. Some of the complainant went to chairman or member of UP finding that the *shalish* by the village leader/elder did not work.

Obviously the complainants who were not informed of ADR system did not have any chance in taking advantage of the system in solving their problems. Even some of those who were informed about it did not avail it before going through above process as they considered the system as a formal institution something similar to court difficult to avail, could be done in exchange of a payment and the service was external to their community. In contrast, *shalish* was considered to be an institution very much local and part of their culture so they preferred to get their problem solved locally. They argued that if the problem could be solved locally why they should go outside. They believed that they not only lived in their community but also depend on it so they should look for the help within their community first.

Some of the complainers had considerable knowledge on the activities of ADR system particularly those who were associated with BRAC in different capacities, like being VO member or *shebika*. The complainants who were under the wrong impression about ADR system, did not have sufficient knowledge or did not have any, learnt about the system from relatives, neighbours, BRAC staff, or UP members. In most of these cases the information provided was convincing enough for the complainants to visit BRAC office for detail information on the service. They went to BRAC office usually accompanied by relatives and neighbours.

As a procedure, mentioned earlier, a notice was served to the defendant instructing him to attend Legal Aid Clinic. In many cases the defendant gave importance to the notice only after they received it for the second time. The defendant discussed with their senior relatives on the significance of the notice and how they should react to the notice. In most cases the defendants were suggested that they should report to Clinic and follow its instruction; accordingly the defendants reported to the system.

When filing the complaint to Clinic for ADR 91.7 per cent of the complainant were residing with their parents against 7.3 per cent living with other relatives, like brother, uncle, and grandparent, etc., and the rest (one per cent) was living with the defendant, i.e., their husbands against whom they have filed the complaint.

ADR Session

On an average ADR service took 57.4 days to come to a decision from the day the complaint was filed. The highest number of sessions that Clinic took to come to a decision was eight but it was 3.2 sessions on an average. The gap between one and the following session was 20.9 days with highest being 40.2 days between 2nd and 3rd sessions (Appendix 1).

In the case of 87.7 per cent of the meeting between the complainant and the BRAC staff it was through visit in person, where former met latter at BRAC office, whereas in the case of rest of the meeting (12.3 per cent) it was contact over mobile phone. Both complainants and defendants were accompanied by others during their visits to the Clinic. On an average it was 2.6 companions in the case of complainants and 5.5 in the case of defendants who accompanied them to the sessions. As the sessions progressed number of companions attending the disputants consistently decreased (Appendix 1) and in the case of defendants after 5th session they visited the service alone.

The assistance of the companions both during and after ADR process was to help the respondents to bring ADR decisions more in their favour. For example, higher education of the companions was likely to place them in a better position to help the disputant with effective suggestions and arrangements when ADR session was in progress. Similarly it was believed that certain companions, e.g., chairman of UP, because of their position could have influenced the ADR process in favour of the party companion represented. Appendix 2 presents selected characteristics, indicating capacity, of those accompanied the respondents.

Most of the complainants were accompanied by their parents against neighbours/friends in the case of defendants. In cases, complaints were accompanied by their relatives from defendant's side, like mother-in-law. Although neighbours/ friends were very helpful it was likely that closer the relationship more willing the companions were in providing help both in and outside ADR session. An overwhelming number of companions were male both for complainants and defendants. Fifty-six point seven per cent of the companions in the case of complainant and 52.0 per cent in the case of defendant were not educated. On the other hand 23.1 per cent of the complainant and 26.0 per cent of the defendant were with 6-10 years of education. Majority of companions for both the groups were day labourer and belonged to middle class, they were not likely to in a position to help the respondents effectively in bringing ADR decision in their client's favour. More number of companions with higher social position in the community accompanied defendant than complainant. As a whole the defendants were in a more advantageous position to receive substantive help from the companions to bring the ADR decision in their favour.

As highlighted before, 99.0 per cent of the complainants before or immediately after filing case moved out of defendant's place. So, they attended ADR sessions independently or with their companions. In spite of this they often met the defendants before and after the session, and obviously during the sessions. During these meeting they reacted to each other differently.

- ▶ A group of defendants behaved well in the meeting. They asked about how the complainants were and their children if any living with the complainant.
- ▶ Another group of defendants while encountering the complainants completely ignored them by not saying anything or even by not looking at them in some cases.
- ▶ The third group reacted negatively in such a situation but in different degree. Some of them started blaming the complainants where, very soon, both of them started accusing each other on issue which was the cause for filing the cases. The defendants mentioned that they were not afraid of the case filed. Neither they would take back the complainant nor provide dower and maintenance to them in any circumstance. Some of the defendants asked the complainant to withdraw the case filed and if that was not done they would be harmed. In extreme cases the defendants reacted by uttering filthy words both to the complainants and those accompanying them. The defendants also called the complainants and their relatives over phone to threaten them for filing complaint to Clinic for ADR.

The reaction of the defendants towards complainants during ADR sessions was consistent with their behaviour outside the sessions. Besides when complainants were placing their problem and defendants defending their positions they invariably involved themselves in arguments with each other and in the process the companions also involved themselves in the argument.

When filthy words were uttered against the complainants and were threatened that they would be harmed for filing case they always reported about it to staff. A few complainants reported about the threat to the chairman or member of the UP so that they might be protected from such a treatment if upcoming. Besides, the complainants or their relatives in behalf contact with the defendants and asked them not to insult and harass the complainants.

Disputant's desire from ADR decision

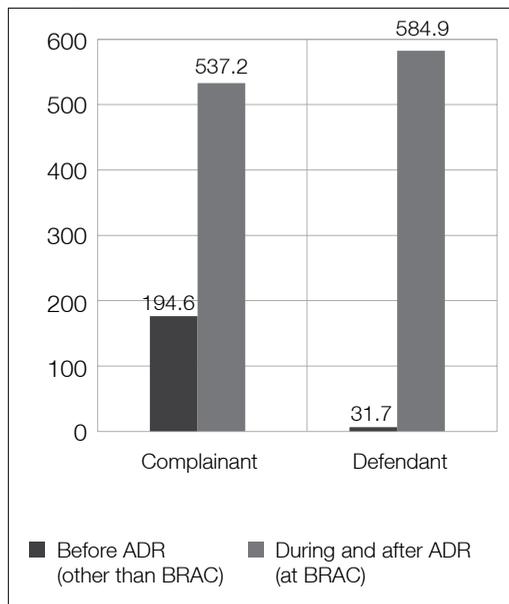
In spite of filing complaint and living away from the defendants an overwhelming majority of the complainants earnestly desired to reunite with the defendants but with the condition that the defendants should correct themselves for which the complaint was filed. Because of this the complainant in most cases did not behave in similarly faction with the defendant when they were mistreated in the meetings both inside and outside the sessions. While placing the complaint verbally in the sessions the complainants often had to get into argument with the defendant but former was always in defense. She rarely used any objectionable words but, in a few occasions raised voice as an objection to the insult that was done to them.

The defendants also called complainants over phone and her relatives. The complainants believed that they were behaved well as because the defendants wanted to reconcile and desired complainant should return back to them. In fact the defendants tried to convince the complainant to reconcile. So, one defendant mentioned in the meeting after a session – What has happened has happened now come back home. Although some of the defendants wanted to reunite for the sake of keeping the family intact but others opted for it by thinking that if the decision would be in favour of complainant or for separation they would have to pay dower and maintenance of their children.

Bringing ADR decision in favour

Nine point eight per cent of the complainant compared to 3.6 per cent in the case of defendant confessed to have given extra effort outside the session to bring ADR decision in their favour. They called or visited relatives both from their own and other side to convince their opponent to settle the dispute and get united. Some of them talked to staff to make sure that the ADR decision might be in favour of reuniting them than anything else. Although complainants resorted to ADR process for the solution of the problem the defendants in cases also took initiative for the same. As reported, 37.3 per cent of the complainants and 18.1 per cent of the defendants took help of other agencies, e.g. *shalish*, for the solution of their problems when ADR sessions were in progress. Besides *shalish*, some defendants resorted to chairman of UP, traditional village leaders, and elders of the community to get their problem solved during the same time. And, in this effort the respondents had to spend money (Fig 4.1). Although more money was spent by complainant for the solution of their problem than that of defendant during ADR almost same amount of money was spent by both the groups during and after ADR.

Fig 4.1 | Case related expenses before during, and after ADR session



ADR DECISION

Ninety-four point three per cent of the respondents were asked for their opinion about the decision given. In most cases the decisions were pronounced immediately after the disputants came to a decision on the complaint. After pronouncement of the decision staff detailed out how the decision should be implemented.

The ADR decisions observed in the study can broadly be divided into two – reunification and separation.

- ▶ Former included reunification of complainant and defendant and latter should provide support to the complainant and their children.
- ▶ Latter included divorce of complainant and defendant, and husband should provide dower to complainant and maintenance to their children those living with the complainant.

For 89.6 per cent (173) of the cases it was decided that the complainant and the defendant would reunite but for the rest (10.4 per cent) the decision was for divorce.

As a first step in reunification it was decided that the complainant should move back to or should be taken back by the defendant either at the location from where they got separated or to a new location immediately after the decision. In one instance it was decided that the couple should reunite after 30 days from ADR decision when their anger towards each other would subside. The defendant should accept her and they should start their family fresh. They should always try to maintain harmony in their family and should not abuse each other. For that they should listen to each other's rational proposition, take family decision together, carry out the responsibilities of the family as expected or should not say objectionable word to each other. The defendant or any of his relative, e.g., mother, should not mistreat her either psychologically or physically. The defendant should not ask and press for dowry to the complainant. The defendant should provide support to her and their children. In cases the support was specified and it was on an average Tk.2,330/- for her and Tk.733/- for each child per month. In one instance the defendant was asked to register 165 decimal of land in the name of the complainant. Where the decision was for divorce between complainant and defendant the decisions mostly revolved around dower and child support. Where dower remained fully or partially unpaid the defendant was asked to pay it within a set period. On an average the amount to be paid was Tk.29,428/- within 21 days from the day the decision was given. In one instance the defendant was asked to pay Tk.165,000/- and in the case of a few it was decided that the dower could be paid in installments. On an average Tk.70,394/- was decided as dower during marriage of the complaint and Tk.5,868/- was already realised during marriage or before the complaint was filed to ADR process.

The dower was asked to be paid in all cases for separation but, in an instance the defendant was asked to register 198 decimal of land as dower. In one instance, when it was decided that the children would live with the complainant the defendant had to pay around Tk.300/- per month, with an annual increase of Tk.50, for a child up to a certain age so long they would live with their mother. The complainant and defendant were instructed to return all properties received from each other's side during and after marriage. The divorce had to be officiated from the registration office after the dower had been provided. It was instructed that they should bring the properties to BRAC office for to be handed over to their owners.

The pronouncement of ADR decision often came with the rationalisation why that should be followed and what could be the consequence if not followed. Although it was not a part of the decision but mentioned in all instances after pronouncement that if the decision was not honoured by any of the party involved the parties would have the right to take their problem to the court, and BRAC had a system of helping the victim in availing such an option.

Instant reaction of the respondent after the decision

The reaction of complainant and defendant and those accompanying them ranged from complete acceptance to complete rejection. Those who accepted the decision without any reservation implemented it or started implementing it immediately. In one instance, in the case of a divorce when it was announced that the defendant would have to provide Tk.25,000/- as dower to the complainant the defendant's father immediately provided half of the amount and promised to provide the rest within a week. Similarly in other instances after the decision for reunification the complainant moved to defendant's place straight from the BRAC office after the decision was given.

The defendant often bargained with HRLS Staff so that the severity of the decision against them might be reduced. For example, when a father of a defendant heard that his son would have to provide Tk.20,000/- for his misconduct leading to divorce fell on the feet of Staff and said that he as a poor man would not be able to pay such a large amount. At this, it was decided with the consent of the complainant that the defendant would pay Tk.15,000 immediately. The defendant and his relatives managed to reduce the amount of dower and child support to be paid through bargaining and convincing the Staff. The amount was reduced as the Staff was convinced to believe that the defendant did not have the capacity to pay the amount as claimed by the complainant or initially decided by ADR process. The bargain with the decision was done mostly when the parties were informed about the decision before it was declared and documented.

As mentioned, the respondent accepted the decision for being convinced that ADR system was objective in its decision. Besides, the majority of the respondents accepted the decision as that conformed with their expectation. For example, where separation was decided the party desiring that became happy about it. They were also delighted to hear that they would have to pay lesser amount of dower or maintenance than as demanded in the case of divorce. Some defendants accepted the decision out of fear that if it was not accepted they might be placed in a worse situation as the complainant would take the issue to the court.

Satisfaction with ADR decision

Figure 4.2 indicates that majority of the respondents were fully satisfied with ADR decision immediately after these were pronounced. It may be noted that among those belonging to this group, a greater number of defendants (70.5 per cent) was satisfied with the decision compared to those in the complainants (61.1 per cent). Almost similar number of the complainant (7.3 per cent) and defendant (6.7 per cent) were completely not satisfied with the decision.

The respondents had differential emphasis on same issue in their assessment of their level of satisfaction on the decision immediately after it was pronounced. In rationalising the level of satisfaction on the decision the respondents emphasised upon what they would achieve due to the decision and the situation they would have been if the decision was otherwise. Although the emphasis differed, the outcome of the decision, in fact, was other side of same coin for the respondents.

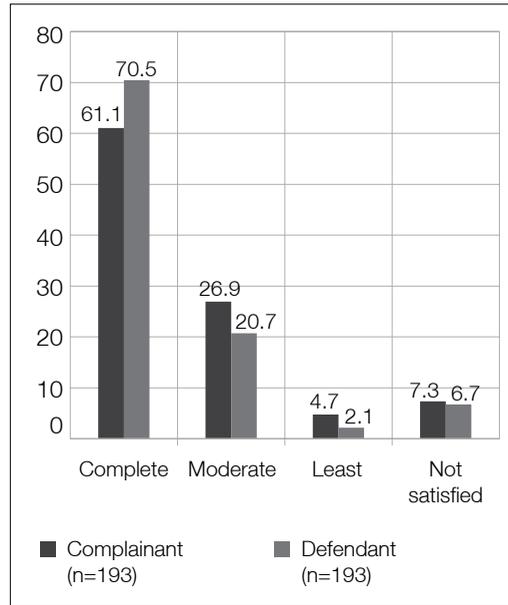
Unification

As mentioned before, a good number of the decisions were that complainant and defendant should unite and live together with their children if they had any. There were a variety of considerations as a reaction to this decision expressed in different combinations and emphasis by the disputants.

It was the desire of the disputants to have a family of their own including defendant and children where they would share happiness and sorrow together. The complainants believed that after marriage husband's place was wife's home where her destination lied. The respondents married not to remain separate besides it was the expectation of the society that husband and wife should live together so that the complainant would not have to face the criticisms of being separated in the community. The separation gave them a bad reputation in their family and community. The complainants realised that if they would stay separated for a long time their family would be ruined.

The disputants thought seriously about their children. They could see that

Fig 4.2 | Level of satisfaction with ADR decision



due to the separation their children were deprived of love and care from them, and proper socialisation, above this they were mistreated and neglected by the relatives where they were residing. In cases where complainants were separated from their children they solemnly desired to have their children with them. Some of the complainants wanted to bring their deviated husbands in right path which they believed could be possible only if they were together. The complainants did not have the means to support themselves. After separation they had to return back to their parents' house with their children. It created lots of hardship for their parents. The complainants realised that neither it would be possible for them to live with parents forever nor they had any other place to go other than that of the defendant. The separation placed them in tremendous hardship.

Whatever was the decision some of the defendants were happy to see that the complainant went for ADR system instead of court as that would have cost them more than what it did in the system. As comment by a defendant, It took only Tk.10/- to get a decision. They were also glad that the complainant did not take help of police department or filed a female harassment case against them as such filing would have ended them in jail without a bail. They were also happy as the decision was for reunification as if the decision was for divorce the defendant would have to pay a lot for dower and maintenance of their children.

Divorce

In divorce, some of the disputants were happy as the decision was for divorce. The relationship between them was so bad that they believed it could not have been mended (Case 4.3). Some of the complainants were always quarrelling with the defendant and relatives from his side, particularly his mother whom he revered most. In cases the quarrels were very intensive so the defendants in order to avoid such incidences in their family welcomed divorce. Again some of the disputants had extramarital relationship; they wanted to get married to their lovers by getting rid of married partners so they also welcomed divorce. In cases the complainants were seriously violated by the defendants and other members of the family from his side for dowry. Complainant's earning was forcefully taken away from them. These victims were happy by thinking that the divorce would relieve them from such mistreatment.

In cases the complainants and defendants were unhappy with ADR for unification of the couples instead of divorce which they wished. Again some of the complainants although welcomed divorce were not happy as the compensation they were supposed to receive were less than expected. The complainants felt that the amount was not sufficient to support their family. The receipt of money in divorce in cases was up to expectation and considered sufficient to run the family even then the complainants were not happy as one remarked – Money cannot be a substitute for husband and it is always difficult to marry again. They in fact preferred to continue their marriage and unite with defendant. In one instance the complainant had an extramarital relationship about which the defendant became aware after marriage. Since, it was the decision of the complainant to get a divorce the defendant believed that he should not be paying any dower but it was decided that he would have to. The defendant believed that he did not have any reason to be happy about the decision in his case.

IMPLEMENTATION OF ADR DECISION

In cases the disputants accepted the decision at Legal Aid Clinic but later on they were not respectful to it. As a mother-in-law of a complainant after the decision that the defendant should take her back and should be behaved well commented – You (complainant) filed a case to ADR, the game will start after your come back home. There was a group did not accept the decision rather reacted to it objectionably. They questioned the neutrality of the ADR system and openly mentioned that they would not abide by the decision no

matter what would be the consequence for not doing so. They raised their voice and passed derogatory comment towards the complainant and her companions.

The implementation of 80.8 per cent of the ADR observed in the study was monitored for six months by the program. In spite of negative reaction to the decision immediately after their announcement the defendant accepted it at a later stage. Ninety-seven point four per cent (188) of the case ended with the acceptance of the decision taken by ADR process but for the rest (2.6 per cent) it was not accepted so that at a later stage the complaints were taken to the court. The procedures at the court discouraged the parties to continue there so the parties returned back to the clinic to resolve their problem through ADR process and they accepted its decision.

So, the status of ADR decisions in terms of their implementation could be categorised as completely implemented, partially implemented, and not implemented.

- ▶ In the case of complete implementation when defendant was proven guilty he implemented ADR decision in full. For example, when it was decided that defendant would provide dower in the case of divorce he provided it in full after the decision was pronounced within the date set for the payment (Case 4.3). Similarly when it was decided that the complainant and defendant should reunite they did immediately after leaving the BRAC office (Case 4.1).
- ▶ The partial implementation of the decision mostly took place in the case of paying child support and in two ways. The defendant in the case of divorce paid from the dower but child support or provided child support for some time after divorce but with time became irregular in doing so or stopped the support completely. Similarly where it was decided that the defendant should not violate the complainant former behaved well with the latter as recommended for some time; but as time passed by the defendant started violating the complainant like before.

The third group not complying with the decision did not care about the negative consequence of not following the decision. In cases, where mistreatment was the cause for taking help of ADR process they increased its intensity on the complainant.

Complainants Reaction to Non-compliance to ADR

The defendants complied with ADR decision fully or partially were convinced of their fault, and/or were afraid that if the decision was not complied with the complainant could take help of ADR again or could file case in the court. The complainant did not have to take any steps relating to ADR decision where it was completely fulfilled. But, where it was partially or not followed in some cases the complainant did not take any step with a hope that the decision would be followed but in others the complainant took some measures for the compliance to the decision.

In the case of divorce when the decision was not followed the complainant simply informed the defendant that the ADR decisions were to be fulfilled and/or complainant informed the ADR service that the conditions were not met so she intended to file a case in the court against the defendant. A few decisions on reunification of complainants and defendants were not followed as the defendant did not take the complainant back to his place. As the complainant in these instances desired to get united they requested the defendant that might be taken back and/or informed clinic to take steps so that defendant got compelled to take her back. In one instance the defendant convinced his mother-in-law that she should not support her daughters' proposition for a divorce.

There were a few instances that after reunification the complainant and the defendant kept on behaving in the same way as they did before the ADR process. The defendant kept on not providing support to her and their children and in cases stopped seeing her. Similarly in cases the defendants mentioned that complainant was misbehaving with their mother and sisters same like before. In some of these situations the complainants returned back to her parents as the situation did not improve.

On an average the complainants spent Tk.11/- to get the decision implemented. It was mainly on transport and contact over mobile to receive the dower or support as ADR process decided. In contrast, the defendant on an average spent Tk.236/- in relation to ADR decision. It was mostly in preventing the implementation of the decision. They had similar expenses, like the complainants, but in addition spent on leaders of the community so, that they might help the defendant in not paying the compensation, i.e., dower and maintenance of children, to the complainant.

In most cases the companions of defendants advised them to accept ADR decision. They suggested the defendant to abide by the decision by mentioning that they would lose more if the decision was not followed and in cases they helped them to comply with the decisions, i.e., father helped son with money in paying the dower. In contrast, their relatives, in cases, advised the defendants not to meet the condition of providing support to their children living with the complainants as such payment would bring no positive result for the defendant. Again in a few instances, where the ADR decision was not up to expectation, the relatives advised and helped the defendant to take the issue to the local traditional village leader or chairman of the UP for justice.

For some of the complainants the reasons for separation and taking help of ADR for the solution of the problem still prevailed. The complainant believed that they had ADR to rescue them and in a number of instances visited clients. So that they might file case in the court with clinic's help. Above steps in the case of non-compliance to ADR were taken in different sequences and combinations and with differential involvement of ADR. Similarly the complainant believed that nothing could be done as if the decision was not followed.

IMPACT OF ADR DECISION

The compensation provided to the complainant was both in cash and kind, i.e., asset. In the case of cash it was mainly against the payment of dower and maintenance of children. The asset compensation was mainly, dowry and other gifts, made to the complainant's family by her parents during and after marriage. Figure 4.3 indicates that the ADR decided that the complainant would receive 47.8 per cent of cash what they expected to receive. In contrast, ADR decided that the complainant would receive more asset compensation than what they expected. The value of asset decided to be compensated was 111.1 per cent more than the amount they actually expected to receive. The amount that the complainant actually received was Tk.34,333/-, although a little more than what was decided to be received (6.6 per cent), was 54.2 per cent less than the value of the asset that was similarly decided.

The defendant also had an expectation about the cash and asset that they would have to provide to complainants as because of ADR's process decided (Fig 4.4). The case that was decided was Tk.64.9 per cent more than what was expected. The defendant did not have any expectation about asset that they would have to provide but it was decided that they would have to provide some asset to the complainants. In the case of asset compensation the monetary value of what was provided to complainant was 87.5 per cent of what was decided by ADR process.

Fig 4.3 | Compensation expected, decided, and received by complainants

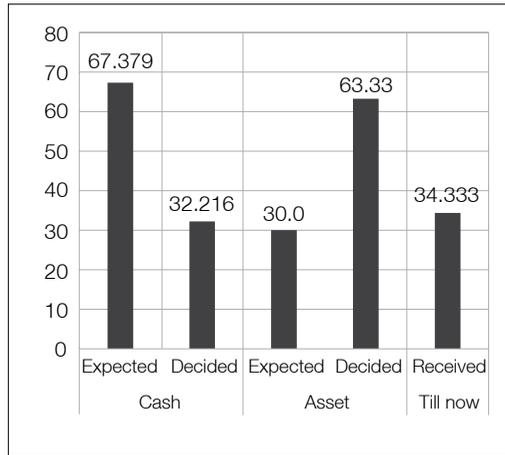
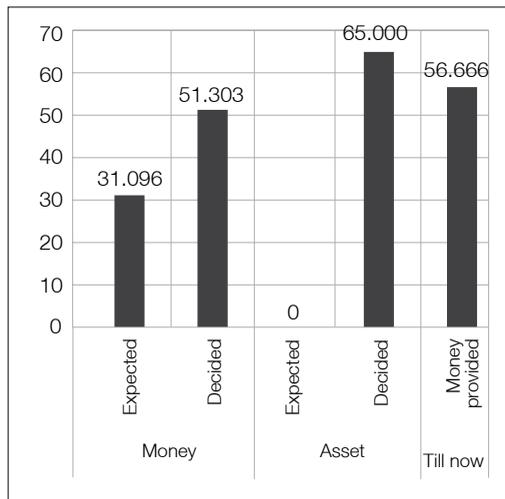


Fig 4.4 | Compensation expected, decided and provided by detendants



Use of money received due to ADR decision

The complainant used the money received as compensation, e.g., dowry, due to ADR decision in a variety of ways. The money was deposited in the bank or lent to others for usury, mortgaged-in land, invested in business, repaid loan, and for family uses, like handed it over to family head, treatment, in construction of house, and in paying dowry in own marriage. The use could be grouped under three broad heads, i.e., productive and non-productive uses whereas the third type leading to the generation of resources can also lead to production.

Bank

Those who deposited money in bank did it to save it from spending. They also did it because they wanted to save the amount for their future needs or any kind of emergency that they and their children might face. Besides some mentioned that they kept the money they received as dowry and maintenance in bank to receive interest on the saving. The complainant who did it expressed their satisfaction over the way they used their money.

Small number of the complainants received land as decided in the case of divorce. They contracted out the land for cultivation as they did not have anybody to cultivate the same for them. Such a use of the land became the source of their family income and livelihood. Some complainants mortgaged-in farm land with the money received as dowry as they planned to use the income received from this land in building their children's' future, e.g., use the money in their wedding and education.

Second marriage

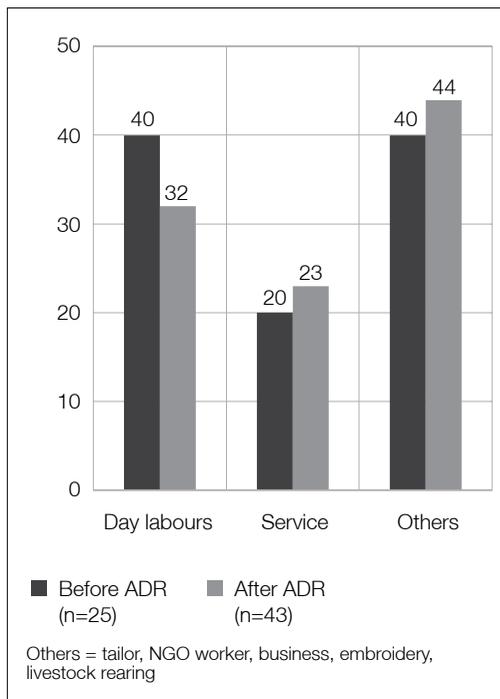
Few complainants who remarried after divorce met the cost of their marriage with the money they received from defendants. They considered the money received as a huge help to their poor parents who otherwise would have been incapable of bearing the cost. One of the complainants spent the money received for treatment since she became seriously ill after the ADR process.

Handed over to parent

The complainants handed over the money that they received from defendants to complainants' parents with whom they were residing. They did it in order to help them in supporting their children. They did it also because they helped their parents to repay the loan that parents made in arranging their marriage as well as after marriage. Some complainants started business or helped their parents to start one by investing the money in the business. They handed over the full amount they got from ADR to their parents due to their confidence on their decision or judgment over the utilisation of the money. Complainants supported the family they were living with the money they received by financing the purchase, e.g., cattle or livestock, that they believed would later turned to a major source of income for them.

The study indicates that 13.0 per cent (25) of the complaints were engaged in IGA before participation in ADR process but it increased to 22.3 per cent (43) after the process (Fig. 4.5). All of them who were engaged in IGA before ADR continued with that or got involved in new IGA but those who started with IGA only after ADR process did that mainly by investing the dower they received as per decision of the process. Figure presents the IGA of the complaints under three heads – day labour, service, and small business which included livestock rearing mainly. Figure indicates that there was more number of complainants engaged in service and business after ADR compared to before. This was because some of the complainants working as day labourer moved to these two sectors and a few joined the sectors but were not involved in IGA before.

Fig 4.5 | Complainants occupation before and after ADR



How compensation was used

Some respondent went through divorce in order to support themselves and their children some got involved in IGA, which they did not do before. Respondents who reunited with their partners as per ADR decision also got involved in IGA both at home and outside due to the realisation that they had for going through the marital problems and through ADR process. As reported, for going through ADR process the complainant perceived the importance of self-dependence to make life better. There were respondents who did not engage themselves in any IGA before or after ADR, but invested money received from the defendants as decided by ADR in mortgaging land or in investing money on business (Case 4.3), so the return from the land became a source of income for them.

Some respondents were engaged in IGA both before and after ADR. Therefore, ADR did not have any impact on their decision on IGA engagements. Of course, some complainants from this group mentioned that they had to take sole responsibility of supporting themselves and their children. They opined that their economic life would have been much easier if their marriage was not dismissed.

In the case of reunion, some respondents received active support and encouragement from their husbands in expanding their existing business. Respondents mention that their

husbands' cooperation in such initiative was the result of ADR's intervention in the solution of their problem they had in their relationship with their partners. In short, most of the complainant who went through the changes from being housewives to earning women viewed their involvement as a positive change in their lives. Nonetheless the stereotypical belief of division of labour was reflected in the statement of a few complainants. They mentioned that they did not have other option but to go through divorce as decided by ADR and at present had to work outside home which they never wished to do, they would prefer to live with their husbands. They, therefore, considered ADR had a negative impact on their lives.

Table 4.2 indicates that a small number of complainants were engaged in IGA before they got involved with ADR process. Although the increase in the participation after ADR session increased by 69.4 per cent it was considered not substantially high.

Table 4.2 | Decision taken on spending of complainants' income by income generating activities before and after ADR

IGA	Before ADR			After ADR		
	Self	Jointly	Other	Self	Jointly	Other
Day labor	50.5 (3)	40.0 (4)	10.0 (1)	71.4 (10)	21.4 (3)	7.1 (1)
Service	60.0 (3)	40.0 (2)	0	50.0 (5)	40.0 (4)	10.0 (1)
Business	50.0 (5)	50.0 (5)	0	68.4 (13)	31.5 (6)	0
n	25			43		

Table 4.3 | Complainants' monthly income by income generating activities before and after involvement in ADR process

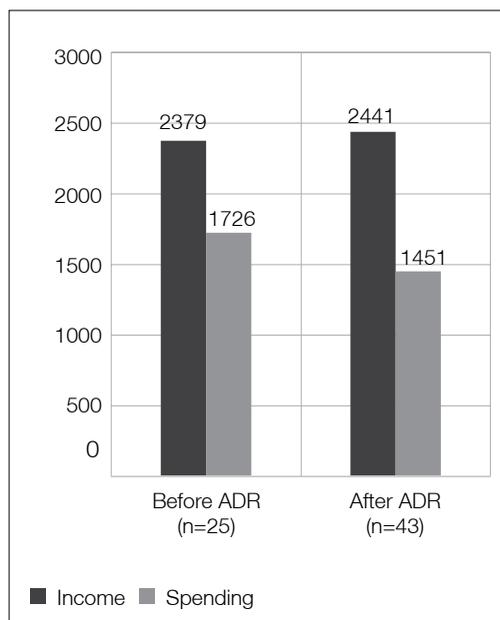
Income (Taka)	Before ADR			After ADR		
	Day labor	Service	Business	Day labor	Service	Business
<1000	30.0	20.0	25.0	21.4	10.0	53.3
1000-2000	50.0	60.0	75.0	42.0	70.0	40.0
>2000	20.0	20.0	0.0	35.7	20.0	6.7
n	23			39		

difference was not statistically significant. Most of the complaints involved in IGA were earning Tk.1000-2000 per month. It may be noted that the proportion of respondents engaged in business with less than Tk.1000/- and more than Tk.2000/- income per month increased after the ADR compared to period before that (Table 4.3). Similarly the proportion of the respondents with Tk.1000-2000 income per month increased after ADR compared to period before that. For rest of the cells there was more number of complainants in all income categories in the period before ADR process compared to period after that.

On an average the complainants were earning Tk.2,379/- a month before ADR process which increased to Tk.2,441/- after ADR. It increased by two per cent only and the

The complainant having income not only included those who were involved in IGA but also those who had income from other sources, like bank interest or sharecropping, considered as business. Although the number of complainants with income increased by 72.0 per cent after ADR session the number of complainant with IGA was not very large in size in both the time periods (Table 4.3). In spite of this there was a shift in the nature of complainants' participation in the decision-making on the spending of their income. Table 4.2 indicates that more number of complainants involved as day labourer and in business were themselves deciding on spending their income after ADR the compared to period before that. In contrast, number of complainants involved in service took such decision by themselves after ADR decreased compared to the period before that.

Fig 4.6 | Complainants' average income and spending on self and children (per month)



Although complainants were earning slightly more after ADR the share of their income spent on her and her children decreased after ADR compared to period before that. On an average it was 72.6 per cent of their income before ADR but 59.4 per cent after (Fig 4.6). It was mainly because in the past they had better control in spending the money they earned irrespective of where they were residing and what was their condition, but after ADR in many cases their parents took control of their earning and spent less for them.

Seventy-six per cent of the complainants received compensation as because of ADR's decision was happy with the ways it was managed or spent. Against this 16.0 per cent was moderately satisfied and the rest (8 per cent) not satisfied. Few respondents expressed their dissatisfaction about the way they used their money. They blamed this situation for their incapability of using the money they received from ADR in a productive and profitable manner. However, they mentioned that the small amount of money they received till date had been used in supporting their family. They were frustrated about the fact that the amount of money they expected from defendants was far less than the amount decided in ADR. They were frustrated further because even though they did not get justice on the amount of money decided, they were yet to receive full amount from defendant.

Mobility

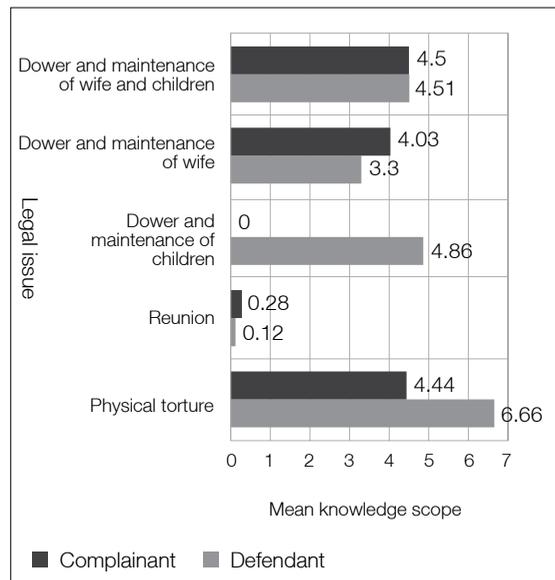
The mobility score of complainant was 28.6 before ADR session which was 32.6 after the session. In most cases mobility of complainants increased after ADR both in the case of reunion and divorce. In the case of reunion, complainants' mobility was limited to their natal homes guarded by male family members, e.g., husband or in-laws, before ADR but, after ADR most of the complainants enjoyed a greater freedom in their movements in these houses. They took decision about their movement, and also had the freedom of going at different places, starting from everyday market to relative's house in another village alone (Case 4.1 and 4.2). In the case of divorce the complainants were freed from the restrictions in the movement from their defendant husbands and law. Thus, felt that they were enjoying freedom in their mobility to a great extent (Case 4.3).

Knowledge

The ADR process was in fact a learning process on legal issues for the disputants. The learning took place in two ways. First, the respondents on their own initiative educated themselves on legal issues related to the complaint that was placed to ADR system. The source of this learning was both BRAC staff and companion of the respondent whom they considered knowledgeable on the issue. Secondly, the staff on own initiative educated the respondents on the issue in order to convince them on the decision that ADR undertook on the complaint. The respondents mentioned that their knowledge on legal issues have increased after going through the ADR process.

Figure 4.7 presents the respondent's knowledge on the legal issues relevant to the complaint made. The knowledge was scored on a 10 point scale where higher score meant possession of more knowledge. Figure indicates that after ADR the defendants had more knowledge than complainant in all legal issues but reunion and dower, and maintenance of wife. Other than physical torture in the case of defendant both the groups scored less than 50 per cent in all other legal issues. It may be noted that none of the complainant who filed case relating to dower and maintenance of children did not have any knowledge on the issues.

Fig 4.7 | Disputants' knowledge score on legal issues



IMPACT OF ADR ON RESPONDENTS' STATUS WITHIN FAMILY

The acceptance of a member in the family is a state of mind of other members on whether they would like to have former as part of their family. The acceptance might range between completely not-acceptance to complete acceptance. Non-acceptance of a member not necessarily mean that the person not accepted will not remain as part of the family. In spite of non-acceptance the member might remain as part of the family because the member could not be excluded from the family for being a kin or the member could be functional for the family.

The acceptance in the family in most cases is positively related to the way the members would be treated in the family. Besides other factors the acceptance of a member in the family may manifest in the extent the member is allowed to take part in the decision-making process within the family. Without going into detail it may be mentioned that in cases two may not be related in a family for variety of reasons. It was believed that the ADR process had a bearing on how disputants were treated in their family and concomitantly how they were involved in the decision-making process within the family.

Matrix 4.1 | Disputants family type before and after ADR process.

ADR decision	Residential location	
	Before ADR	After ADR
Reunification	<ul style="list-style-type: none"> ▶ Complainant, defendant and their children living as nuclear family. ▶ Complainant, defendant, and their children living with other family members as joint family. 	<ul style="list-style-type: none"> ▶ Complainant, defendant, and their children living as nuclear family. ▶ Complainant, defendant, and their children living with other family members as joint family.
Divorce	<ul style="list-style-type: none"> ▶ Complainant, defendant, and their children living as nuclear family. ▶ Complainant, defendant, and their children living with other family members as joint family. 	<ul style="list-style-type: none"> ▶ Complainant and defendant living at different locations and their children living with either of them in nuclear family. ▶ Complainant and defendant living with their children at different locations in joint families.

Depending on ADR decisions the complainant and defendant had same or different residential location before and after ADR process. As because of these they resided with same or different sate of family members in these two time periods. Matrix 4.1 presents the types of family the disputants had at these two time periods.

The acceptance came in different forms for the disputants. In some cases it was partial but in others it was complete. Again in cases the level of acceptance remained same over time but for others it changed to get better or worse.

Respondents evaluated their acceptance in the family in terms of how much importance they were given by the family members and that was done in terms of the extent: they could participate in the decision-making in the family:

- ▶ Their advice, other than one on decision-making accepted in the family,
- ▶ Family information shared with them,
- ▶ They were asked to participate in family activities,
- ▶ They were communicated or talked with, and
- ▶ Their opinion was asked for and accepted or accepted when deliberately given.

The respondents experienced these aspects in the family in different degrees before and after ADR process irrespective of where they were located.

Substantial number of respondents felt that their level of acceptance in the family, after ADR have improved (Fig 4.8). Again, within this group more number of complainants felt like that compared to defendants. It may be noted that a good number of defendants (41.7 per cent) felt that there was no change in the level of their acceptance between the two time periods. Appendix 3 presents the distribution of the respondents, as perceived, on how they have been accepted by the family in which they were residing before and after ADR process.

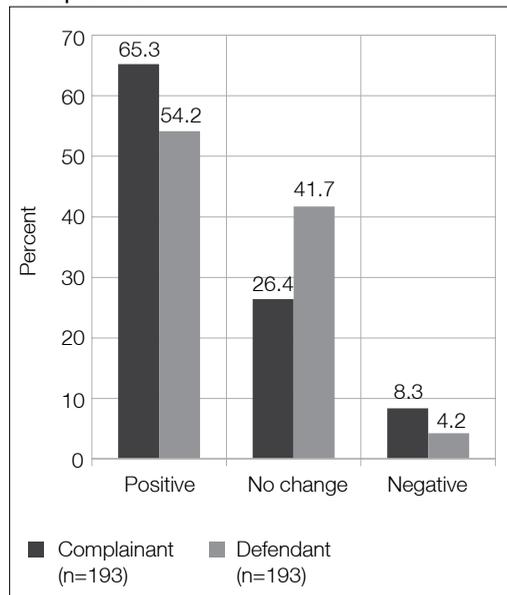
Acceptance within family before ADR process

The complainant felt that before ADR they had lesser involvement with above issues on acceptance compared to others in the family.

At defendant’s house the complainants were often mentioned that they were not desired in the family, they might leave the house, and the family member would become happy if that was done. As a result the complainants felt that they were not wanted in the family.

In extend family the defendants often handed over their income to their mothers or fathers which complainants expected should not have been done. The complainants were not allowed to keep family income and expenditure under their control. Again in cases

Fig 4.8 | Change in disputants' acceptance



where complainant was earning her mother-in-law demanded that she should handover all her income to her. As complainant did not do so she was not liked by the mother-in-law.

Certain members of the family did not accept the complainant from the very beginning they became its part. They did not want the respondent to be part of the family for different reasons like their interest was affected due to the presence of the complainant in the family. In one instance, defendant's family did not like the complainant from the first day of her marriage due to coming from family of lower economic status than that of defendant's (Box 4.1). In another instance, the mother-in-law did not like the complainant as former's control on the family was curtailed due to the presence of the latter. As defendant listened to complainant so her acceptance to his mother decreased. In other cases the respondents were not sure why they were not liked by certain members of the family. The family members did not like anything that the respondent would do and could not tolerate them. The respondents in these cases felt that they did not have any respect in the family.

In cases, the complainants were not accepted by the defendants but by other members in the family. These defendants had extramarital relationship whom they preferred over the complainants or did not have any attraction towards complaints, but they could not get rid of the complainants because of social binding or had to pay a big dower if they would divorce the complainants. In such a situation the defendant did not talk to complainant or did not sleep with. The defendant wanted to get rid of complainant by remaining indifferent or intolerant towards her so that she might divorce the defendant. Rest of the family members was aware that injustice was being done on complainant so she had acceptance to those family members and they behaved well with the complainant.

Box 4.1

A complainant and a defendant married of own decision. The defendant's parents were much richer than the complainant. Her family wanted to marry their daughter to a rich family. Because of being poor her relatives from husband's side not only disliked her but also address her as poor beggar. At one stage her husband married for the second time. After marriage he lost interest on the complainant. He did not look after her and involve her in family decision and above this hardly talked to her.

In cases, the complainants had acceptance in the family where living before ADR but in course of time lost it. As time passed by the complainant and certain members of the family, e.g., mother-in-law, did not get along. The person with whom complainant did not have an adjustment wanted her not to remain as part of the family. Besides lack of adjustment the complainant was no longer accepted as in cases the commitments, e.g., dowry, were not met or certain shortcoming of the complainant was observed by the family where she was living (Case 4.2). Like in one case it was found that the complainant had mental problem relapsing once in a while. After the problem was detected she was sent back to her parent's house.

Acceptance within family after ADR process

The question how complainant and defendant behaved with each other after ADR arose only when it was decided that they should living together.

Forty-eight point four per cent of the complainers mentioned that they were behaved well by the defendant and relatives from his side up to their satisfaction. They came up with reasons why they were behaved well. It was particularly because of the fact that the defendant followed the decision given by the ADR session. The complainants were satisfied as because they were united with the defendants as the formers were received back in their family. The defendants were taking care of the families particularly by paying family expenses. More importantly the defendants did not violate the complainants and were not pressing for dowry. Defendants were repentant about their misconduct with the complainants and wanted to give a happy starting to their conjugal life.

In cases, the level of acceptance of respondents in the family increased as the respondent had a job and they did not have to depend on others in the family. For having a job the complainant did not have to depend on family members for money. The person who did not accept the respondent became sick, expired, or the defendant and the complainant moved out of the joint family and formed a nuclear family at a different location as ADR recommended. As a result the family members who disliked the complainant in the past did not have a chance to express their feelings on complainant any more.

Six point one per cent of the complainant mentioned that the ADR's decisions were followed partially so they were somewhat satisfied with the way things were. For example, in one instance ADR's decision was that the defendant and relatives from his side should take care of the complainant and provide support to her and their children. After the decision her father- and mother-in-laws took care of her and regularly enquired how she was but, her husband was not providing any support to her as was decided.

In contrast, to above situations, 45.4 per cent of the complainant mentioned that after ADR the treatment of the defendant towards them remained equally bad as before or become worse. More specifically, 30.3 per cent of the complainant mentioned that the treatment of the defendants and their relatives got worse after ADR process. In cases it

got worse immediately after decision but for others it took some time for such a change. Where it was decided that maintenance should be provided to the complainant and their children the defendant stopped providing the support completely and looking after her. After the complainant reunited with the defendant she was violated and dowry was demanded from her again. Her relatives, e.g., mother-in-law, were always finding fault and scolding them on trivial issues. The defendant often threatened the complainant that he would divorce her. In cases nobody talked with her. The mistreatment in cases became so intense that the complainants were forced to return to their parents' house again.

While mistreating the complainant defendant and relatives from his side never forgot to mention about the complaint lodged to ADR service. Due to taking help of ADR they were very much annoyed on the complainant. They often asked, You have left the house why have you returned back and asked her to go back away. So after ADR the acceptance of the complainant in the family got worse. Due to visit to ADR there was no change in their acceptability in the family (Box 4.2).

Acceptance in parent's family

We have seen that the complainants besides being forced to move out of defendant's place after ADR also decided for the separation through divorce in some instances. In all these instances the complainant moved back to their parents place. For some the parents and other family members where they moved in had the opinion that it was the fault of the defendant but others they believed that it was the fault of the complainant which led ADR to decide for divorce and consequently she had to return back to her parents.

In cases where defendants were blamed for the separation the complainants' parents provided all support to her and to their children accompanying. It included boarding and lodging along with other support, like clothes and treatments in the case of sickness. They were provided with same food as others in the family. In the cases where complainant were earning they contributed to meeting family expenses from their income. The parents believed that the complainant did not have any fault for the separation or divorce. They were empathetic to the complainants and they were consoled. In spite of all these supports and acceptance the complainants always felt themselves burden in the family they moved in.

Box 4.2

A defendant did not have much acceptability to complainant as he did not have a steady job. It created problem between the couples and ultimately led complainant to take help of ADR system. After ADR the defendant was living with his parents. There he had to abide by the decisions of their parents. He divorced the complainant according to the wish of his parents. They had tremendous greed for money. They compelled him to divorce her so that he might marry somewhere else for dowry but he did not. So, he did not have any acceptability at that house. After two years he married the complainant again. Now she has lots of acceptance from him. They formed a separate family and he has a regular job.

Again there were parents and other family members who believed that it was the fault of the complainant for which they had to return back to them. Besides, not being able to stay with the defendant was also considered as a fault in the part of the complainant. Although these parents gave the complainant shelter at their difficulties they were not welcomed. They and other family members openly mentioned that it was not only complainants' fault for which they were suffering but it also created a problem in the family as because they move in, indicating that their acceptability was very low in these families.

Strategies taken against the behaviour of the defendant

As seen before, in a good number of instances disputants reunited and followed ADR, e.g., the complainant should be behaved well after unification, so that the complainant did not have to take any measures to make defendant abide by ADR. But, in the cases where it was not followed the complainants took measures which included both submission and protest.

When the complainants believed that they did not have any alternative but to stay with the defendant they took up the strategy of behaving well with the member and remained submissive in the family. At the outset some of the complainant asked for the forgiveness for their past behaviour, they started carrying out their responsibilities about which there was a complaint against them, and started behaving well with family members. In one instance after complainant moved in with the defendant the family members particularly, mother- and father-in-laws, were not talking to her. But after observing the change in the complainant they started communicating with her positively. In number of instances the complainants and defendants, where reunited, moved to a different location out of joint family, the decision helped them to have a harmonious relationship between them.

In other instances, in spite of complainant making effort to changing their behaviour where they believed that they had a fault or making an unrest effort to accommodate themselves in the family they were not behaved well by the family members where they were residing after ADR process. Realising that the complainant had no alternative but stay in that family or intended to stay with the defendant accepted the mistreatment without any protest. As one complainant remarked, what can I do in this situation. I take their food and get beating from them. I have to tolerate it. If I protest I will lose my family. But, in a few instances the mistreatment stopped or decreased when she complied with unjust demands, like get dowry from parents or register some land in the name of defendant. The complainants were forced to comply with such a proposition. In number of instances, when mistreatment became unbearable, the complainant was forced to move back to their parents' house and they with the help of ADR filed women *harassment case* against the defendant in the court.

Effect of ADR process on acceptance within family

A small number of respondent believed that the nature of acceptance that the complainant had after ADR process was inevitable even if they had not taken help of ADR system.

So, they believed that ADR system did not have any influence on their situation after the session in bringing positive change in others' behaviour towards them. For example, the complainant had a job after the ADR process which increased her importance in the family. After the process defendant have been working regularly. So, the complainant did not have anything to complaint against him. For this they did not have to fight anymore. Their acceptance towards each other increased a lot. The defendant started behaving well as she was employed and was earning money which was used in the family. In case where complainant were earning they contribute to family expenses they had from their income.

The majority of the complainants were of the opinion that due to ADR their acceptance in the family increased. This was mainly because the counseling by the staff in the ADR sessions convinced the defendant of their fault for which the complainant filed case against them. The defendants were convinced to believe that the complainant should be considered as their family member, should be respected, and should be allowed to play their roles as they should play in the family. They were mentioned that husband and wife had same rights and responsibilities in the family. It was confirmed that ADR taught them how to behave with wife and what should be defendant responsibilities towards them. The defendants realised that it would be a loss if they would not behave well with the complainant. They also realised that what they would gain if they abide by and lose if they did not abide by the decision taken by ADR.

Similarly they moved to a different location from their parents as was decided by ADR process. As a result defendant did not have to listen to complaints against complainant and react to that on her. The defendant did not have to listen to others about the relationship between them. All these increased complainants and defendant's acceptance towards each other. At the new location the complainant considered herself having more recognition from defendant. Where the complainant moved to same family where they resided before ADR she also enjoying more recognition within the family than before. This was because the family members were convinced to believe that the complainant did not have any fault and particularly for taking help of ADR system.

The defendant also abided by the decision of the ADR and accepted the complainant in the family out of the fear that if those were not done the complainant might go to Legal Aid Clinic again. The defendant started considering complainant as intelligent and brave. They believed that the complainant have become informed of what to do if they were not accepted and they proved their capacity in doing that, i.e., take help of ADR system. In cases as soon as the complainant filed complaint to the Clinic the defendants started behaving well with them. In context a defendant remarked: Before I used to think nothing would happen to me no matter how I behave with her. After receiving notice from the Clinic a sense of fear possessed me which lead to a change in my behavior. Filing a case in the court would be more expensive than taking help of ADR. Some of them believed that if they would not listened to ADR they might be taken to the police.

PARTICIPATION IN DECISION-MAKING PROCESS IN FAMILY

The scope for participation of a family member in its decision-making process gives the member a sense of ownership to the family. The ownership is further enhanced if the decision is accepted and implemented by the family. In general more a person is accepted by the members in the family more likely that the member would have a role in its decision-making process. The study assumed that the ADR process had a direct bearing on the decision-making of the respondents in their family.

The defendant's share in participation in the decision-making in cases increased or decreased after the ADR process compared to period before that. But for others it remained same in both the periods. For this group the share in participation could be high or low but it did not change.

Decision-making

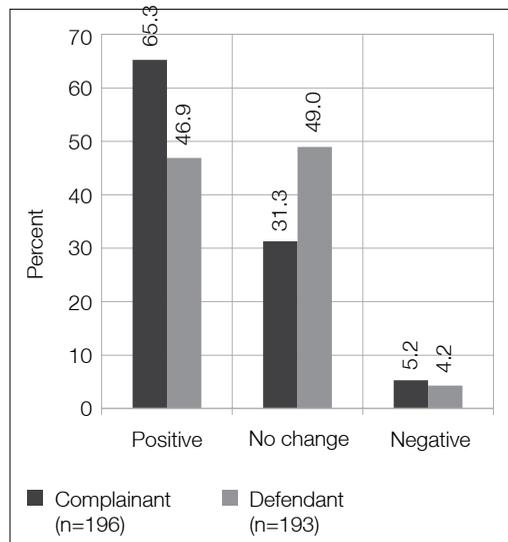
Before the ADR process the complainants were asked to take small decisions, like what should be cooked but not the major one, like buying farm land or cow for *korbani*, or they had smaller share in decision-making on these issues than what was desired. All family decisions were taken by defendant, in cases it was done in consultation with his mother or other senior relatives whereas it was desired to be taken in consultation with the complainants.

More number of complainants (63.5 per cent) against defendant (46.9 per cent) believed that their share in the decisions making within the family increased since their participation in ADR process (Fig 4.9). On the other hand reverse was the trend for those who believed that their role in the decision-making process did not change during the two time periods. A small number of the respondents both in the case of complainants (5.2 per cent) and defendants (4.2 per cent) felt that their involvement in the decision-making process have decreased over the periods.

Positive change

Some disputants reported to have experienced positive change in the share of the decision-making in their families after ADR. Many of them also reported that their involvement in

Fig 4.9 | Change in disputants' participation in decision-making in family



decision-making were limited to relatively insignificant issues, like buying daily necessities; they were not asked while taking the decision of major issues, for example, in the case of buying land, arranging marriage for children, etc. even then the complainant believed that it was a positive change in terms of their participation in decision-making within the family. But, a few mentioned that they were made part of major decision-making, e.g., planning household's income and expenditure, as because of the impact of ADR (Case 4.2). Some of them were not heard due to their failure of paying dowry demanded by the defendant and relatives from his side but, after ADR their opinions were taken into consideration by their husbands and in-laws while taking any decision.

After ADR some complainants had active participation in family decision-making due to their changing in status from dependent housewives to earning member in the family. Although they did not identify ADR intervention as the reason behind this positive change in playing the role directly rather they mentioned that their experience of bad marriage and the process of going through ADR process motivated them for being financially independent, and after ADR they were contributing in their family income which gave them a voice in family decision making. In context, a complainant reported,

Before I did nothing to support my family, but after the decision I started a small business and always think about the way I could extend my business. So, my status has become higher in the family.

Since the causes of having unacceptability of the complaint was addressed through implementation of ADR the complainants received increased acceptance among the family members which in turn increased their involvement in decision-making within family. In many cases where ADR decided for reunification of disputant it had an impact on complainant's position in the family they were residing which in turn positively affected their roles in decision-making in the same (Case 4.2).

Some complainants reported that they did not have any role in decision-making in the family before ADR due to living in joint families including their parents. But ADR's decision made them move out of joint to nuclear family at a different location and with this they earned a decision-making role in the family. After moving out defendants consulted with complainants while taking any family decision, while before ADR they did not care about her opinions on any family related matter. Complainants who were violated and neglected as their parents did not provide dowry were invited to play a role in decision-making in their family.

Some defendants were accepted as major decision makers in their families from one playing passive role before ADR process due to break up with the complainants who were not liked by the family members. Some defendants were not encouraged or asked to participate in decision-making process by members due to having bad habits of torturing wives, gambling, extra marital affairs, multiple marriages, etc., but their acceptability increased after ADR as they gave up these vices.

No change

Some complainants reported that they were always the most important members who took major decisions for the family and they were enjoying the same status after ADR as before. In general, defendants reported to have played sole roles in decision-making regarding all minor and major issues, like buying and selling assets, land and food, deciding mobility on family members, participation in social events, e.g., children's education and marriage, etc. and financial investment. A few defendants who were dependent on their sons mentioned that due to old age they played minor role in decision making before and after ADR while major role was played by their sons.

A few complainants separated after ADR revealed that their roles in family regarding decision-making was equally active after ADR as it was before. They passed opinions while taking important family decision, like setting tube-well, mortgaging land, etc. In case of the complainants in this group most of them were not involved in decision making both before and after ADR. So ADR did not have any impact on complainants' life. Although ADR decided that they would reunite their husbands and in-laws still did not treat them well and left them in the same voiceless position as they were before ADR.

Negative change

A few complainants reported that after ADR their opinions were valued less by their in-laws and husband in the case of reunion, and parents in the case of divorce while taking any decision in the family. In the case of divorce, the opinion of some complaints were not given as much value as it was given before ADR due to social stigma attached to divorced women in the society.

Some defendants who needed to provide dower and maintenance to complainants according to ADR's decision reported that their position in their family went down as the family had to provide substantial amount of money to complainants either from their savings or by taking loans. Defendants lost their acceptability in the family for divorcing their wives.

Intervention of ADR

In short, the roles of ADR on changing status of respondents in decision making in their families were as follows:

In the case of reunion,

- ▶ The ADR helped both complainant and defendant to come to mutual understanding for living together that in fact made them share their opinions while taking any decision within family.
- ▶ Complainants' move to seek help from ADR system gave defendants a message about complainants' ability to take action if they were victims of injustice. This message made defendants change their behavior towards complainants, which in turn made complainants include their voice in decision-making.

- ▶ There were some cases where complainant and defendant as decided by ADR system moved out of joint family and formed a nuclear family at different locations. In these cases, complainants' role in decision-making increased after ADR since in joint family their opinions were devalued by in-laws and also by the defendants.
- ▶ In some cases, attitude of both complainant and defendant changed as a result of discussion moderated by ADR staff on women's and children's rights, legal aspect of marriage, obligations of couples and so on, which made both parties value each other's opinion (Case 4.2).
- ▶ Although reunited with their husbands as because of ADR, complainants realised the importance of being financially independent and involved themselves in income generating activities which made them heard while taking family decision.

In the case of divorce,

- ▶ Complainants benefited economically after ADR's decision as they received dower and maintenance in the case of divorced. By providing this rights ADR played a role in increasing complainants' acceptability in decision-making process at family level
- ▶ In many cases, complainants created regular income source by using the money they received from defendants as per ADR's decision that in turn helped them to create strong position to raise their voices during decision-making within the family.
- ▶ In some cases, complainants were ignored in decision-making by their parents' families due to the social stigma attached to divorced women as well as to being considered as burden on family.

There were some factors other than ADR session which influenced the decision-making role of complainant and defendant in the family worth mentioning. Some complainants for being younger in age their opinions were not valued in the decision-making. In contrast the defendants for being male were seen to have played a major role in decision-making in the family compared to complainants both before and after ADR. Besides, their opinions were also valued in decision-making because they were the senior most members in the family.

RESPONDENTS STATUS IN NEIGHBOURHOOD

The study observed the respondents' status in the neighbourhood in terms of extent they were approached by neighbours in the case of their needs in the decision-making in their families and the extent the participation of the respondents were expected in the socio-religious events in the neighbourhood. The study assumed that the ADR process

had a direct bearing on the respondents' scope for participation in meeting the needs and social events in the neighbourhood.

The neighbourhood about which the respondents were asked about was the neighbourhood they resided after ADR; they compared it with one where they resided before. In the cases where complainant and defendant were asked to reunite was either same or different neighbourhood depending upon the disputant residents in the locality. The disputants either evaluated the same neighbourhood or two different ones in different time periods. But in the case of divorce the complaints' neighbourhood after divorce was always different from one where they resided before ADR process. Where in the case of defendant it was same neighbourhood for most but for a few it was different where they changed their residence between the two time periods.

Participation in decision-making in neighbouring families

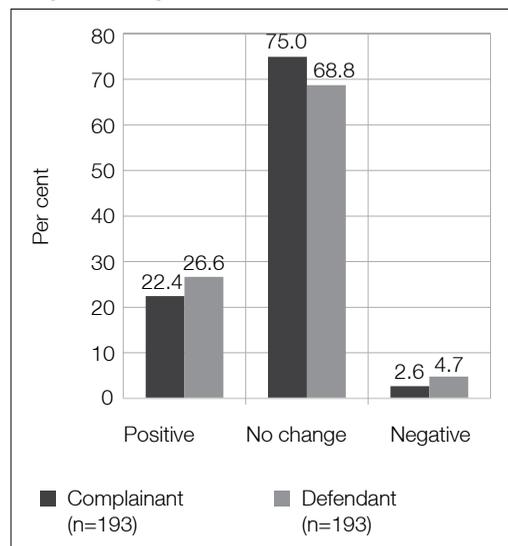
About 22 per cent of the complainants and 26 per cent of defendants reported that ADR process brought positive change in their playing a role in the decision-making in the neighbourhood (Fig 4.10). Most respondents (65 per cent and 70 per cent for complainants and defendants respectively) from both the groups mentioned that ADR system did not change their role in the decision-making in the neighbourhood. In contrast a negligible number of respondents felt that their participation in the decision-making in the neighbourhood have decreased after ADR process they went through.

Positive change

After the ADR process, disputants reported to have involved themselves in neighbours' family related matters, like marital problems which they did not going through before the process. The respondents influenced neighbours' decision-making on issues like use of contraceptive, birth registration, and children's education and their marriage. Some also reported to have influenced neighbours' decision regarding dowry, dower, and maintenance. Besides, they discussed on health, IGA, and children's education.

The complainants' act of protesting mistreatments by defendant through ADR process was praised by neighbours that affected their acceptance in the

Fig 4.10 | Change in disputants' participation in decision-making in neighbouring families after ADR



household matters in the neighbourhood. Some also mentioned that their experience for going through ADR process made neighbours come to them for suggestion on marriage related problems. They also considered complainants as knowledgeable due to going through the process. Complainants who were not valued by neighbours due to having marital problems when asked for advice by their neighbours after ADR process they went through.

A few complainants started working as *shastho shebika* of BRAC after ADR that made their participation in health related decisions of neighbours more acceptable. One defendant commented: When I was unemployed ADR gave me guideline which helped me engage myself in income generating activities. As a result I could improve my economic condition which in turn changed my position in neighbourhood. Now I am happy with my family and neighbours.

Some complainants did not get enough time to build relationship with the families in defendants' neighbourhood since they did not stay together for long before ADR decision due to their problem with defendant. After reunion the disputants moved to different location where she had a chance to develop friendly relationship with neighbours who often discuss their problems with the complainants.

Some complainants who reunified with their husbands after ADR reported that their act of returning back to in-laws house created a positive image about them and was appreciated by their neighbours as, 'good woman having patience and devotion to family.' Neighbours, therefore, valued such complainant after ADR session communicated and discussed their problems with them. Some of the complainants also mentioned that not only their return back but also the positive change that neighbours noticed in the complainant's behaviours after ADR made neighbours come to them for advice.

Some of the respondents were over-occupied with family problems before ADR session so they could not give time for neighbours' well-being but the situation changed after the session. Few defendants who went through divorce as was decided by ADR reported that their involvement in neighbourhood activities increased after the decision. In order to avoid association with the complaint they might avoid the defendant before ADR process.

No change

In the case of defendants belonging to this group, ADR process did not have any impact on their role in decision making in neighbours' families since they were never asked for suggestions by neighbours before and after ADR process.

Again some disputants played no role in decision-making in the neighbourhood because of having less interaction with neighbours. Some complainants never made an effort in making positive relationship with neighbours they always kept a distance from neighbours. As a result their involvement in neighbours' affairs was minimal and remained same over time. In cases the defendant did not allow them to interact with their neighbours both

before and after ADR process. As a result their involvement with the neighbours did not change with their participation in ADR process.

The disputants reported that they always had a positive relationship with neighbours and in these cases their neighbours discussed about their problems with them in the same way after ADR process as they did before. Good interpersonal skill of the respondent was believed having good relationship with neighbours. Besides in the case of some complainant their opinions were value by the neighbours for they being literate.

Although some defendants mentioned that their act of violating complainant made their neighbours reject them after ADR but in the case of others such behaviour did not cause any negative impact on their acceptability among neighbours.

Negative change

Neighbours used to visit defendant with their problems for suggestions but after ADR their opinions were not valued that much anymore. A few defendants reported that ADR process made it explicit to neighbourhood that they mistreated their wives, which was not known to them before ADR. Therefore, in this case, after ADR they were rejected by neighbours no matter whether they got reunited or went through divorce as a result of the decision by ADR process. As reported by a defendant: After ADR my neighbours started thinking me as a bad man who tortures wife. Therefore, some of them tried to avoid me in taking suggestions on marriage related problems in their family which they did not do before ADR process.

Less acceptability

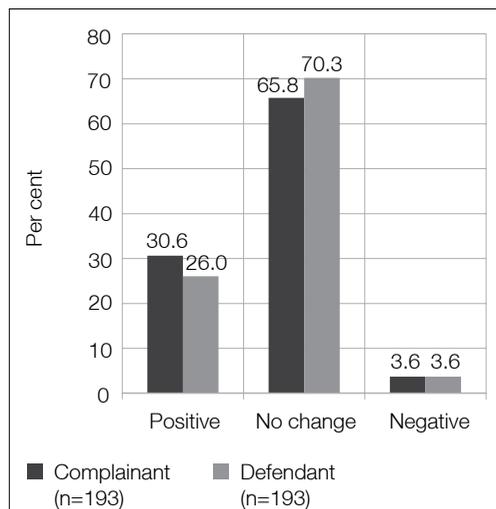
Some complainants after being divorced felt that their divorced status made their neighbours reject them after ADR session. Now neighbours thought them as ‘burden of their parents’ and did not give them any importance. They were also rejection by neighbours for not being able to save their marriage. The complainants due to having problems their in-laws and husbands did not have much acceptance in their neighbourhood. So neighbours while taking any decision within their families did not come to the complainant for their advice.

Acceptance in neighbourhood

The acceptance of the respondent in the neighbourhood was assessed in terms of expectation of neighbours in respondent’s participation in the social and religious event in the community. Respondents were asked about their acceptability in the neighbourhood as perceived where they resided before and after ADR process. The socio-religious events were organised both at the individual and collective levels by the families in the neighbourhood.

After ADR, complainants' acceptance among neighbours had a positive or negative changes but a good majority of respondents believed that it did not change between before and after ADR session (Fig 4.11). Similarly lesser number of complainants (65.8 per cent) shared such an opinion compared to defendants (70.3 per cent). In the case of those who believed that overtime change have taken place complainants aged the defendants with a small margin (4.6 per cent). A small number of respondents (3.6 per cent) from both the groups believed that a negative change have taken place in the level of activities between the two time periods.

Fig 4.11 | Change in disputants' acceptance in neighbourhood after ADR



Positive change

Some respondents observed that although they were unwelcomed or not so much welcomed by their neighbours in social events before ADR process but became more respectful about them after the session. The complainants' involvement in ADR session gave them an image of a person who was brave and had voice against injustice. They managed to give message to neighbours that they were not weak and could take steps against injustice. The neighbours believed that only ADR could raise such realisation among the complainant. Again some neighbours' negative treatment or negligence towards the complainant turned into sympathy because of the realisation that complainant were mistreated by defendant and in-laws without they having any fault. In addition, neighbours who were mistreated in the same way came to respondents to suggest before ADR and sympathised them.

Complainant received the status of married women for which they were valued by society in the case of reunion. Many complainants reported that their position among neighbours improved after the reunion with the defendant due to society giving more value to married women. Some mentioned that their interaction with neighbours became regular after reunion as the defendant as in-laws did not prevent them in interacting with neighbours, which they did before ADR session. Besides marital status, some reported involved with IGA with their husbands after ADR which in turn upgraded their position and increased their acceptance in the neighbourhood.

Complainants who were divorced and were receiving maintenance for them and their children also enjoyed greater acceptance in the neighbours after ADR session compared to time before that. Some complainants, both in the case of divorce and reunion, experienced better economic condition. They mentioned that their increased capacity to

buy gifts gave them a greater scope for participation in the events and raised neighbours expectation that complainant would join the socio-religious events when invited.

After ADR, a peaceful family environment helped to create good image of the defendant which motivated neighbours to invite them more in social relation events than before. ADR process gave a realisation among the disputants that maintaining good relationship with neighbours was important to get their support during difficult time. Some of the complainants mentioned that, for they being vulnerable and violated by the defendants or in-laws made neighbours sympathetic towards them and that in turn motivated the neighbours to involve complainants in social-religious events.

No change

Some disputants reported that they observed no difference in the expectation of neighbours in their participation in socio-religious events after ADR; meaning that when the expectation remained low their participation also remained low and vice versa. The ADR process did not bring any change in neighbours' expectation disputants' participation in socio-religious events. As mentioned in the case of some defendant their interaction with their neighbours did not have anything to do with their perception in the ADR process.

Although some of the complainants and defendants were reunited according to the decision by ADR process they frequently argued and for this reasons they were not liked in their neighbourhood and were undesired and unexpected in the social events like before particularly where defendants behaviour did not change they were rejected by neighbours due to their family problems similarly after ADR session.

Economic condition

Some respondents never got invitation from neighbours to participate in any socio-religious events for being poor. Due to belonging to the lowest socioeconomic section these complainants were never included in the list of invitees in such events by any families in the neighbourhood. One respondent mentioned that her neighbours never expected her and her family to be present in any events before ADR since her husband was disabled and poor. In some instances respondents were never un-welcomed by their neighbours to join the event, but due to their financial incapability of giving present/gift they always, even after ADR, avoided attending the events, like birthday, *akika*, wedding ceremony etc. even when they were invited. Disputants who mentioned poverty was the cause of they being not involved by neighbours had same economic condition after ADR sessions. Since their economic condition did not change so their acceptance in the neighbourhood did not change.

A few respondents who were financially well-off compared to most of their neighbours were always invited in the events arranged by the families in the neighbourhood. Similarly in the case of a few although they felt that neighbours did not like them because of their vagabond and undisciplined lifestyle were asked to join the events due to being in the higher income group in the neighbourhood.

Level of interaction with neighbours

For some, lack of interaction between them and their neighbours was the main cause of not being involved in various socio-religious events arranged in the neighbourhood. In cases complainants were over occupied with household activities for which they had less interaction with neighbours. Similarly, some defendants had no scope to make relationship with neighbours because of the occupation they were involved with. For example, one dependent who was a bus driver stayed only for a few hours at home in the evening, so he was not invited by neighbours in the events. A few moved to the neighbourhood recently as a result they did not know the neighbours or not in intimate term with them. Many reported that their mobility was restricted by their husbands or in-laws which hindered in their developing a relationship with the neighbours. In some cases the complainants after being reunited with the defendant their mobility was restricted by their in-laws as before; so, they were not in a position to join any socio-religious events same like before. In cases the disputants themselves were not interested in joining any such events arranged by their neighbours. Some in the group mentioned about the marital problems they had before ADR as the cause that made them give less effort in developing close relationship with their neighbours and they kept the same distance after ADR process as maintained before. The neighbours noticed that the disputants were keeping themselves away so they stopped inviting those disputants.

Personal quality and life style

Some defendants were always welcomed by their neighbours in various events as their interpersonal skill created a higher acceptance in the neighbourhood. The acceptance of some respondents was higher in the neighbourhood for the kind of occupation they were involved with, e.g., family planning, health service (*shastha shebika*), which brought them in constant touch with neighbours. In the case of others their skill on particular activities, like cooking, decorating were considered important in carrying out event so they were invited.

Negative change

Some of the respondents who went through divorce according to ADR decision experienced negative change in the way they were treated by their neighbours. They were unwelcome in any social events. In context one respondent commented: Although I never feel like joining many social events before ADR, now-a-days I feel that my neighbours rejects me due to my status as a divorced woman. I think this is the common attitude towards a divorced woman in our society.

Few respondents did not get enough time to build relationship with neighbours since after being reunited with their husbands they moved to new location in a different neighbourhood where they were not much known to the neighbours.

A few defendants experienced negative change in their acceptability in neighbourhood after ADR because they felt that the ADR session gave the message to the neighbours that they did not treat their wives well. The defendant got the image of a man who violated

wife. One of the defendants commented:

It did not have to go through ADR session my neighbours would not have a bad impression about me that I tortured my wife. This process degraded me socially.

Some defendants were alcoholic and ill-tempered. For these they were not liked in their neighbourhood and were not expected by their neighbours to be present in any social event.

Marriage: A few respondents were socially excluded because they married of their own decision, not accepted by their parents. Such matrimony created distance between them and their neighbours as neighbours shared parents' viewpoint. Consequently neighbours were reluctant in inviting them in any social events. Defendants were also rejected by neighbours for being polygamous. Some complainants felt rejected by their neighbours' due to social unacceptability of women having problems with their husbands and in-laws. The complainant achieved the status of separated or divorced woman due to existing social stigma about divorced women they lost acceptability in the neighbourhood.

HOW LIFE WOULD HAVE BEEN IF HELP FROM ADR WAS NOT TAKEN

In the case of reunion: The complainants who got reunited with the defendants were thankful to ADR system by thinking that if they would have not taken help of the system they would have to live their lives as divorced women. A situation considered to be very unfortunate for any women. Most of the defendants got reunited with the complainants believed that without the system's help their families would have been in casualty and they would have no peace in life by thinking that the separation would have ruined their children's life.

In the case of divorce: The complainants not went through divorce as because of ADR's decision were happy about it by thinking that if the decision was for reunification they would have to go through physical and mental torture from their husbands and in-laws, same sufferings of bad marriage they went through before ADR process. Along with this they believed that without ADR it would have been impossible for them to receive the dower and maintenance from defendants due to their inability to go to the court because of cost involved and time constraints.

According to one complainant:

If I did not come to ADR, I might have been abandoned by my husband anyway but would not receive dower and maintenance. It would not have been possible for me to go to the court to get my rights due to the money needed to run case in court.

According to another complainant:

If there was no ADR intervention, I would need to go to court where I had to wait long time to get verdict without any guarantee of getting dower and maintenance. ADR helped me to get my right without any hustle of going to the court.

Some defendants feared that if their problem was not solved through ADR system, it might have been taken to the court. Invariably that would have involved more time, cost, and mental stress. Besides, some defendant feared that if they would have to go to the court their social status and prestige in the community would have been damaged. Most of the defendant feared that if ADR process was not availed complainants could have harassed them more than what they have gone through in the ADR system.

CASE 4.1 EXTRAMARITAL RELATIONSHIP

Location | Village: Bishwanathpur; Union: Gaokandia; *Upazila*: Durgapur
District: Netrokona

In November 1992, Heera Begum was married to Malek Mia. At the time of their marriage, they were 12 and 22-year old respectively. The marriage was conducted according to Muslim Family Law where a dower of BDT 20,000/- was decided. Jalal used to take Heera's opinion on buying or selling household asset, on children's education and other matters. They had four children from the marriage. In spite of limited income and poverty it was a happy family. But after 15 years of marriage when their youngest child turned one their relationship got sour.

Malek became less serious in work and became jobless; along with this he became indifferent towards his family. As a result, the family faced extreme poverty. Finding no alternative Heera started taking help from parents to run her family. She brought three cows, each costing BDT 15,000/- from her parents one after another justifying that those would be used in income generating activities, and in turn would relieve her from economic hardship that she was facing. Although the project eased her in running the family, it could not do anything to repair the damage in the relationship between her and Malek.

Malek almost gave up visiting the family and when he did rarely bore family expenses. Malek got engaged in extra marital relationship with Setara Begum who worked as a domestic worker and was engaged in a small business. In 2010, Malek married Setara without taking permission from Heera. Moreover, the marriage was not registered. It was Setara's third marriage and she had three children from her earlier marriages.

A week after marriage Malek brought Setara to the house where Heera and her children were staying. Very soon Malek became violent on Heera and her children.

He started torturing them both physically and mentally. The intensity of violence became so severe with time that in May 2010 Heera was compelled to take shelter at her parents' house. So, Malek was living with Setara in the way they wanted.

Heera's parents went to local influential including UP chairman to seek their interference in her problem. *Shalish* was held on the problem for three times but of no use. At this point Heera and her parents were thinking of taking legal steps against Malek but they were also hesitant in doing that by thinking of cost and time the procedure would involve. When they were in this dilemma one of their neighbour Rebeka Begum, a shastha shebika of BRAC, informed them about ADR service of BRAC in detail.

In May 16, 2010, Heera along with her mother Rahima Khatun went to BRAC office to consult with Sabed Hossain, FO at local Area Office, on the prospect of taking their problem to the ADR system. They were assured of the help from the system and at the end of the meeting Sabed registered a complaint against Malek that he was not supporting his wife and children. As per procedure, Heera had to pay BDT 10/- as registration fee for the complaint. The notice summoned Malek at Legal Aid Clinic within two weeks after the complaint was registered. Soon after receiving the notice Malek contacted Sabed and learnt that Heera filed a complaint against him. After consultation with the disputants Sabed scheduled ADR session on June 5, 2010. During the ADR session Heera was present there along with her elder brother Aminul Rashid, grand-father Joarder Ali, and mother Rahima Khatun whereas Malek attended the session alone. The session was moderated by Sabed Hossain.

In the session after some arguments it came to a decision. It was decided that:

- ▶ Heera and Malek would start living together by keeping aside the bitter experience and misunderstanding of the past,
- ▶ Malek would provide full maintenance to Heera and her children,
- ▶ Malek would refrain himself from doing any physical and mental torture to Heera, and
- ▶ Malek would not establish relationship with other women.

Heera went back to Jalal's house to live together. Setara was not there. Heera's life was going well after ADR decision as she and her children were behaved well. But after three months, Malek brought Setara in their house without the permission from Heera. After this he started mistreating Heera as he did before. Heera again went to HRLS office to seek help. Sabed gave Malek a warning that if he would continue his mistreatment with Heera Legal Aid Clinic would take legal steps against him. Staff also advised Heera to protest if Malek would bring his second wife in her house.

After the warning, Malek sent Setara to some other place and started living together. Malek ignored Heera's opinion in all decisions made in the family. Only difference that

took place in the relationship between Heera and Malek after ADR was that Malek stopped violating Heera physically which he used to do before ADR.

After six months of the warning Malek brought Setara back to their house again. With this Heera's days became miserable due to tortures on her by Malek and Setara. This time, Heera did not go to ADR service for justice rather she wanted to settle the issue with the help of her relatives. Heera's elder brother Aminur Rashid threatened Malek that they would file a case against him under Women and Children Repression Act. Malek got scared and agreed to handover 20 decimal of land to Heera for cultivation. He also arranged separate residence for Setara so that co-wives would have their own places. But, this arrangement also failed to bring peace in Malek's family. This was because of bad temper and quarrelsome nature of Setara; who not only misbehaved with Heera but with neighbours on trivial matters. Her clash with neighbours went to such extent that she and Malek were compelled to leave the village.

Under the changed situation, Heera took sole charge of running the family. Malek had 200 decimal of farmland and 40 decimal of homestead land. She gave half of the farm land to her eldest son Sabuj Mia which he himself cultivated but sometime by hiring laborers on daily basis. By selling the yield from this land Heera earned almost BDT 60,000/- per year, which she used for maintaining her family. Rest of the farm land was used by Malek to maintain his second wife.

Besides decision making, Heera's mobility increased after ADR's decision. Before ADR she needed to take permission from Malek if she would go anywhere. When the situation became such that she had to live alone and maintain her children of her own after ADR, her mobility increased with higher degree of freedom. She, after ADR, went to land registry office to register land with her elder brother. Now she goes to market to buy fertiliser for farming, and also have now freedom to visit relatives of her own decision.

Setara gave birth to two children – son Swapan Mia and daughter Farhana Ferdous. Malek's relationship with Setara did not last, so in May 11, 2014 he came back to live with Heera. She already lost her faith on Malek due to breaking promises earlier. After returning back, Malek got seriously sick and had to go to hospital. Heera took care of him out of her sense of responsibility as a wife but not from heart. At present although they live together they always quarrel and while doing that they always blame each other by pointing out their faults and bitter experience.

Setara left her two children with Malek to look after them so they are still living in Heera's place which she does not like. Despite having a negative impression about Malek she is living a life free from physical torture, and with financial independence which she never had before. Though Malek does not provide direct support to family, he left all of his farming land with Heera to work on those in order to support their family. Heera now has the decision making power on her earnings.

CASE 4.2 DISABILITY

Location | Village: *Char* Baganbari; Union: Ghosher Para; *Upazila*: Melandaho
District: Jamalpur

In 2008 Khadiza Akther at age 16 was married to Ahsanul Islam, who was 17 year-old at that time. Ahsanul's parents were much well off than that of Khadiza. Her father Mobin Ali arranged this child marriage with a belief that their daughter would have a happy life by being part of a rich family. A dower of BDT 60,000/- and a dowry of BDT 15,000/- was decided in the marriage.

Ahsanul's father had a decent amount of farm land. At the time of marriage, Ahsanul helped his father irregularly in farming. Although Mobin Ali expected that Ahsanul would get involve in IGA full time, after marriage he saw that Ahsanul was sitting idle all day long doing nothing to support his wife. Ahsanul became fully dependent on his parents for the maintenance of his family. Day-by-day his relationship with Khadiza got worse due to his unwillingness to contribute in family income. On the other hand, due to poverty, Khadiza's father failed to provide dowry as was promised in the marriage. This angered Ahsanul's parents and so they started abusing Khadiza verbally. In order to antagonize Ahsanul they complained against her on trivial matters to him whenever they could. Even they encouraged Ahsanul to violate Khadiza.

At one stage Ahsanul started violating Khadiza physically. Her opinion was ignored in every aspect of decision-making in the family. She was not allowed to get out of the house even if a very close one would have died. In 2009, when the pain for violence became unbearable she left Ahsanul for her parents' house.

At this, Ahsanul's family went to bring Khadiza back home. She returned back to Ahsanul just to find that the promise that she would be treated well was a false one. She was requested to return back because of the fear that she might go for legal action against the violence on her. After a week Khadiza returned back to her parents again. Ahsanul's family tried to bring her back again but she did not comply to it this time. In September 2009, Ahsanul went to Dubai with a job but very soon return back as the company hired him closed. Ahsanul neither informed Khadiza about his going abroad nor about returning back home.

In December 2009, Khadiza and Ahsanul's family had a meeting to solve their children's marital problem. The meeting ended in failure because of the uncompromising attitude of Ahsanul's family. During these hopeless days one of the relatives of Khadiza, Mofijul Islam, told her about legal support provided by BRAC to women on familial problems. He further mentioned that he learnt about the service from his neighbour Rafiqul Haque, who worked in local Area Office. In early part of 2010 Khadiza and her parents went to Legal Aid Clinic to talk about her problem to FO posted there. She went through the procedure in registering a complaint. After this, Ahsanul was notified to report to staff at BRAC office and he did that after second notice was served. After consultation with the disputants the ADR session was scheduled on June 13, 2010.

In ADR session Khadiza herself, her mother Kumkum Begum, father Mobin Ali, and uncles Abul Khalek a UP chairman, Selim and Johurul Islam were present. On the other hand Ahsanul himself, his father Anwar Ali Mondol, mother Sufia Begum, father-in-law of Ahsanul's elder brother Hafizull, uncle Ehsanullah, UP member Moni, and neighbour Talu were present.

After considerable arguments, in the presence of staff as moderator, two parties came to a decision. The decisions were:

- ▶ Ahsanul and Khadiza would live together,
- ▶ Ahsanul would provide proper support to Khadiza and their children,
- ▶ Ahsanul would register 7.5 decimal of land to Khadiza,
- ▶ Ahsanul would never violate Khadiza either physically or mentally, and
- ▶ Ahsanul would not demand any money or property from Khadiza.

The meeting informed Ahsanul about the legal consequence, if he would not abide by the decisions.

In the following week, Ahsanul's parents went to house of Khadiza's parents and brought her back to their home. Khadiza was welcomed by Ahsanul and other family member. Khadiza observed positive change in the behavior of Ahsanul and in-laws. Ahsanul did not violate Khadiza anymore. He also did not demand dowry from her. Ahsanul was not unemployed anymore. On coming back from Dubai, he worked as carpenter for some time and then took up a job in a restaurant in Dhaka that he still continues. At this job he now earns more than BDT 8000/- per month. He provides financial support to his family regularly. He visits home for 3-4 days every month and while coming home he brings gifts, like clothes, food, cosmetics for his family. In the meantime, the couple has given birth to another son Muhid who is now almost three years of age.

With increased care and support from her husband, Khadiza enjoys greater decision-making power in her house. She decides the need and requirements of her family and children, and work accordingly of her own decision. She receives support from Ahsanul and her in-laws in implementing her decisions. Like decision-making, her freedom of mobility also increased after ADR intervention. Now she goes out of house without any bar from her husband and in-laws. She goes to market to buy daily necessities, and also to relative's or her parents' houses, sometimes alone and with Ahsanul or with others.

After ADR the scenario has changed positively. Khadiza believes that taking help of ADR process to solve her problem was a wise decision in her life. She got such solution to her problem which she wanted, i.e., to have a happy family life, which she would not have if she would have gone to court. If she would have gone to court she would have to spent lots of money and time behind to receive desired result. Also it would have shamed her family if the issue was taken to the court.

CASE 4.3 DOWER AND MAINTENANCE

Location | Village: Dikdair, Union: Kendua Municipality, *Upazila*: Kendua
District: Netrokona

In 2004, Jannatul Ferdeus Papri was married to Ashraful Islam from neighbouring village three kilometers away but in the same union. At the time of marriage, Papri was fifteen and studying in Class X, while Ashraful was 31-year old and had a Bachelor degree. Since Papri was under aged for marriage, her father hide her actual age in registering the marriage. A dower of Tk.75,000/- was decided in the marriage; of which one-third had to be paid at the marriage, another one-third should be paid when Papri would demand for that, and the rest would be paid as per Ashraful's convenience. Ashraful was a *madrassa* teacher. Papri's father Saiful Baki was happy to find Ashraful as his son-in-law, who had good job and was educated.

Papri was having a happy married life as her husband and in-laws accepted her well. After two years when she got pregnant things changed. Ashraful insisted Papri to bring money and land from her parents. In July 2007, after Papri gave birth to a daughter Ashraful quit teaching in *madrassa* and tried several jobs as private tutor and school teacher. He did not continue in any of these jobs for long if hired or could not get a job he intended to join. During these days he took BDT 1,50,000/- from Papri's parents with different pretext, like would have to support family and start a business.

He also asked Papri to convince her father to register his homestead to Ashraful. When she refused doing this he started violating her both physically and mentally. The intensity of violation increased and when it became unbearable she left Ashraful's house with her daughter for her parents' house. During this stay Papri did not have any communication with Ashraful, and after a month her parents decided to seek help from traditional village leaders and influentials to solve the problem. Thus, a *shalish* was held but ended without any decision.

In one of these days when Papri's brother Amin while passing by local BRAC office noticed a billboard on HRLS providing legal services to poor. He got information on the service in further detail from Dipu Rani, an ain *shebika* working for the programme. In July 2010, Papri with her brother Amin, met Hafizull Islam, FO to file a complaint against Ashraful. The complaint was on the demand for dower and maintenance of Papri and her daughter Fahmida respectively. Ashraful was called upon through legal notice to contact FO to fix a date for ADR session. As per convenience of the disputants August 14, 2010 was scheduled for the session.

After a long discussion and argument particularly on the amount of dower to be paid by both parties in presence of staff it was decided that:

- ▶ Papri and Ashraful would go for divorce,
- ▶ Ashraful would pay BDT 35,000/- to Nishat as dower and her maintenance,

- ▶ Ashrafal would pay maintenance for his daughter Upama at monthly basis,
- ▶ Fahmida would stay with Nishat until she was seven.

After the decision, basis of mutual agreement, the disputants registered divorce, and Ashrafal and his family promised to pay the decided amount to Papri in the next ten days. Ashrafal paid the full amount to Papri as promised to the Legal Aid Office before the deadline. But he did not accept ADR's decision that his daughter would stay with her mother. He filed a case in court demanding his daughter's custody, but finally he lost the case.

After the ADR decision and its implementation Papri started a new life at her parent's house. Although she was student of Class 10 at the time of her marriage, Ashrafal did not let her continue studies after marriage. After divorce, she restarted school, she passed SSC and HSC examinations in 2012 and 2014 respectively and was trying to get enrolled for higher studies. Her daughter Fahmida also studies in class one.

Even after losing the court case Ashrafal wanted his daughter to live with him. He often threat Papri's family over phone that if they did not give his daughter back to him, he would kill them. Although Papri's family and her daughter had a feeling of insecurity because of the threat they were given they did not go to BRAC for security.

Papri was happy by thinking that she was now free from tortures which she had to live with during her married life. She also spent the money she received from Ashrafal as per ADR's decision of her own will. She invested half of the amount in a business and the rest on making jewelry and buying other necessities. She was satisfied with ADR's process ensuring women's rights of dower and maintenance. She received her rights without going through any hustle. She is now receiving enough maintenance for her child.

Ashrafal and Papri's in-laws did not let her go outside home alone, she was allowed to visit her parents' house two or three times a year guarded by an elderly male family member. After ADR decision she enjoys greater freedom in her mobility. She goes to her college two kilometer away from home alone every day. She also can take decision on going to market and visiting relatives' and friends' house of her own.

Papri is working to have a prosperous future ahead. Apart from her present effort of going to higher studies, she also aims to be a teacher in future. She believes that seeking help from HRLS was one of the wisest decisions she took in her life; for which she can dream of a better future. Rather, Papri is happy with HRLS for the positive changes she is experiencing after ADR process she underwent.

SUMMARY FINDINGS

The objective of this study was to assess the indirect impact of ADR process of HRLS on both complainant and defendant. As a part of this evaluation, the study attempts to know the immediate and long run implication of ADR process and decision on the disputants both on personal and social life. As the most of the cases filed to ADR system was on dower and maintenance, the study focused on these two issues only. The study observed 193 complainants and defendants each who use to be or were couples during the study.

Bad marital relationship between disputants, personal behavior of defendant and demand for dowry made complainant file the complaint to the ADR system. In 89.6 per cent of the cases the ADR decided that the complainant and the defendant would reunite but for the rest the decision went for divorce. For reunification the disputants had to agree on some conditions, e.g., they should try to maintain harmony in their family and should not abuse each other, but in the case of divorce, the ADR decisions revolved around dower and child support where relevant. On an average the amount the defendant was asked to pay a dower of BDT 29,428/- within 21 days from the day the decision was given.

Majority of the disputants were fully satisfied with ADR decision immediately after it was given. It may be noted that a greater number of defendants (70.5 per cent) was satisfied with the decision compared to those in the complainants (61.1 per cent). In the case of divorce when the decision related to compensation was violated the staff on behalf of complainant informed the disputant that if the conditions were not met she would file a case in the court against the defendant. The compensation was of cash and kind, i.e. asset. The value of asset decided to be compensated was 111.1 per cent more than the amount they actually expected to receive. The amount that the complainant actually received was BDT 34,333/-. From the defendants' side, the amount of cash they had to pay to complainants was higher than that of their expectation.

In 97.4 per cent cases disputants accepted the ADR decision at a later stage in spite of projecting negative reaction to it immediately after their announcement. In cases, where the decision was partially or not followed some complainants did not take any step with a hope that the decision would be followed shortly but in others the complainant took some measures for the compliance to the defendant.

The money received as compensation, e.g., dower, was deposited in the bank or lent to others for usury, mortgaged-in land, invested in business, repay loan, and for family uses, like handed it over to family head, medical, in construction of house, and in paying dowry in own marriage.

The complainants' engagement in IGA increased from 13.0 per cent to 22.3 per cent after ADR process. Although complainants were earning slightly more after ADR, the share of their income spent on self and own children decreased after ADR compared to the period before. The reduction was mainly because in the past they had better control in spending the money they earned irrespective of with whom they were residing.

Complainants' mobility increased after ADR process. They mentioned that their knowledge on legal issues increased as a result of going through the ADR process. They gained knowledge as because of own initiative by educating themselves on legal issues related to the complaint that was placed to ADR system.

Substantial number of respondents experienced better acceptance after ADR in the family. This number was higher among complainants than the defendants. In the case of reunion where complainants lived with defendants they stopped misbehaving with the complainants. In the case of divorce where complainant had to live with their parents they experienced positive change in their acceptability in family. For both reunion and divorce, complainants' involvement in IGA after ADR played a significant role in upgrading their position within the family.

Some complainants observed that even though they were not so much welcomed in social events by their neighbours before ADR process their negligence or indifference towards the complainant turned into respect and sympathy after ADR decision. The complainants' involvement in ADR session gave them an image of a person who were brave and had voice against injustice. Their involvement in ADR process gave their neighbours a realisation that the complainants were mistreated by defendants and in-laws where complainants did not have any fault.

About 22 per cent of the complainants and 26 per cent of defendants reported that ADR process brought a positive change in their playing a role in the decision making in their community. The complainants' act of protesting mistreatments by defendant through ADR process was praised by neighbours that enhanced their acceptance in the community. After ADR process, disputants, unlike before, were asked for suggestions by neighbours on family matters, like marital problems, use of contraceptive, birth registration, and children's education and their marriage, etc. Some complainants influenced neighbours' decision on dowry, dower, and maintenance.

In case of both reunion and divorce, many of the respondents acknowledged the positive impact of ADR in their life. Most of the divorced complainants believed that due to ADR intervention they had managed to get a life free from physical and mental torture from their husbands and in-laws. Along with this they believed that they would not be able to get dower and maintenance from defendants without ADR intervention due to the high cost and time involved in the court process. Some defendants also felt the same as complainants at this point that they would have to go through more mental stress if they solved the problem through court instead of ADR.

CHAPTER FIVE

COURT CASE

INTRODUCTION

Court case procedure

The complainant irrespective of, whether affiliated with BRAC or not, can approach Legal Aid Clinic for help in solving their problems which are legal in nature. First, they approach HRLS staff located in Area Office with their problem usually on week days. The complainants are required to pay BDT 10/- in order to register their problems. In registering the problem the staff decides whether the problem could be dealt by the ADR system or is serious enough to be sent to court (Box 5.1). Criminal offences are always referred straight to the court. If it is decided to be dealt by the court the FO refers the case to the Staff Lawyer of BRAC. Staff Lawyer reviews the case and decides finally whether the complaint should be filed as a case in the court. One of the important conditions for the complaint to be taken into such consideration is that the complainant should be poor enough not to have means to run case in the court by themselves. If considered eligible, the complainant is forwarded to the panel lawyer, with his/her consent, that the complaint may be filed as case in the court. In some cases the complaints were taken up by the ADR system but sessions could not be conducted due to non-cooperation of the defendant in running the ADR process or the ADR decision was not honoured by the defendant. In these instances if complainant agrees the complaint is also referred to panel lawyer to be dealt by the court.

The panel lawyer after reviewing the complaint based on the information provided by the complainant asked for the document need to file a case in the court and accordingly the case is filed. If necessary s/he also instructs the complainant to contact with the witness to attend the court sessions when necessary. While running the case the panel lawyer informs the complainant, i.e., plaintiff, about the schedule for hearing particularly when s/he needs to be present in the court house through FO. Panel lawyer also provides necessary information on legal issues as well as the case status to the plaintiff with the aim of making him/her aware of their rights and the ways the case is rolling in the courthouse. The BRAC lawyer monitors the litigation process of the panel lawyer for the plaintiff.

The rest were on maintenance, dowry, rape, acid violation, property, land dispute, and kidnap. The objectives of the study are to:

assess the litigation process for the plaintiffs sponsored and not sponsored by HRLS; and assess the outcome of the litigation process for the plaintiffs sponsored and not sponsored by HRLS.

Method

The research strategy over time was to compare the plaintiffs who received the services from HRLS compared to those who did not; where former was referred to as belonging to intervention group against the latter belonging to control group. Altogether 388 plaintiffs equally divided among the groups were observed in the study. The plaintiffs for the intervention group were randomly selected from the list of HRLS clients who received support from the court through panel lawyer and received the verdict in 2010-2011. The record available at Legal Aid Clinic provided the study with the nature of the case the plaintiffs filed and the particulars of the panel lawyer who ran the case for these plaintiffs. The control group included proportionally the same number of plaintiffs who filed case on the same issues as was done by the intervention group. The cases for the plaintiffs in control group were deal by the same panel lawyer who did it for the intervention group but independent of HRLS. In selecting the control group effort was also made so that the group might match with the intervention group in terms of selected socioeconomic and demographic attributes considered could have a bearing on the verdict and their impact. The data were collected in March-April 2014 from the catchments of 20 Legal Aid Clinics under consideration. For further understanding on the method see Method in General (pp. 13-14).

Box 5.1

A litigant used to torture her plaintiff wife for dowry. When she refused to bring money from her parent the litigant stopped providing her food. At this she left for her parent's house and started staying there. In one of these days litigant allured her to meet him in a banana garden nearby the house she was staying. When she went there to meet the litigant there were a few persons with him from outside the village. They tried to rape her and while forcing her for that they severely injured her. She earnestly requested them not to molest her so they let her go but without any clothes on. After staying at a hospital for three days for treatment she went to HRLS at local BRAC office for help. Considering the intensity of violence done on her HRLS decided to take her case straight to the court with the help of panel lawyer. A rape case was filed against the litigant. He was arrested and was jailed for three months. Since she decided not to stay with the litigant she filed another case against him also with the help of panel lawyer after the rape case.

Socio-demographic profile of plaintiffs

In all instances the plaintiffs and litigants were female and male respondents respectively. Not only that

they were wife and husband before litigation in all instances but in cases they continued it to be so where verdict from the court was not for divorce between them. Any reference to litigant in context to plaintiff would mean also their present or ex-husband in this chapter. Ninety-six point nine per cent of the cases observed were related to dower and maintenance, 1.5 per cent on only maintenance against the rest (1.5 per cent) on rape or attempted to rape. Ninety-eight point five per cent of the lawsuits were filed against Article 5 of Muslim Family Law and the rest 1.5 per cent was filed as criminal case under Women and Child Repression Act 9(1)/30.

Table 5.1 presents the comparison of the selected socio-demographic profiles of the plaintiffs from intervention and control groups. The differences between the groups in most cases were not significantly different.

Table 5.1 | Socio-demographic profile of plaintiffs from intervention and control groups

Variables	Group		Significance level
	Intervention	Control	
Age			
16-30	67.0	76.3	
31-44	29.9	21.6	p= 0.238
≥ 45	3.1	2.0	
Mean age	29.8	27.9	p= 0.003
Sex			
Male	0	100.0	
Female	100.0	0	
Marital Status			
Married	26.3	24.2	
Unmarried/Widow	1.5	0.5	
Separated	49.0	33.5	
Divorced	23.2	41.8	p= 0.001
Religious Affiliation			
Islam	97.9	99.0	
Hinduism/Buddhist	2.1	1.0	p= 0.603
Education (class completed)			
No education (including ≤ class 4)	43.3	24.2	
4-5	19.1	23.7	
6-10	36.1	44.3	
>10	1.5	7.7	p = 0.000
Mean year of education	4.3	5.9	p= 0.000
Main Income Generating Activity			
Not engaged	48.5	68.0	

[Table 5.1 | Contd...]

[...Table 5.1 | Contd]

Variables	Group		Significance level
	Intervention	Control	
Service	22.7	17.0	
Day labor/self-employed agriculture	23.7	9.8	
Business	5.2	5.2	p= 0.000
NGO membership Status			
BRAC	9.3	4.6	
Other NGO and Grameen Bank	12.4	13.4	
Not member	78.4	82.0	p= 0.198
Membership in Cooperative			
Member	1.5	0	p= 0.082
Not member	98.5	100.0	
Membership in Club			
Member	0.5	0.0	p= 0.317
Not member	99.5	100.0	

n = Treatment: 194, Control: 194

In general the plaintiffs from intervention group were slightly older than those from control group (by 1.9 years). Majority of the respondents were 30 or less year of age; this trend was more visible in the case of control group. A small number of respondents were 45 or more year of age. About 72.2 and 75.3 per cent of plaintiff from treatment and control groups respectively were either separated or divorced during litigation. Without going into a precise calculation it may be said that such proportions indicate that a good number of separated and divorced plaintiffs from both the groups were in 16-30 year age group. About 25 per cent of the plaintiffs (26.3 and 24.2 per cent from intervention and control groups respectively) were married during litigation. The table also indicates that overwhelming number of plaintiffs from both the groups were Muslim. Number of year of schooling of both intervention (4.3 years) and control (5.9 years) groups were considerably low. There were considerably a more number of plaintiffs from intervention group who were without education (43.3 per cent) compared to that from control group (24.2 per cent). There was more number of plaintiffs from control group (68.0 per cent) not involved with any IGA compared to those from intervention group (48.5 per cent). Consistent to this trend there were more number of plaintiffs from intervention group (46.4 per cent) involved with service, day labouring, or farming compared to litigants involved with these occupations (26.8 per cent). The NGO, cooperative, and club often have programs/activities related to human rights. Table indicates that though a small number of plaintiffs were affiliated with NGOs, hardly any with cooperative and club.

Why filed case? The experiences of the plaintiffs for both intervention and control groups which compelled them to file cases were similar to complainant who took help of ADR system and their cases were not taken to the court (p123-125). In spite of this it may be mentioned that the incidences that compelled plaintiffs to file case with minor divergences eventually converged to a point – violence.

The litigants were addicted to gambling and alcohol, and/or they did not have a steady job. In order to maintain their addiction and to run family they often asked for dowry to plaintiff's parents through them. The dowry was asked with different pretexts, like money was needed to start a business or go abroad for job. When plaintiffs objected to the addition or disagreed to ask parents to provide dowry they were violated. They were also violated when parents failed to provide dowry because of their economic incapability.

The litigants had extramarital affairs either from before marriage or developed at some point after marriage. At one stage of conjugal life with the plaintiff litigant married the girl with whom he was having extramarital affairs or intended to create a space to marry her by getting rid of the plaintiff. This was done by not providing any support to the plaintiff or by violating her. The litigant also violated her when she objected to the affairs.

The violence on the plaintiffs was done not only by the litigant themselves but often in collusion with other member of the family, like litigant's mother and sister. In cases the violence on the plaintiff was so severe that the plaintiff left the litigant's place by themselves or they were forced out by litigant from his house.

The plaintiff filed case against the litigant so that he might be punished and/or to get a divorce. In spite of being violated there were plaintiffs who wanted to continue with litigants. They wished that they would be taken back by the litigants after being forced to move out of their house, thus plaintiff could continue their conjugal life. When they were not taken back and no maintenance was provided to them while staying with parents they either filed case for divorce along with for compensation or for the court's verdict that they might be provided with maintenance but not a divorce.

Pathway followed in filing case

The plaintiffs from both intervention and control groups often did not resort to the ADR system and to the court respectively straight to get their problems solved. The problem was considered to be an embarrassment for the plaintiff and a family matter, so its solution was sought first within the family with the help of parents and relatives and in cases with the help of neighbours intimate to litigant and his family. When the effort failed the plaintiffs in most cases resorted to the community leaders, particularly chairman, for help.

Some of the plaintiffs were not informed of the ADR system or court could solve their problems so they believed that the traditional community leader was the only avenue where they could have gone to get their problems solved. Some of the plaintiffs went to the leaders as they wanted to get their problems solved locally. Even if plaintiffs could have gone to ADR system or court directly for help they did not do that to avoid being blamed by the leaders that the plaintiffs did not come to them for help. The plaintiffs were aware of the fact that if the leaders were not approached for help first they might not help them if they were approach leaders for help of any sort in the future. Traditionally they were in charge of solving the problems of the community member, so bypassing them not only would be considered ignoring them but also insulting them in cases. As chairman was considered as the head of the union so plaintiffs felt that it was necessary to take his/

her permission before going to court. The plaintiffs were aware of the lengthy court procedure so they also believed that by going to the traditional village leaders they would get a quick solution to their problems. In cases the leaders gave plaintiffs hope that they would solve their problems and for others plaintiffs were personally known to the leader so they themselves came forwards and approached the plaintiffs to solve their problems.

A good number of community leaders refused to provide help to the plaintiffs. The leaders realise that their initiatives would not bring any positive result as the litigants would not accept the decision of the *shalish* and the leaders did not have the power to make the litigants follow the decision. In other instances the plaintiff asked leader for help too late after litigant already got married again. So, the leaders considered that there was no scope for helping these plaintiffs. Again there were cases where the leaders tried to help the plaintiffs but the effort did not have expected outcome. The *shalish* was called by the leader but the litigant or anybody in his behalf did not show up in the *shalish* or if attended they did not accept the decision. After several tries to arrange *shalish* the leader told the plaintiff that nothing more he could do about solving the problem so plaintiff should go to the court at that stage (Box 5.2). In a few instances leaders received money from the litigant not to help the plaintiff.

In spite of many intended to get their problems solved with the help of community leaders 34.5 per cent of the plaintiff from intervention group and 42.3 per cent from the control group went straight to HRLS and court for help respectively. They did so because they did not have faith on the leaders, did not know any of them, or as members the leader refused to help them.

Overwhelming number of the plaintiffs (97.9 per cent) from intervention group went through ADR sessions before case was filed to the court. The experiences of this group while going through the ADR process was similar to the complainants went

Box 5.2

A woman came to chairman with an allegation that her husband was not providing any maintenance to her. The chairman set a date for *shalish* but her husband did not report to the *shalish*. Another date was scheduled for *shalish* and on that date he was brought to the *shalsih* with the help of a village police. In the *shalish* he mentioned that he would not continue his marriage with her. When chairman asked for her opinion on husband's decision she replied as he did not want to continue their marriage any longer so she also opted for the end of their marriage. At this, it was decided that he would provide BDT 8,000/- as dower and BDT 200/- as maintenance for their child who would stay with her after divorce. A year after their divorce one evening he came to her house and insisted to have sex with her. She informed about this to the chairman. Chairman along with elders of the community married her to him again with BDT 50,000/- as dower. A month after marriage he married a girl from local town and they moved to Dhaka. After this he discontinued all relationship with her and also stopped providing any maintenance to her. She informed about this to the chairman and asked for his help. But, chairman mentioned that nothing he could do about it at that point as he got married and asked her to take help of the court. She went to local BRAC office and filed a case against her husband with the help of HRLS staff.

through same process observed in Chapter 4 (p123-125). Only 2.1 per cent (4) of the complaints placed to HRLS were taken directly to the court. The seriousness of the problem of the plaintiffs as reported made HRLS to decide so (Box 5.2).

Some of the plaintiff from intervention groups went to ADR for legal help immediately after they left litigants place but in the case of others they took some time even as much as of five years before they doing so. They delayed as they were not informed of the services provided by HRLS or were waiting for reconciliation from litigant's side. In cases the plaintiffs from the group intended to take help of court earlier but could not as they did not have enough money to run the case in court. The plaintiff from control group who did not take help of HRLS were quick to file case in the court after they were forced to separate themselves from litigant but in the case of some they were also constrained in doing the same as because of the shortage of fund.

Getting involved in lawsuit

Respondents' involvement in running the lawsuit followed at least three steps – taking decision to run case, taking preparation to run case, and attending court session. In both cases intervention and control groups went through same experiences in following the steps but in others it was different.

Taking decision

When litigant, i.e., defendant under ADR system, repeatedly failed to show up in the ADR sessions, ADR decision was not followed by the defendant, it was believed that defendant would not follow the decision, or particularly when complainant expressed that ADR decision was not effective the FO proposed that the case might be taken to the court. But, there were instances, after plaintiff learning that HRLS helps clients in running the case some of them proposed that their problem might be filed as a case in the court after ADR system failed to be effective. In cases the respondent discussed about the proposition with her family members.

In the case of control group the decision to file case in the court was taken after failing to get an expected solution to the problem from the community leaders. It was parent, other relatives and/or in cases neighbours who were discussed for their opinion. In number of instances plaintiffs from the group asked for the decision whether they should file case in the court but in others it was the relatives who proposed the plaintiff to do the same. In taking decision cost in running the case and how that should be met were most important consideration.

Both in the case of intervention and control groups there were individuals who were against filing case in the court. They were of the opinion that going to court would tarnish the reputation of the family, the plaintiff did not have a chance in winning the case, and it would cost lots of money to run case in the court. Those opposing were convinced or ignored in filing case.

Taking preparation

In the case of intervention group the FO referred the case to BRAC Lawyer who in turn hooked the plaintiff with a panel lawyer to run the case for her. In the case of most in the control group they did not have any idea on how to file a case in the court. Their relatives, neighbours, and particularly the community leaders informed them about the lawyer whom they might visit and who would help them in filing the case. In a few instances it was police officer or staff working in the court whom they visited first with the problem informed them about the lawyer. The neighbours took the plaintiffs from control group to local NGO (e.g., *Shabolombi* and *Sodesh*) or Government's Legal Aid Services for help. In a few instances the plaintiffs went to the lawyer of their own as the lawyers were their relatives thus personally known to them. They often took the decision of running the case on their problems of their own. One of the important preparations taken by the plaintiffs from control group was to ensure fund for meeting the expenses for running the case.

The Lawyers for both intervention and control groups asked the plaintiffs to produce documents required to file case in the court. Based on the information received from the plaintiff and documents received the lawyer prepares the charge sheet to file case in the court. In the first visit the lawyers always assured the plaintiffs that they had all the chances of winning the case.

Running the case

On an average there were 9.3 hearings for the intervention group against 12.3 for the control group. Maximum number of hearings that was arranged for the intervention group was 40 and it was 31 for the control group to receive verdict on the case they filed. The respondents did not attend all the sessions. Forty-five point nine per cent of the respondents from the intervention group did not attend any number of sessions which was 31.4 per cent for the control group. One of the reasons for not attending the hearing was that it was not required for the plaintiff to attend all the sessions. In most of the cases the plaintiffs attended all sessions when they were asked for by the lawyer. It took 1.4 years for the intervention group to receive the verdict since the case was filed against 1.5 years in the case of control group (ns).

As number of hearings were held in the court the panel lawyer and in cases PO HRLS staff in behalf reminded the plaintiff of the dates she would have to attend either by visiting her house or through mobile. The relatives of the plaintiff from control group also informed them about the date they would have to visit the court. The panel lawyer oriented the plaintiff about the responses to questions she should make and not to make during hearing to bring the verdict in her favour. It appeared that the plaintiff from the intervention group received such services more compared to those from control group.

During the visits to the lawyer and courthouses almost in all instances the plaintiffs were accompanied by relatives or neighbours to the court house but in a few instances they visited the courthouse by themselves. On an average, 1.8 companions for the intervention group and 1.2 for the control group accompanied them to the courthouse. The plaintiffs

often visited the same by themselves or along with a lesser number of companions particularly in latter visits when they had many sessions to attend in the courthouse. In 30.6 per cent of the visits to the courthouse the panel lawyer or FO accompanied the plaintiffs from the intervention group.

Dynamics in litigation process

In most cases the litigants got informed about that cases were filed against them before they were summoned for hearing by the court but in the case of a few it was when they were summoned. As soon as they learnt about it, particularly those believing that the verdict might go against them, made an effort to refrain the plaintiffs from running the case by discouraging or by impeding in running the case.

The litigant himself or their relatives called the plaintiffs or their parents and asked them to withdraw the case filed. They argued that it would be wastage of money and time by running the case. Even if plaintiff would win the case BRAC would not be able to realise compensation from them. They bribed the bench clerk (*peshkar*) of the court so that the court proceedings might be delayed or transferred to a different courthouse to make it difficult for the plaintiffs to attend those for hearing. In most of the instances the plaintiff proposed for an out-of-court settlement with the help of traditional village leaders. The litigants had good relationship with community leaders e.g., chairman of the UP. The leaders called the plaintiffs, particularly those from the control group, and insisted them for out-of-court settlement through *shalish* which they would conduct. In fact, the litigants managed to convince these leaders to save them from the case filed so in the *shalish* the leaders decided that the litigant would make compensation to the plaintiff, believed to be much less than what would have been the verdict of the court, and plaintiff in exchange would withdraw the case she filed.

The properties of the companions other than lawyer and FO were assumed to have differentially helped them in assisting the respondents in carrying out procedures in the court. They also worked as a psychological support to the plaintiff. The study has tried to rationalise to an extent how the aspects were likely to be supportive in coming out of legal procedures (p187). Thus without going into detail on this issue we have highlighted some of the properties of those accompanied intervention and control groups.

Appendix 4 indicates that slightly more number of female companions (46.9 per cent) accompanied intervention group compared to control group (42.5 per cent). The intervention group had more number of illiterate companions (41.8 per cent) compared to control group (37.2 per cent). On the other hand the companions of intervention group had more schooling (9.3 years) compared to those for control group (7.9 years). Higher number of companions of plaintiffs from control group were not engaged in IGA (39.7 per cent) compared to those from intervention group (30.1 per cent). Of those companions engaged in IGA from intervention group 35.8 per cent was in service. As a whole the companions of the intervention group were considered to be a little well off than that of

control group. Ninety per cent of the companions of control group was common villagers compared to 70.3 per cent in the case of intervention group.

The community leaders who were informed about the case often inquired about it of their own whenever they met the plaintiffs. They gave hope to the plaintiff that the decision of the court would be in her side. The companions not only provided psychological support to the plaintiffs but also monetary help to them. They helped the plaintiffs to play their role smoothly in the courthouse. The relatives guarded the plaintiffs from the litigants so that no harm could be done on them on the way to and back from the courthouse. Chairman witnessed in the court that the litigant was a person with loose character. In one instance a leader requested the lawyer for a plaintiff from control group to charge less to her for his services as she was a poor person. Number of companions accompanying plaintiffs did not have any bearing on the verdict of the court

Initiative taken to bring verdict in favour

Besides taking help from lawyer, 8.8 per cent of the respondents from the intervention and 9.8 per cent from the control group confessed to have taken some initiative by going out of the way to bringing the verdict of the case in their favour. The initiatives involved mainly bribing the court personnels and taking help of the contacts.

The plaintiffs bribed *muhuri* (court clerk) during every visit to the court so that they might be given an earlier schedule for next hearing. The clerks were also bribed by believing that such doing would bring the verdict of the case in their favour and while bribing them plaintiff mentioned that the effort should be made to bring verdict in favour. A plaintiff's father who was a clerk in the courthouse was asked to use his position to get hearing date according to her convenience and made him request the judge to give a decision in her favour. The plaintiffs often gave money to the bench clerk even when not asked for. In one instance court did not cooperate with a plaintiff from control group as she could not bribe the staff in the courthouse.

One of the neighbours of a plaintiff from control group had a good relationship with the in-charge of local police department. The plaintiff gave BDT 500/- to the neighbour to hand it over to the in-charge so that he might use his position to arrest the litigant. In number of instances where plaintiffs had to take medical treatment as because of physical assault on them they contact with doctor so that the litigant might not influence the doctor to tamper the medical report which had to be submitted to the court.

The plaintiff always paid for the transportation of the witness to the courthouse and made sure that the witness attended the hearing when it was needed. A plaintiff from intervention group gave money to member and chairman of UP to become witnesses in the court although they did not cooperate. In number of instances plaintiff asked for the cooperation of chairman in any way so that they could continue the lawsuit without money. Beside this the plaintiffs also went to leaders from other village and asked them to take care of their case in any way they could as she was a poor person.

As suggested by the panel lawyer a plaintiff took help of second lawyer so that his support might expedite the decision of the court on the case. In one instance, although panel lawyer did not want to take money from the plaintiff for his service plaintiff insisted him in accepting BDT 200-300/- for every visit he made to the courthouse. In an extreme instance a plaintiff from control group went to the house of the judge dealing her case along with a leader of Mohila Parishad. She told her problem to the judge which he listened attentively and at the end commented that he would see what could be done about the problem. The verdict from the court was in her favour.

Money spent in running the case

On an average the intervention group spent Tk.170.3 in running the case which was BDT 688.0 for the control group ($p < .05$). Obviously the amount was supposed to be smaller for the former group as they did not have to pay lawyers for their services. Table 5.2 presents the item wise distribution of expenses of both the groups in running the case. The intervention group as they filed case with the help of FO had to pay a fee which the control group did not have to. Similarly the former group paid an amount to bench clerk but in the case of control group they paid both to clerk and lawyer for their services. For rest of the items where both the group paid it appears that for all instances the plaintiffs from control group paid a higher amount than the intervention group.

Table 5.2 | Average cost of running court case by groups (Tk.)

Sector	Treatment	Control
Transport	254.5	386.3
Court fee	53.9	96.9
BRAC fee	10.0	-
Preparing documents	238.9	291.3
Mobile/phone	32.6	65.8
Arranging witness	253.0	495.8
Snacks/refreshments	116.3	213.9
Payment to lawyer/ <i>muhuri</i>	458.2	1,824.9
n		

$p < .05$ for all sectors

Reaction to case filed

During lawsuit 95.9 per cent of the plaintiff from intervention group and 96.4 per cent from the control groups were staying with their parents. Rest

from both the groups was staying with their sibling, distant relative, or neighbour not related to them. Although the plaintiffs were staying not with the litigants they met the litigants just before and after, and during hearing. Besides they met plaintiff in the neighbourhood as they were residing in the same or adjoining neighbourhood. In a few instances the litigant visited the house of plaintiff or called her over cell phone.

During the meeting the plaintiffs and litigants reacted to each other differently but the reactions were similar both in the case of intervention and control groups. In number of instances the litigant reacted only to the plaintiff but in others they did it towards their relatives or those accompanying them to the courthouse. In some instances it was not the litigant but his relatives, like brother, reacted to the plaintiff or those accompanying them. The plaintiffs had both immediate and delayed reaction to litigant's behaviour towards them.

In one end the litigants behaved well with the plaintiff in the meeting or talked politely over the phone. In one instance the litigant gave BDT 180/- to the plaintiff as she did not have conveyance to return back home from the courthouse. The plaintiffs believed that they were behaved well as because litigants wanted to reconcile with the plaintiffs or as a strategy to convince them to withdraw case filed against them. On the other extreme the litigants passed derogatory comments on plaintiff character and addressed her with obscene words, e.g., magi. They even did this in front of the court personnel when hearing was in progress. The litigant asked plaintiff to withdraw the case she filled and warned that harm would be done to them if they would not follow the instruction. In one extreme case the litigant got the plaintiff down from the paddle-van on her way back home from the courthouse and beat her up severely. When those accompanying tried to save her from beating they were also not spared.

In most cases, the plaintiff ignored and did not talking back similarly to the litigant. The plaintiffs ignored the litigant as they felt that it was of no use in talking back or were hesitant to talk back similarly to the litigants. They did not do that for being confident that the verdict would be in their favour or felt that they did not have any support or power to react similarly against such behaviour. They were scared of the litigants as in cases they were influential in the community. In one instance she had to visit court often by herself so felt that if she would react similarly she would be placed in a bigger problem or might be bitten up at the spot. Some believed that if they would talk back in the courthouse the verdict might go against them. The plaintiffs in cases did not talk back by believing that such a behaviour would make them to reconcile with the litigants and they would be accepted by the plaintiff. Where plaintiff talked back it was usually suggesting the litigant that there was no use in behaving as such because the case have been filed so court would decide about their problem. In these cases, where they argued it was usually a combination of blaming and threatening the litigants that they would complain about the misbehaving to police department or file another case against them in the court. In these instances the plaintiffs became furious.

In the case of delayed response to the behaviour of the litigant the plaintiff mentioned about it to relatives, BRAC staff, lawyer, police department and/or to community leader. The group often asked the plaintiff to be patient by not reacting against such a behaviour of the litigant in the future as the verdict of the court would solve the problem. Police department and community leaders in some instances mentioned to plaintiffs that they did not have anything to be worried about as they were under their protection. In cases the police department asked them to file another case against the litigant but they did not. When complained some of the community leaders, like chairman, called the litigants and warned them not to misbehave with plaintiff in future, which seemed to have worked well.

Verdict

Court decided that the compensations to be made in future to the plaintiff both for the case of intervention and control groups. The verdicts given by the court could be grouped broadly as for divorce and for continuation of conjugal life by the disputants. In the case of

divorce litigant had to provide a compensation to the plaintiff. In the case of continuation of conjugal life the litigant was asked to provide maintenance for self and children and litigant should not perpetrate on the plaintiff. As decided by the court the compensation had to be provided was both in cash and in kinds, e.g., land. The cash compensation was mainly from the payment of dower and maintenance of children. The asset compensation was done mostly against dowry and other gifts, provided to the litigants' family by the plaintiffs' parents during and after disputants' marriage.

The court was categorical and specific about the amount to be paid and the process to be followed in the payment (Box 5.3). In the cases where dower was decided during marriage and remained unpaid the court asked for the payment of the amount in full but in the case where a portion of the dower was paid during/after marriage the court decided that the rest of the amount to be paid by the litigant. In most cases court decided that the amount to be paid in installments over a period to make it easier or feasible for the litigants to meet the condition and within a deadline. Court decided on who should have the custody of children, if there any, between the disputants. In the case of payment of the maintenance the court was also specific about the amount should be paid to the plaintiff and children she had to support. The amount decided to be paid was calculated based on number of children for whom the maintenance had to be provided, increase in amount due to inflation, and increase in the cost of maintenance as children would grow.

The plaintiff not only had an expectation that the verdicts would be in their favor but also on the amount of compensation that the litigants would have to provide to them (Table 5.3). In all instances the amount decided to be provided according to the verdict was less than what were expected. In the case of treatment group it was 89.3 per cent of what was expected. The amount was much higher in the case of control group as court

Box 5.3

A partial decree is passed *ex parte* against the defendant without imposing any cost. According to the decree plaintiffs are entitled to the Decree including dower money of BDT 20,000/- and a maintenance allowance at the rate of BDT 2000/- has been determined for Plaintiff Number 1. The plaintiff will be entitled to this rate of maintenance allowance during the conjugal relationship between plaintiff and defendant continues. In the case of their divorce plaintiff will also be entitled to the maintenance allowance at this rate after separation. Defendant is directed to pay the maintenance money by 10th of each month according to Christian calendar. In that case, plaintiff is entitled to a decree amounts of BDT 22,000/- including the maintenance. For Plaintiff Number 2 a monthly maintenance allowance at the rate of BDT 1000/- to be paid has been determined. Plaintiff Number 2 is entitled to the maintenance allowance at this rate from the defendant until Plaintiff Number 1 is married. Defendant is directed to pay the maintenance money in favor of the plaintiff by 10th of every month according to Christian calendar. The plaintiff was entitled to a decree amounts of BDT 14,000/- for maintenance. The plaintiffs were entitled to the decree amounts of total BDT $20000+24000+14000=BDT62,000/-$ including the dower and maintenance allowances. Defendant is directed to pay the money for the decree in favour of the plaintiff within 30 days. In the case of non-payment of the allowances the plaintiffs can recover the money through court.

asked the litigants to provide 99.2 per cent of what was expected. In the case of asset the amount the court decided to compensate was much less than what was expected by the plaintiffs. It was only 2.6 per cent and 1.6 per cent in the case of intervention and control groups respectively.

Table 5.3 | Average amount of compensation expected and decided by court for groups

Group	Expected (Tk.)		Decided (Tk.)	
	Money	Assets (value)	Money	Assets (value)
Treatment	110,867.5	5,170.1	99,006.0	134.0
Control	150,169.3	10,211.3	148,924.8	159.8
	p=0.00	p=0.21	p=.03	p=0.87

n = T-194, C-194

Immediate reaction to verdict

Some of the litigants were not present at the courthouse when verdict were pronounced so they had delayed reaction to the verdict after they came to know about it. The plaintiff and litigant present at the court reacted differentially to the verdict immediately after it was pronounced.

In cases the litigants did not react to the verdict, they remained calm without any expression either out of frustration or for being convinced that they deserved the punishment as they were guilty. These litigants were indifferent to verdict the plaintiffs or those accompanying them; but a few in the group approached the plaintiff for reconciliation and requested them to return back with them to their place.

There were litigants who were not happy with the verdict as they were under the impression that they were not guilty so verdict would be in their favour or would be penalise less than what they were if justice was done on them. These plaintiffs reacted negatively to the verdict. After hearing the verdict

they spoke out loud that they did not accept the verdict or would go to the higher court to appeal against the verdict. In some instances these litigants mentioned that they would go to jail rather would pay for dower and maintenance, or mentioned with a smile that under no circumstance they would provide dower to plaintiff as was decided. A good number of litigants uttered obscene words to the plaintiffs by mentioning that she was a woman with loose character and would punish her for filing the case. The litigant's body language indicated how mad they were on the plaintiff. The litigants also reacted to the verdict by grumbling and striding out of the courthouse.

After getting out of the courthouse some litigants called their plaintiffs over phone and threatened to kill them for filing case and for the verdict being against the litigants. In one extreme case the litigant beat the plaintiff and her brothers on the way back from courthouse. The beating was so severe that one of the brothers had to be taken to the hospital for treatment. In another instance the litigant went to the house where plaintiff was staying, beat her aunt, and plucked fruits from a tree before plaintiff arrived there from the courthouse.

In those cases when the verdict was up to the expectation of the plaintiff, e.g., the plaintiff desired for a reunion with the litigant and verdict was for that, obviously she was satisfied with the verdict. There were instances where litigants were penalised less than what was expected so they were also satisfied with the verdict but with a mixed feeling. On the contrary the plaintiffs were unhappy as in cases the verdict let litigants go unpunished or less punished which plaintiff did not wish.

Almost similar number of plaintiffs from intervention and control groups was completely and moderately satisfied with the verdict from the court and they constituted the majority within their groups (Fig 5.1). Other than those completely satisfied the respondents positioned themselves to other categories within the scale were roughly of same size for both the groups (ns). It may be noted that a substantial number of respondents for intervention group (21.1 per cent) and control group (22.7 per cent) were dissatisfied with the verdict.

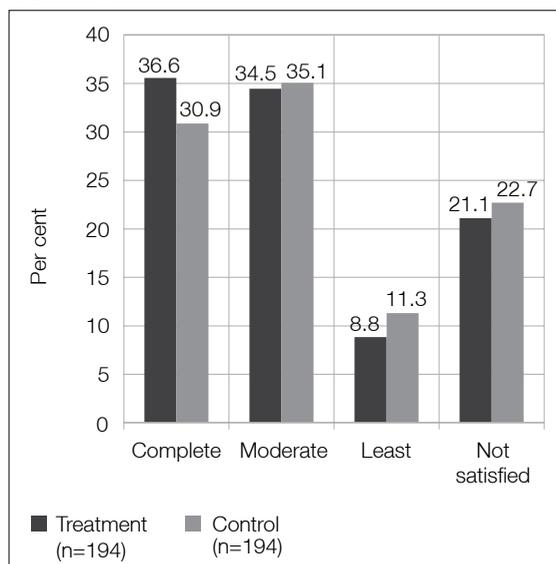
The satisfaction level of the plaintiffs on the verdict usually depended on two factors.

- ▶ Whether the verdict matched with the issue on which it was expected. For example, the plaintiff expected to get a dower from the litigant and the verdict was for dower;
- ▶ The extent the verdict on the issue matched with the extent of expectation on the issue. For example, the plaintiff expected that the verdict on dower would be BDT 40,000/ for which she file case. The closer the verdict on the amount of dower was to one expected more she was likely to be satisfied with the verdict.

The issues in broad terms considered to be part of the verdict were: receipt of dower and maintenance, get back dowry provided in marriage, punishment, e.g., jail term for the litigant, divorce or reunified with litigant, and custody of children. Depending on life situation the plaintiffs emphasised differentially on the issues to be considered in the verdict.

The plaintiffs were satisfied with the amount of compensation decided to be made when they believed that it was sufficient to meet their expenses for themselves and their children. They felt that with the compensation they would be able

Fig 5.1 | Level of satisfaction with verdict (%)



to lead a decent life and would be able to send their children to school. In contrast some of them realised that the amount they would get was not sufficient to lead a decent life but was sufficient to manage three meals a day which they could not manage at that time. Some of them were satisfied by thinking that they would be able to use the money for IGAs, like start a business or marry again. The plaintiffs had to spend lot of money in litigation so some were happy by believing that they would not have to spend money in litigation anymore.

The plaintiffs were satisfied as the court decided for a divorce with the litigants as that would save them from the physical violence perpetrated regularly on them by the litigants. Again plaintiffs were happy with the verdict as it dictate that the litigant should be jailed. This was so as because the plaintiffs considered the punishment as a revenge on the litigant for the violation that they perpetrated on them and for which case was filed. The plaintiff got happy as they could get rid of greedy husband who demanded dowry all the time. In contrast, some were satisfied as the court decided for the unification with the litigant as the plaintiff wanted to have a husband and their children should have a father. They were of the opinion that after marriage a woman's identity lied with their husband and it was important that children should have somebody to call them as their father.

In some instances the plaintiffs were partially happy as the verdict fulfilled part of their expectations. It was decided that the plaintiff should be provided with dower after divorce but the custody of their child should remain with the litigant which plaintiff also desired to have. Similarly some were happy as the verdict was that dower should be provided to them but was unhappy by thinking that due to divorce they would not have a husband. Plaintiffs were also not satisfied as the compensation that was decided that plaintiff would receive was small in amount and they felt that not sufficient for any productive investment. In cases it was decided that the dower would be provided in installments but it was expected that whole amount would be provided at a time. Again some were unhappy as the court decided for a separation where it was expected that the verdict would be for reunion as it was believed that a divorced women did not have any dignity in the community (Box 5.4).

Box 5.4

A plaintiff who was driven out of the house by her husband wished for a reunification with him. She filed a case so that he might take her back. But the court decided for a divorce with BDT 180,000/- as compensation. She did not have any problem if her husband would have married four times. She just wanted that she would have a husband and her children should have somebody to address as father.

Way verdict was implemented

After the verdict and when it was in favour of the plaintiffs they expected that the litigant would abide by the verdict. When plaintiff found that the verdict was not honoured they took initiative so that litigant might be forced to honour the verdict. The plaintiffs from intervention group informed

about it to the BRAC Lawyer and FO. There were a few instances where staff remained indifferent about whether the verdict of the court got implemented or not, or they were transferred while in the process of helping plaintiffs in getting the compensation from their litigants as decided by the court. In general, BRAC Lawyer and FO in particular regularly monitored the implementation of the verdict mainly by visiting the plaintiffs to know whether they were receiving the compensation from the litigant.

Staff consoled the plaintiffs not to be disheartened for the delay in the implementation of the verdict and asked them to be patient. They helped such plaintiff to file implementation case against the verdict. In number of instances BRAC staff went to the litigant; told them that they should abide by the decision of the court and warned them that if they would not measure would be taken so that warrant might be issued against them. In number of instances where staff found that there was no chance that the litigant would honour the verdict of the court the staff reported about it to the police station, got an arrest warrant against the litigant, and got them arrested. In addition staff helped the police to arrest such litigant by informing police about their location. When it did not work they took help of traditional village leaders, particularly chairman of UP, to make the plaintiff follow the verdict.

In the case of control group the lawyers in most cases did not help the plaintiff to implement the verdict. But there were NGOs and Legal Aid Office of the government where some of the plaintiffs visited and informed them about their problem. The organisations helped or advised the plaintiffs to file implementation case against such litigants. In some instances the NGOs revised the terms of the verdict as decided by the court to be followed with the consent of the disputants. In one instance it revised the amount of money that need to be compensated in more number of installments than what was decided by the court. In another instance the plaintiff reported that she was not getting the payment against compensation decided by the court from the litigant to the local police station. The station called the litigant and instructed him to abide by the decision of the court. Often police department worked against plaintiff by receiving money from the litigant (Box 5.5).

In number of instances the litigant did not accept the verdict and appealed to the higher court against the verdict or that the penalty levied upon them might be lessened, e.g., the maintenance that plaintiff would have to provide every month for their

Box 5.5

The verdict was in favour of plaintiff. When litigant did not abide by the verdict implementation cases was filed against him. The court ordered for the arrest of the litigant. When litigant was not arrested the respondent met with the judge. He reviewed the documents and then reinstructed police department in Saidpur to arrest the litigant. As the Department was not serious in arresting the litigant, even then, the plaintiff went to Dhaka to meet inspector general (IG) of police department who happened to be her relative. The IG ordered his subordinate to arrest the litigant. After this the litigant was arrested. He pleaded for a bail and it was accepted. Immediately after he was released he went into hiding.

children might be lessened or dower might be paid through more number of instalments than what was decided by the court. The litigants also asked for the forgiveness to the court.

The litigants proposed to plaintiff or her lawyer that they would accept the demand of the plaintiff, e.g., take her back to him, for which he should be exempted from paying the dower and her maintenance as was decided by the court. When such proposition was accepted by the plaintiff the litigant got a compromise (*aposhnama*) certificate from the plaintiff and submitted it to the court to get an exemption from following the verdict. In cases the litigant met plaintiffs and managed to convince her to give up the demand for which they filed case. In number of instances where verdict was for divorce the litigant convinced plaintiff to stay with him by mentioning that he would not mistreat her anymore and pointed out that if they go through the divorce ultimately their children would suffer and it would be difficult to marry their daughters. It was done so that the litigant might not have to pay the dower (Box 5.6).

When litigant asked for a reconciliation and reunion with him and plaintiff intended to comply with the proposition she always tried to find out how honest the litigant was with the proposition. She tried to make sure that if she would reunite and move back to his place the reasons for which she filed case against the litigant would not prevail. Once she was confident she complied with the proposition. There were instances where plaintiff did not intend to reconcile but litigant managed to allure him to change her decision. In many of these instances the litigants after receiving the *aposhnama* on the verdict started behaving like before for which the case was filed, e.g., litigant started violating the plaintiff.

Other's role in not implementing the verdict

Some litigants were under the impression that the plaintiffs did not have the capacity to make them compensate when former were not willing to compensate. The group did nothing to bypass in following the verdict. Some of the litigants not in the group were serious in not following the verdict in different degrees. They suggested that it would take a long time to get the compensation from the litigant so that the plaintiff should go for an out-of-court settlement and for that the community leaders should sit together and settled the issue.

Box 5.6

The court's verdict was that the litigant would have to pay BDT 130,000/- to plaintiff along with the divorce between the disputants. At this the litigant went in hiding. A neighbour came and told plaintiff that as he was hiding so, she was still married with the litigant. He further mentioned that if he was jailed it would be difficult to marry her daughters. Nobody would marry a girl whose father was jailed. The plaintiff mentioned that she wanted that the verdict was followed and so was the advice from HRLS to her. The neighbour insisted and took her to lawyer. The lawyer also proposed that she should go for a settlement without money. He further mentioned that if litigant would misbehave with her again she could file a case against him again. She agreed to the proposition. The lawyer got a paper signed by her and submitted it to the court. With this the decision of the court became void.

When plaintiff disagreed to that they were repeatedly propose and threatened. Often they bribed the relatives of the plaintiff so that they might convince plaintiff to agree to the proposition. The litigants also bribed the police department so, that they were not arrested when there was one for the arrest.

Some of the litigants went in hiding after the verdict was pronounced. A good number of instances initiatives were taken to bypass the implementation of the verdict. In cases the litigant themselves took the initiative but in others their relatives or community leaders, like chairman of UP, did the same in behalf. After the verdict from the court the litigants often went to the community leaders particularly chairman for a reconsideration of the verdict through *shalish*. In occasions the leaders themselves initiated *shalish* on the case taken to the court, particularly when litigant was arrested. They came forward to review the case to get the jailed released.

The leaders in all these instances were known to the litigants. As they had an influence on the leaders so they were biased towards the litigants while reviewing the verdict given by the court (Box 5.7). They listened to the complaint of the plaintiff and accordingly came up with recommend-dations to be followed by the litigant. They invariably revised the compensation that court decides should be implemented by the litigant. On different pretext, like litigant was a poor person, they lessened the amount of compensation and/or lengthened the period in which those should be provided by the litigant. The leaders also reversed the verdict, like court gave verdict for separation but leaders decided for unification.

Plaintiffs were never interested in getting their problems reviewed by the traditional village leaders after the case was filled to the court and particularly not the verdict given by the court. Due to repeated proposition which were blended with threat and projection of advantages of out-of-court settlement, at one point, the plaintiffs agreed to settle the case through *shalish*. Although the litigant did not like the decision of the leaders they had to accept it as they had to reside within the community and it was difficult for them to continue within the community by antagonising or going against the will of the community leaders.

Box 5.7

As requested by a litigant the chairman called a meeting where he proposed to settled the case by receiving BDT 9,000 from the litigant which was less than what was decided by the court. The litigant and her relatives reluctantly accepted the proposition when plaintiff went to the court to receive the money. Chairman asked plaintiff to surrender the claim by receiving BDT 4,000/-. Plaintiff refused to accept the offer. Chairman mentioned that the litigant was a poor man where he would get such an amount to pay you. If he fails to provide you the money he would be jailed. Then he asked do you want him to be jailed. The children you have at his house will be starving. Do you want that? At this she agreed to receive the money. He got disclaimer signed by her and submitted it to the court. With this the verdict of the case became void.

Way litigant behaved in post-verdict period

Ninety-three point three per cent of the respondents were staying with their parents after verdict against 94.3 per cent in the case of control group. Rest of the plaintiffs from both the groups stayed with other relatives or of their own.

Post reaction of the litigant to plaintiff and vice versa varied among the plaintiffs. There were litigants who were hiding out of fear that the plaintiff might get them arrested if they would come in public as they were sentenced to jail or wanted to escape from paying the compensation to the plaintiff. Although they did not have a scope to project face-to-face reaction against the plaintiff for the verdict their relatives, like brother often did that in behalf.

Some of the litigants behaved well as believed if they would misbehave another case would be filed against them. They also behaved well to reconcile with the plaintiff and to get their family together. In one instance a litigant used to stand on the way to plaintiffs' work every morning. He intended to talk to her when she passed by and in one of such morning he asked for forgiveness for wrong doing with her and then proposed her for a settlement.

There were litigants who paid the compensations as was decided by the court on time. In spite of doing that some of them called the plaintiffs and enquired whether the amount to be compensated might be reduced or whether it could be paid through more number of instalments. Some of those had yet to compensate mentioned that they would do that as soon as possible when they would have some money in hand and they were given an effort for that.

In most of the instances the litigants misbehaved with plaintiffs during post-verdict period whenever they got a chance. The litigants met plaintiffs regularly on the road or market where litigants invariably passed objectionable comments to them. There were litigants who regularly called plaintiff over phone and cursed them with dirty words after verdict. In one instance after verdict which was for reunification and in favor of plaintiffs she went back to the house of the litigants, but very soon realised that she did a mistake by doing that. She was unwillingly accepted by the litigant. The litigant started physically assaulting her as before and at one point sent her back to her parent's house with a demand for dowry. He believed that sending her back would force her to bring dowry from her parents. In number of instances the plaintiffs went to the house of the litigant to get the compensation as decided by the court but that was not given to them. In most of these instances the litigants behaved rude and asked plaintiff not to visit again.

The litigant intruded in the house where plaintiff was staying and screamed by saying that they would not pay a single penny and for that plaintiff might do whatever they wish, like they have done wrong by going to the court and for that they would be harmed, even threatened to kill the plaintiff. They said obscene words to plaintiffs and parents they were staying with. In one instance the litigant stole their child who was supposed to stay with

the plaintiff according to verdict. In a few instances they physically assaulted plaintiffs' parents and in one extreme case the litigant was powerful enough to drive plaintiff and her family out of the village.

Steps taken against the behaviour of litigant

The plaintiffs from the intervention group when disliked the behaviour of the litigant towards them, first and foremost they informed about it to FO. FO responded to it in variety of ways. They advised plaintiff not to react to such a behavior and to be patient, and also mentioned that if they would ignore such a behaviour over time the litigant would stop behaving so. When FO considered that the threat from the litigant should be taken seriously they advised the plaintiff to file a general diary to the police department. He also reported about it to local police department and in one instance the litigant was arrested for the threat he gave to plaintiff. In number of instances the plaintiff filed defamation suit against the litigant.

Often plaintiffs found themselves helpless to do anything against the mistreatment of the litigants towards them. In such a situation the plaintiff became caution about their movement. They left everything on fate by believing that nothing they could do about the situation. They prayed to God that no harm might come upon them.

The plaintiffs particularly those from control group if personally known often resorted to chairman for help. The chairmen called the litigants and asked them not to behave as such with the plaintiff and warned them that if they would continue behaving the same they would be tried in shalish, or such a behaviour would be reported to the police department. In one extreme case when litigant filed a theft case against the plaintiff after verdict she filed a harassment case against the litigant.

Compensation

A negligible number of respondents from both the groups (3 and 1 for intervention and control groups respectively) received compensation in the form of land; but for the rest it was cash. In reality the plaintiffs not necessarily received the whole amount of compensation that the court instructed the litigants to provide. In the case of intervention group it was 37.9 per cent and in the case for control group it was 34.9 per cent of the amount of money that the court asked for to be compensated. On an average plaintiff from intervention group received Tk.37,532/- which was Tk.51.964/- in the case of those from control group. The plaintiffs received lesser amount of compensation than what was decided by the court as because litigant provided less compensation than what they were supposed to or all the instalments in which the compensation had to be made were not over when the information was collected for this study.

Use of Compensation

The plaintiffs made variety of use of the cash they received as compensation for maintenance due to verdict. The uses were categorised into three: productive investment, like mortgage-in land, buy livestock, invest in business done with a motive to get a return. The respondent handed over the money to their parents with whom they were staying to meet the regular expenses of the plaintiff and their children, and even to get married again. The respondents also contributed to the occasional expenses of family large in sum thus, difficult to handle, like sending family members abroad, paying medical bills, building house, etc. The respondents deposited the money in bank or kept with somebody reliable for future use.

Majority of plaintiff from the intervention group (52.9 per cent) met occasional expenses from the money they received as compensation against for savings (75.6 per cent) in the case of those from control group. Close to 50 per cent of the plaintiff from the intervention group (48.1 per cent) and control group (51.9 per cent) invested the money they received for productive purposes (Table 5.4).

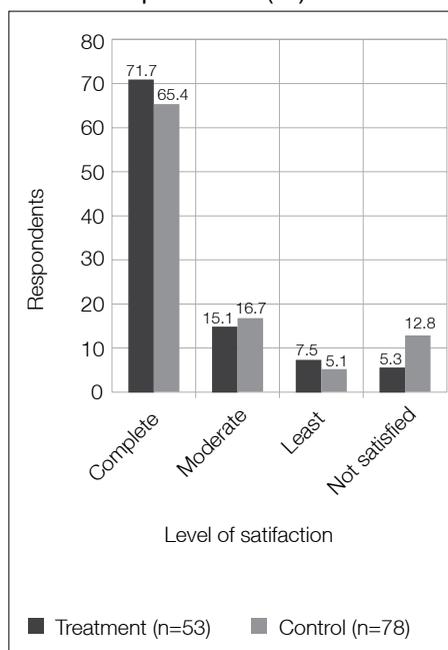
Table 5.4 | Sectors in which compensations were invested by groups (%)

Sector	Intervention	Control
Productive investment	48.1	51.9
Regular expense	30.6	69.4
Occasional expense	52.9	47.1
Saving	24.4	75.6
n	50	86

Satisfaction with the use of compensation

Figure 5.2 indicates that overwhelming number of plaintiff from both the groups were completely satisfied with the ways they used the compensation. Slightly more number of respondents from the intervention group (71.7 per cent) was completely satisfied compared to control group (65.4 per cent). Opposite was the trend in the case of those who were completely dissatisfied with the use of compensation, i.e. 5.7 and 12.8 per cent were from intervention and control groups respectively.

Fig 5.2 | Level of satisfaction on the use of compensation (%)



The level of satisfaction of the plaintiff with the compensation they received depended not only on the amount of compensation they received but also whether they could use that in a manner they intended to. In fact, immediately after verdict it was the amount of compensation that determined their satisfaction but with time the way they could use the compensation became the determinant for deciding their satisfaction with the compensation. Some of the plaintiffs used the compensation for a single purpose whereas, others used the same for multiple purposes.

The plaintiffs handed over the compensation to their parents' with whom they were living after the verdict. So, the plaintiffs had a sense of complacency by thinking that they could contribute to family expenses on which they were dependent. After such contribution they were not guilty to themselves by thinking that they were not having a free ride in the family. Some of these families spent a lot of money to run the lawsuit for the plaintiffs and in cases they had to make a loan. The plaintiff's contribution to such family was an effort to make up the spending and paying back the loan. The plaintiffs considered it to be an obligation for them to contribute to family expenses so long they were living with it. Moreover, by making up the loan the plaintiffs thought that they would not have to listen to any taunt remark from the family members on her staying with them.

A group of plaintiff felt happy by thinking that they could use the compensation for their own consumption or for their children. The plaintiffs spent the compensation for own treatment which they could not effort earlier due to lack of money. They also spent the compensation for the education of their children or in building a room so that they did not have to share same room with other family members. Again some of them were satisfied as they could use the money to marry again.

Others were satisfied by making productive use of the compensation. They kept the money in bank to save it from spending. They had a sense of self-satisfaction by thinking that they would be able to spend the money for future use when needed and were getting an interest for keeping the money in bank. Some of them have lend money to brother

Box 5.8

A verdict was for the divorce between the disputants along with that the plaintiff would receive compensation from the litigant. As soon as the compensation was provide plaintiff's elder brothers and their wives mentioned to her, "If you keep the money with yourself you will spend all of it by making a bad use of the money. Rather let us invest the money in the business and for that we will provide you with both lodging and boarding." Plaintiff unwillingly agreed to the proposition. Then the brothers divided the money among themselves. She was not only deprived of the control on the compensation but very soon meals were not provided to her by brothers. Her youngest brothers, who did not receive any share of the compensation, provided her with food but often questioned, "Why I will have to provide food to you when elder brothers have taken all the money by themselves?"

or others with interest to be paid on loan. The plaintiffs invested the compensation in business independently or jointly with their relatives. For example, started cow fattening project or purchased swing machine to do tailoring for profit from home. The share cropped-in or cultivated land which they purchased with the compensation. This group investing compensation was most satisfied with the compensation.

The plaintiffs who were not satisfied when they felt that the money they received was very small in amount and could not be used for any productive purpose which they intended. In most cases they had to receive the compensation from the court and to do that they had to bribe court officials. After bribing they were frustrated to see that they were left with very small amount for any productive use. The plaintiffs were also dissatisfied with the compensation when they lost control over it (Box 5.8). In cases UP chairman or litigant managed to take control over the compensation they provided by alluring the plaintiff. The compensation did not come to any help for them. They were unhappy about it and particularly for not having any control on the compensation.

Income generating activities

Figure 5.3 indicates that a good number of plaintiffs both from intervention and control groups were never involve in IGAs both before and after their involvement in litigation. In other words 45.4 per cent of the plaintiffs from intervention group and 65.5 per cent from control group were engaged in IGAs. A small number from both the groups were engaged in IGA only before their involvement in litigation. Greatest change took place in the case of intervention group after the litigation as 43.3 per cent of them engaged themselves in IGA during this period whereas they were not involved before litigation.

The income of plaintiff from control group in a month was 34 per cent higher than that of the control group before their engagement in the case but after the case the intervention group had a higher income and it was 75.3 per cent higher than that of the control group per month (Table 5.5). The increase was not only because a greater number of the respondents from the intervention group got engaged in IGA but also they were earning more than that of control group.

Fig 5.3 | Respondent involvement IGA before and after case (%)

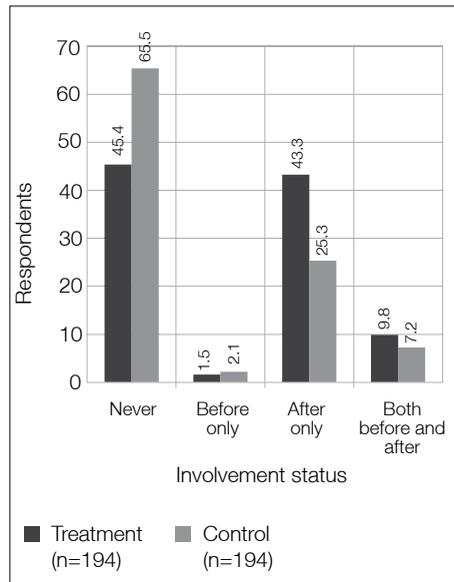


Table 5.5 | Average income of groups before and after involvement in court case (per month)

	Intervention	Control	Significance level
Before court case	269.0	362.8	0.47
After court case	1593.5	891.9	0.00
n	194	194	

It may be noted that a small number of respondents were self-employed from both the groups before litigation but not after (Table 5.6). Before litigation majority of the respondents were earning less than BDT 2,000/- per month but after litigation a good number of plaintiffs and litigants were earning between BDT 2,000-5,000/- per month

Why involved in IGA

As mentioned there were plaintiffs who were working even before they got involved in litigation but, there were others who got themselves involved in IGA only after verdict. There were varieties of reason why they and others continued in IGA after litigation.

The families that the plaintiffs were living with did not have sufficient income and were poor. It was difficult for these families to support the plaintiffs when they were living with them and it became more difficult when they had children. In number of instances the

plaintiffs were not welcome in these families. They were often mentioned about how difficult it was for the family to support the plaintiff. Such mentioning was done to hurt the plaintiffs and in some instances they were asked to leave the house. Longer they stayed free of cost with the family their acceptance within the family decreased. Family got poorer because of running the case. The unacceptability within the family was higher when plaintiff lost the case and she was divorced without or with a little compensation. The family considered plaintiff as a burden. The plaintiff took up job to increase their acceptance in the family. As these plaintiffs did not have any alternative other than living with the families thus in order to makeup additional expenses due to their living with these families the plaintiffs decided to take up job or continue the same.

Table 5.6 | Monthly income of groups by occupations before and after involvement in court case (%)

Income (Tk.)	Before litigation				After litigation			
	Self Employed		Service		Day Labour		Service	
	T	C	T	C	T	C	T	C
<2000	0	50.0	68.4	35.7	26.2	40.8	63.2	28.6
2000-5000	100.0	0.0	21.1	42.9	61.9	55.1	31.6	50.0
>5000	0.0	50.0	10.5	21.4	11.9	4.1	5.3	21.4
n	3	4	19	14	84	49	19	14

T = Treatment; C = Control

There were instances where plaintiffs did not have to complement family expenses rather they wanted to pay for their share of expenses in the family from own income; they wanted to have equal status with others in the family by contributing to its income. In cases not only they wanted to meet their expenses within the family rather intended to contribute additional income to it after meeting own expenses. They wanted to have a sense of satisfaction through such contribution.

A few wanted to be self-independent by moving out of the family they were living with and for that they needed an income. After divorce plaintiffs realised that it was not possible for them to remain dependent on others for whole life. Also they had lot of leisure time. Thus, they wanted to make good use of time by getting into a job. Again some of them did the same to have an income so that they might save money for their children's education or for their marriage in future. The plaintiffs also needed money for treatment so they took up a job.

Respondents got into a job to pay back the loans they made to run the cases. After verdict a few plaintiffs got married again. After marriage their husband start a new business where plaintiffs had to give time. In cases the plaintiffs' husband wanted that they should have a job or did not object to it when plaintiffs wanted to have one.

Verdict helped to get involved in IGA

Running case increased self-confidence in plaintiff who got involved in IGA after litigation. While running case they had to visit courthouse several times. Before case they were scared of talking to stranger. Panel lawyer made them courageous by making them talk to judge, answer to questions from lawyer hired by the litigant, and talk to staff at the courthouse. So, they were not shy of talking to people anymore. By visiting court plaintiff had a practical experience on how an institution operates. Plaintiffs observed that there were female lawyers working in the court so they felt that if female could work as lawyer in the courthouse they could also work out of home. They also developed a sense that girls have the right to work. So, plaintiffs chose to be employed.

Spending own income

It may be mentioned that the plaintiff from intervention and control groups involved in IGA shared 26.5 per cent and 25.7 per cent of family expenses respectively from own income (ns) (Append. 5.2)

Majority of the plaintiffs from both the groups before and after verdict had control on own income against a small number who did not have any income (Table 5.7). Number of plaintiffs taking decision solely by themselves on spending decreased after verdict compared to before. Against this trend, number of plaintiffs taking decision on the spending jointly with other members of the family had increased after the verdict. This was mainly because previously many of these earning plaintiffs were maintaining a nuclear family where they had to negotiate with their litigant husband only on spending and had a better control on their income in running the family. After divorce because of verdict they

moved with their parents or brothers where they had a lesser control on their income due to dependency on them and being divorced.

Table 5.7 | Mode of decision taken on spending of plaintiffs' income before and after verdict by groups (%)

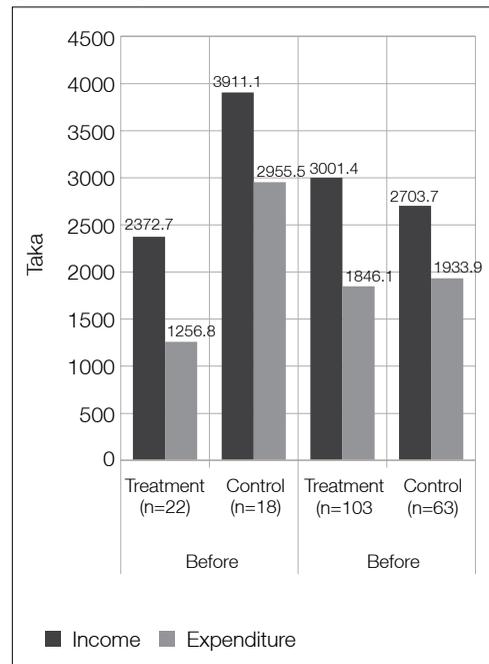
Mode	Before Litigation		After Litigation	
	Intervention	Control	Intervention	Cont4rol
Self	72.7 (16)	61.1 (11)	64.1 (66)	60.3 (38)
Joint	22.7 (5)	16.7 (3)	33.0 (34)	38.1 (24)
Others	4.5 (1)	22.2 (4)	2.9 (3)	1.6 (1)
n	22	18	103	63
p	0.240		0.718	

Figure 5.4 indicates that number of plaintiffs involved themselves in IGA increased by 4.7 times between pre and post verdict periods. Similar increase was 3.5 times in the case of control group. The intervention group spent 53 per cent of own income on self and children before the verdict but it increase to 61.5 per cent after verdict. In contrast, the control group had an decrease in the portion of own income they spent similarly. That is, they spent 75.6 per cent of their income on self and children but it decrease to 71.5 per cent after the verdict.

Plaintiffs status within family

It was believed that involvement in litigation had an impact on how the plaintiffs were treated by the family members in which they were residing. The way treated was assessed in terms of whether the plaintiffs were accepted by the family and the extent they were invited to take part in the decision making process for the family by its members. The plaintiffs compare the way they were treated between the

Fig 5.4 | Respondents' average income and expenditure on self and children (per month)



periods before and after verdict. And, during the periods they might not have cohabitated with same family members. The issues have been discussed in some detail in Chapter 4 (p122). The discussion is also relevant over here with the exception that in Chapter it was done in terms of ADR where as in this chapter it should be viewed in terms of court case.

Acceptance within family

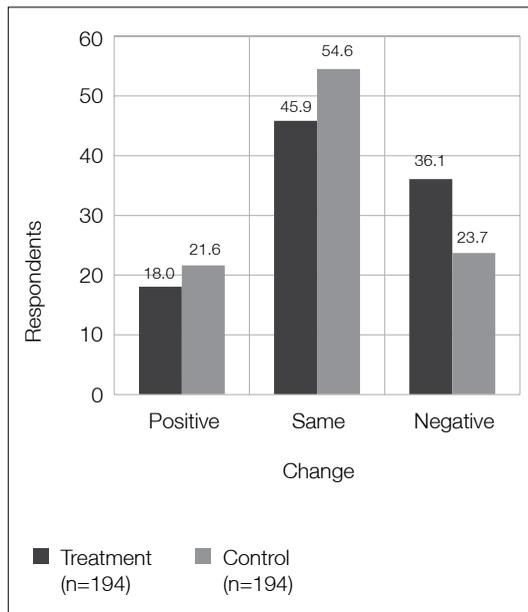
Respondents from both intervention and control groups were asked about their families' reaction and behaviours towards them after verdict. Some of them reported to have received negative treatment while others received positive treatment from their families after verdict compared to period before. In cases, many of them reported to have experienced no change in the behaviours of family members after verdict. It context, it must be kept in mind that the plaintiff may not have same members as part of their family before and after verdict.

Figure 5.5 indicates that more number of respondents from the control group felt that their acceptance in the family increased after the verdict compared to that of intervention group. In contrast, more number of respondents from intervention group felt that their level of acceptance in the family decreased after verdict compared to that of the control group. Almost 22 per cent of the plaintiff from treatment group felt that their levels of acceptance in the family increase after litigation (Fig 5.5).

Some reported that although they had experienced positive changes within their family after litigation, it was their engagement in IGA as well as self-realisation about the importance of being financially self-independent made them to have a positive change in their lives after their break-up with the litigants. The change was not because of their involvement in the litigation process.

Again, the substantial number of respondents from this group felt that there was no change in the level of

Fig 5.5 | Changes in respondents' acceptance in family after court case (%)



their acceptance between before and after litigation (Fig 5.6). Most respondents from the control group who believed that their status did not change between the periods mentioned that they were valued in the same way after litigation as before. They were always expected to attend family events, like marriage or other festival before and after litigation. Some of the respondents reported that although they received same acceptance from their parents but other members in the family, e.g. brother, sister-in-law, did not welcome them in the family.

Positive change

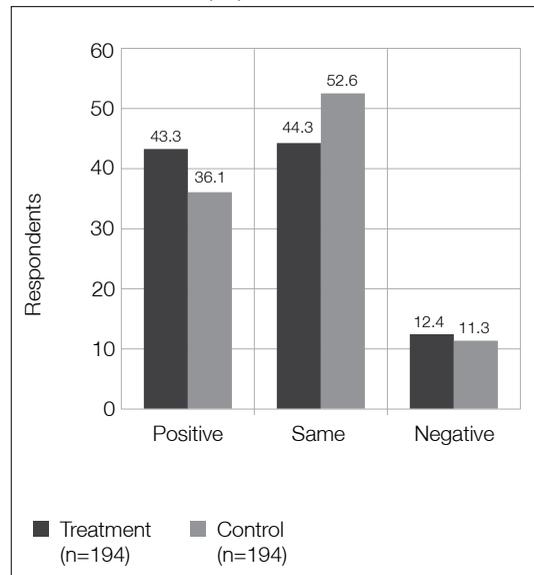
Empathy

Some plaintiffs from intervention group had greater acceptability within their families. They were physically violated by litigants and in-laws before the lawsuit. Their parents' family became more sympathetic to plaintiffs due to hard time in their married life. Therefore, they sensed more acceptances from family members after divorce. Again some mentioned that their parents were more sympathetic towards them after divorce out of a guilt feeling that they selected bad husband for their daughter.

Some from the control group mentioned that their families and relatives tried to protect them so that litigant could not do any harm to plaintiff during litigation and after verdict. Plaintiffs from both intervention and control groups felt that their family became more sympathetic towards them after the verdict for divorce. The family members and relatives gave consolation to plaintiff as they became lonely due to divorce. In cases, families became more concerned about respondent and their children's well-being out of empathy towards them. The acceptance of a few plaintiffs within the family from the control group increased after litigation due to plaintiffs' children who were loved by the family members, especially by plaintiffs, were living with the family.

Some remarried after verdict mentioned that the family where they moved in had a more positive attitude

Fig 5.6 | Changes in respondents' participation in decision-making in family after court case (%)



towards them as they were not considered burden in the families, like from where they moved out. One plaintiff from the intervention group reported that as soon as she moved to a different location she got married again so they treated her well because she did not become a burden on parental family.

Verdict

Before the verdict, in many instances, plaintiffs were blamed for not having a harmonious married life. As verdict was in their favor it established the fact that they were not responsible for the familial disharmony. Rather, they made earnest effort of keeping the marriage intact but, it failed due to litigants' injustice on them. This realisation led their family and relatives to treat plaintiffs better than they did before the verdict. The litigation process helped them to get a better acceptance and position in their families by revealing the 'truth'.

The plaintiffs from intervention group in cases themselves decided to go to HRLS to get their problems with litigant solved. The decision was not supported by the family members as getting involved in litigation was considered not a good practice by the family. The plaintiff did not get any support, either financial or moral for running the case. But, after verdict when plaintiff got their rights back their families started to treat them as knowledgeable and strong women capable of protest if rights were violated. They were considered knowledgeable as litigation made them aware of their rights on Family Laws which they were not before. The recognition of such learning made family members value them more than before. Some of the respondents who receive compensation by filing implementation case gained higher confidence on self which in turn contributed positively in increasing their acceptability within their family.

Change in outlook

A few disputants who reunited because of verdict believed that court helped them to save their marriage. The litigation made litigant and in-laws aware of the rights of a wife, of the fact that women had a place where they could go to take legal steps if their rights were violated, and they realized of the injustice they did on plaintiff. It was believed that this awareness played an important role in changing husbands' as well as their in-laws' behaviours positively towards them. Some plaintiffs who reunited with their husbands as per verdict categorically mentioned that their husbands' behaviour towards them became positive after verdict. They along with in-laws treated plaintiff well and stopped physical and mental abuses on them.

Compensation

Many reported that the compensation they received from the case made them better accepted and valued within the family. Some of the plaintiff was yet to receive the compensation were also treated better than before by the family as member hoped that the compensation would be received shortly. The members believed that the compensation would come to the benefits of their families.

IGA

The family members of plaintiff from intervention group often provided financial and/or psychological support to engage them in IGA so that they could live an independent and decent life. Such respondents from control group added that their family members helped them to take the right decision – testifying their acceptance in the family on how to use the compensation received from the verdict for their better future. Some of them reported that after litigation they started providing financial support to their parents through their income that in turn upgraded their position in the family. Some invested the money to start a new business, the earning from those also left the positive affect in their acceptability within their family. Involvement in IGAs activities after verdict which made respondents financially independent also increased their voice in their family.

School

A plaintiff reported that her acceptance within family increased after verdict since after divorced she got enrolled in school and had higher educational qualification. As a result she gained a higher status in the family and in cases became the decision maker in it. Many plaintiffs after divorce were living with their aged widowed mother. In these cases, plaintiff had to support these families where they played the major role in family and had a higher acceptance in it which they did not have before verdict.

Dowry

Some plaintiff from intervention group who had to insist their parents to provide dowry to meet their husband's greed before verdict gained higher acceptance within their parents' house after verdict as parents did not have to face litigant's demand for dowry anymore.

No change**Love**

Plaintiffs from intervention group believed that there was no change in their acceptance as daughters and sister in the family after the verdict therefore, they were treated in the same way both before and after the verdict. Plaintiffs believed that parents universal feelings of love towards their children kept plaintiffs' behaviours same during the periods. The natural instinct to take care of children and family members made their family members' feel in the same way between the periods.

Position among siblings

The plaintiffs from both the groups experienced no change in their acceptability within their families mentioned that their families valued their opinions after verdict same like before for being the eldest child of the parents. Some from this group commented that due to their higher educational qualification they had higher acceptability in family both before and after litigation. One mentioned that her voice was never valued by her family since

she was considered as someone without practical knowledge for taking any decision for the family. So, the perception of her family towards her did not change after the case was over.

Negative change

The acceptance of some plaintiffs from both intervention and control groups have changed negatively after their involvement in litigation. They experienced unfriendly behaviours from their families and relatives after litigation.

Running case

After litigation the acceptance of some plaintiffs within family decreased since their family did not like them to go to the court with familial issues. The acceptance level of these plaintiffs was much lower when the verdict was not up to the expectation of family members. One also mentioned that she had to wait almost seven years to get the verdict from the court which her parents thought as the wastage of time. Although she was remarried after the verdict, her parents were not happy for believing that she could have been married better if they could have arranged her marriage earlier when she was younger.

The parents of some from control group had to spend lots of money to run the case. Some also reported that their economic condition was negatively affected by meeting the expenses in running the case. Due to such spending the acceptance of these plaintiffs was negatively affected within their family.

Compensation

Amount of money their families had to spend on plaintiff and their children were much higher than the amount they received as compensation from litigant after verdict. This was considered as financial loss for the family so the family members abused the plaintiffs after the verdict. The plaintiffs who did not receive any compensation yet in spite of the verdict were treated as burden after verdict but they were treated well before verdict as because of the hope that their family would gain from the compensation that the plaintiff would receive. In the case of some of these families it became difficult for their parents to support the plaintiff as well as their children after their return in the family. As one of the plaintiffs got divorced but did not receive the compensation as per verdict expressed her frustration by saying that she neither got husband nor any money. Their family blamed them for going through the legal process when they failed to receive the compensation. Finally, a few plaintiffs were waiting to receive the compensation so that they could marry again with the money and that was what their parents wanted. Since they did not receive any compensation their family showed dissatisfaction on these plaintiffs for running the case.

Dowry/dependent/treatment

In the case of some plaintiffs they had to spend lots of their savings to provide cash and other household assets, like furniture, during their marriage as dowry. It became additionally difficult for their parents to support these plaintiffs again when they came back and became dependent on parents before they could overcome the shock of investing their savings as dowry. Again the health condition of some from the intervention group became worse due to physical assault from the litigants and in-laws during their bad marriage. So, when they came back to parents', they needed treatment which created an additional economic burden on their parents' limited income. As a result these plaintiffs when they became dependent on parents were treated rude by their parents and sometimes by other family members.

Divorce

In the case of some plaintiffs from the control group although their immediate family members supported them a lot, both financially and mentally, distant relatives did not due to being divorced. The plaintiffs in cases from control group lost their acceptance within the family to some extent due to filing case in the court for divorce. Consequently, it decreased respondents' acceptance within their family after verdict. Some opined that the acceptability within family was natural due to the fact that women never had the same acceptance as before in families after being divorced.

Remarriage

The plaintiffs from intervention group were treated well by their family immediately after verdict for divorce but after sometime these members proposed them to remarry. But, they did not want to remarry due to their concern for children. As because of this difference of opinion they had bad relation with the family members. Until they remarried again they were treated as the burden of the family. On the contrary, a few from control group got remarried of their own, so their families and relatives rejected them by leveling them as 'bad girl' and blamed them for breaking their first marriage.

Decision making within family

The scope for participation of a family member in its decision-making process gives the member a sense of ownership to the family. The ownership is further enhanced if the decision is accepted and implemented by the family. In general more a person is accepted by the members in the family more likely that the member would have a role in its decision-making process. The study assumed that the involvement in litigation had a direct bearing on the decision-making of the respondents in their family.

More than half of the respondents from control group (52.6%) and 44.3% from intervention group felt that no change took place in terms of their participation in decision-making within family after verdict. Likewise, the higher per cent of respondents from the intervention group (43.3%) have participated in decision-making process in family matters compared

to that of control group (36.1%). Positive changes in the participation for decision-making had been reported by a higher number from the intervention group compared to that from control group (Fig. 5.6). Some reported felt that their involvement in the litigation downgraded their position in decision-making within their families after verdict compared to before.

Plaintiffs from both intervention and control groups usually took part in the decision-making and buying daily necessities, like cooking ingredients and repairing house. Some of these plaintiffs never participated in decision-making before verdict but after verdict they were asked for decision on some specific matters, like buying clothes and buying everyday food items.

Some from the control group added that although they never played any significant role in decision-making before litigation they sometimes were asked to give opinion in particular matters, like children's admission to school, which crops to grown, etc., but after verdict they were not asked for opinion any more on the issues.

No impact

Male members taking decision

Some from both intervention and control groups reported that their participation in litigation did not bring any change in decision-making within the family as at was the tradition of the family that the male members should take all decisions for the family. Some of the plaintiffs were the elder sibling or only child of their parents. So, their opinions were always heard by their families while taking any family decision. The situation remained same both before and after litigation.

Intelligent quantum problem

Two respondents from intervention group reported that they never had any participation in decision-making within the family as they were considered not intelligent enough to take any decision for the family. One from control group was never interested to take part in the decision-making for being women. So, she never availed a chance for herself to take part in the decision-making in family both before and after verdict.

Positive impact

Litigation

Some from both intervention and control group reported that the experience of going through court procedure made them intimate with family members, which in turn made them value plaintiffs' opinion in the decision-making. A few plaintiffs thought that the verdict that went in their favour established their rights as wives and removed the difference of opinion of the family members who did not support in filing a case by the plaintiffs.

Therefore, after verdict family members started valuing plaintiffs which gave them a scope to play a bigger role in decision-making within the family. After going through litigation plaintiffs became aware of their rights and also learnt how to protest against injustice. In the case of reunion the process made litigant aware of the fact that plaintiffs were not helpless and they also had a place to go to seek justice. This realisation and fear that plaintiff would do that also made litigant change their behaviours towards plaintiffs. This confidence contributed in improving their position in the family in terms of playing a role in decision-making. Some plaintiffs from intervention group who were reunited reported that their position in the family became better because of lawsuit they were engaged with. Consequently they were involved in playing a greater role in decision-making within the family.

Violence

Respondents from the intervention group, who were reunited as because of verdict, unlike before the litigation, felt that their opinions were valued by their husbands and in-laws while taking any family decision. It was believed that their opinions were valued more than before as husbands were repentant for the injustice that they did with the plaintiffs before verdict.

Compensation

The plaintiffs from both groups indicated that for handing over the compensation that they received from the litigants the family became financially well-off. As recognition to this financial benefit family members involved plaintiffs to play a greater role in decision-making within the family.

Income generating activities

Some plaintiffs pointed out that the experience they gained from running case made them realise that they should engage themselves in IGA which in turn made their family members value their words. So, their engagement in IGA after litigation provided them a greater opportunity in decision-making within the family. In the case of some of the plaintiffs from intervention group although their opinions were considered important by their natal families before divorce, their opinions were gained more weight after divorce when they started supporting their families financially from own earnings. Some from the control group added that as they got involved in IGA after litigation their status in their family became higher which allowed them to play a bigger role in decision making within the family.

Negative impact

Burden in family

Although the plaintiff from control group received compensation due to the verdict their families expects that they should have reunite with litigants. Some plaintiffs from the intervention group believed that according to their religion wife's place after marriage

should be their husbands' home. Therefore, they believed that after divorce their opinions for taking any decisions did not have any important in their parents' house.

Also, when the verdict was for divorce the family members treated plaintiff as permanent burden for the family, and when plaintiffs moved to their parents' home this impression downgrade their position within the family. So, their participation in decision-making was not expected by the family members. In one instance a plaintiff from intervention group reported that after being separated from her husband she had to live with her brother's family where she felt that she was considered as a burden by her brother and his wife where she did not have any scope for decision-making within the family. For being divorced these plaintiffs lost their rights to give opinion in family matters.

Compensation

Some plaintiffs from control group were considered responsible for economic hardship in their family. Their families had to spend lots of money in running cases. Therefore, at the end of the cases, the compensation they received was not enough to make up the financial loss the family faced in running the case. The family members expected to receive some money as compensation due to the verdict. The expectation upgraded the status of the plaintiff in the family but when the verdict was not for compensation or when compensation was not provided by litigant in spite of that being instructed by the verdict the family members started ignoring plaintiffs' opinions in the decision making process within the family. The fact downgraded their position in their family with an effect that they were not asked to play any decision-making role within the same.

Dowry

Some from intervention group took money from their parents to meet the demand for dowry. Such asking which was quite frequently damaged their reputation in their family, and that remained same even after divorce thus their opinion was neglected during decision-making in parent's family where they were residing.

STATUS IN NEIGHBOURHOOD

The study observed the respondents' status in the neighbourhood in terms of extent the plaintiffs were expected in socio-religious events in the neighborhood and the extent the participation were approached by neighbours in the case of their needs in decision-making within their family. The study assumed that the litigation had direct bearing on the plaintiff's participation in the social events and needs in the neighbourhood. The plaintiffs compared the neighbourhood which they resided after verdict with one where they resided before. In cases it was same neighbourhood but in others it was different that the plaintiffs compared at two time periods.

A little more than half of the plaintiffs from both intervention (57.2%) and control (55.7%) groups felt that their level of acceptance in neighbourhood after litigation remained

same like before (Fig 5.7). They expected to be involved in wedding and religious and cultural events arranged by neighbours after verdict much as before. It may be noted that same number of plaintiffs from both the groups (25.3%) felt that their acceptance in the neighbourhood decreased between the two periods. While slightly higher number of plaintiffs from control group (19.1%) compared to intervention group (17.5) felt that their acceptance in their neighbourhood had increased after litigation (ns).

Plaintiffs from both intervention and control groups reported that they did not see any impact of litigation in their lives in terms of their acceptance in the neighbourhood. Their status in the neighbourhood was not influenced by the verdict of

the court or by their involvement in the litigation. As a result they had same intimacy with their neighbours as they had before their engagement in litigation.

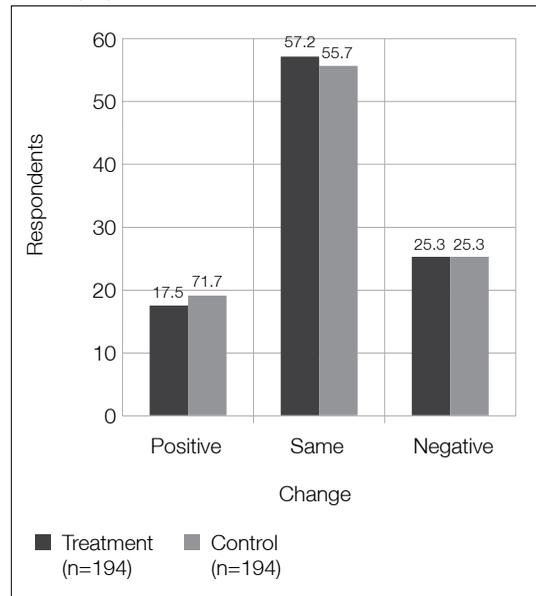
Some plaintiffs from both the groups having similar acceptance both before and after litigation were not expected to join various social and cultural events organised by neighbours due to their usual practice of keeping themselves aloof from such events. A few mentioned that they never attended any programmes in neighbourhood because their families did not allow them to go there as that would violate purdah. The plaintiff from both treatment and control groups reported that after being divorced they themselves felt embarrassed and hesitant to interact with neighbours that resulted them to avoid various social and cultural events, like wedding, *milad*, *akika* in the neighbourhood.

No impact

Economic condition, marriage, education

In cases the plaintiffs from both groups were very poor which did not change over the period. The poor economic condition discouraged their neighbours from involving these plaintiffs in any event organised by them. Again a few plaintiffs from intervention group married against these families' will. The decision was not taken positively by the family as well as by her neighbours. Therefore, right after the marriage acceptance in the neighbourhood was negatively affected and it remained same even after their divorce.

Fig 5.7 | Changes in respondents' acceptance in neighborhood after court case (%)



A plaintiff from intervention group was never invited by neighbours' in social events organised by them as because she was considered 'stupid' by them.

Education

One from control group mentioned that due to her higher education she always had higher acceptance in her neighbourhood without any change between the periods

Positive impact

Litigation

The respondents from both intervention and control groups mentioned that their involvement in the court case was taken positively by their neighbours which in turn upgraded their position in their neighbourhood. Some from intervention group mentioned that due to going through litigation they became aware of their legal rights and procedures in upholding rights by taking help of the court. Such gained capacity made neighbours value respondents and as they were advising others in upholding their legal rights. Such recognition increased respondents' acceptability in their neighbourhood. So, they were not only consulted by the neighbours with their problems but also invited more than before to join various social events in the neighbourhood.

Verdict

The acceptance of some plaintiffs from both intervention and control groups in the neighbourhood was absent until the verdict that the plaintiffs were not responsible for the breakup of their marriage rather it was litigants who were responsible for the incidence. So, same like in the case of family after the verdict the neighbours started treating plaintiff with sympathy and respect.

Improved relationship with neighbours

The verdict from the case made some from both intervention and control groups stay at their parents' home. Such change in the residential location gave them a great chance to develop close relationship with neighbors. Again there were plaintiffs who had cold relations with the neighbours before marriage at parents neighbourhood. In these cases the plaintiffs worked on mending their relationship and came into a mutual understanding with them. Such improvement in the relationship made neighbours to involve plaintiffs more in social events they organised. In the case of some plaintiffs the verdict for divorce enabled them to marry again. Due to having a good relationship with second husband they were able to change the perception of the neighbours about them which also increased their acceptance in the neighbourhood. Some of the plaintiffs reported that after coming back to their natal home their relationship with their neighbours became more intimate and positive than before.

Income generating activity

After litigation, some plaintiffs from intervention group got involved in IGA making them financially independent. The earned capacity changed their position positively in the neighbourhood. This also helped them to get better acceptance in their neighbourhood compared to the time before litigation when they were not employed.

Negative impact***Burden in family***

Some from the control group believed that they had better acceptance in the neighbourhood when they were living with the litigants. During the period they were not financially dependent on anybody but litigants. After divorce the neighbours observed that some of these families became almost penniless for running the case for the plaintiffs and they considered plaintiffs were responsible for such an economic condition of these families and above this plaintiffs were dependent on these families. Such a belief and observation created a negative impression about plaintiff in the neighbourhood which in turn decreased their acceptance among the neighbours.

Verdict

During lawsuit the neighbours expected that the plaintiffs would be asked to taken back by litigants, but when the verdict was that the litigant would provide dower and maintenance to plaintiff the hope for a reunion between them was gone. The blame for divorce was given to the plaintiff. As divorce was considered socially not desired the verdict for divorce negatively affected the acceptance of plaintiff in neighbourhood.

IGA

Some from the control group reported that after litigation they got into IGA which took most of their time so they did not get much time like before to interact with neighbours. This lowered neighbours' expectations on them to join the event, like wedding, *milad*, *akika* etc, unlike before; consequently they were not involved in such occasions.

Participation in decision-making in neighbourhood

Taking decision by the family was everyday practice in neighbourhood. Some of these decisions were a major one and the families often intended to have second opinion on the issue. Neighbours preferred the second opinion either because of their capacity to provided better decision on the issue or because the families had an intimacy with the neighbours. In both the instances, the families had confidence on the neighbours that they would get the best advice from them. It was assume that the participation in the court have an influence on the extent the plaintiffs were asked of the advice and that in turn affected their status within the community.

Most plaintiffs from both the groups (69 per cent and 67 per cent, for intervention and control groups respectively) mentioned that their involvement in litigation did not change their role in the decision-making in the neighbourhood. In contrast, a negligible number of respondents felt that their participation in the decision-making process in the neighbourhood decreased after the litigation they went through (ns) (Fig 5.8).

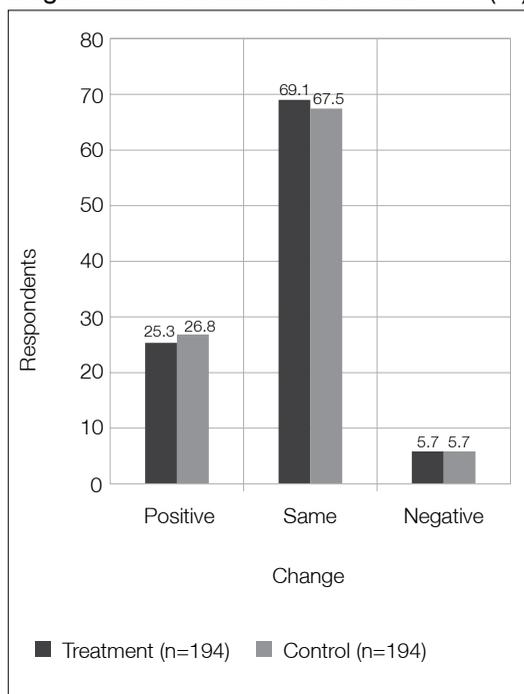
Plaintiffs played a role in decision-making in neighbours' family on the issues, like children's admission to school, treatment, birth registration, etc., where their opinions were asked for. The neighbours exclusively came to plaintiffs belonging to intervention group for suggestions on family related problems, like dower and maintenance of wife and children. In these cases these plaintiffs suggested and helped the neighbours to go to BRAC office to receive legal support, indicating their involvement in court case through HRLS.

A few neighbours took suggestions from the control group in naming the newborn, children's marriage, and place to go for medical treatment in the past. These plaintiffs did not feel that this kind of dependency from their neighbours on them changed after the litigation.

Changes not because of case

Some plaintiffs from both intervention and control groups mentioned that their involvement in litigation did not have any impact in the decision-making in neighbours' family after verdict. Some plaintiffs had intimate relation with their neighbors that made neighbours value the plaintiffs while taking decisions in their family. The factors, like education, class, gender, relationship with neighbours, trust, and understanding played prominent role in determining the decision making in neighbours' families rather than respondents' involvement in litigation. As because of embarrassment and humiliation for being divorcee due to verdict there were some plaintiffs from both the groups who did not feel like interacting with neighbours. They themselves maintained a distance with neighbours. Thus, they did not influence any decision in the family in their neighbourhood.

Fig 5.8 | Changes in respondents' participation in decision making in neighbourhood families after court case (%)



Positive impact

Mobility

Some from both intervention and control groups reported that due to divorce as because of verdict the plaintiffs were freed from the restriction on physical mobility imposed on them by the litigants, thus they could develop close relationship with their neighbours after litigation that made their neighbours approach them for suggestion on family matters.

Litigation

After going through litigation some plaintiff from both intervention and control groups gained confidence in providing suggestions to their neighbors' problem. Some from the control group mentioned that after litigation they became aware of their rights and was regarded by neighbours as knowledgeable that made their neighbours value respondents' opinion while taking decisions in their family. Some of the plaintiffs were mocked and teased by their neighbours during their bad marriage with litigants, so they avoided taking part in decision-making for neighbours. But, when the verdict went in their favour the neighbours started valuing plaintiffs' opinions in deciding their family matters.

Some plaintiffs from intervention group who got reunited with litigant because of the verdict mentioned that their decision of going to the court was criticised by their neighbours at the beginning, but when the verdict went in their favor and made the litigants to accept them back it was established that the plaintiffs were innocent. As a result after verdict plaintiffs' acceptance amongst the neighbors increased not only because they were considered innocent but also wise and capable of solving problems.

Negative impact

Divorce

There were plaintiffs who did not have a scope to influence neighbours' decision in any matter since their divorce with the litigant. Their neighbour had a negative impression about them due to divorce and in cases considered they were abandoned by the litigants. Some plaintiffs from control group mentioned that their status as divorcee reduced their acceptance in the neighbourhood hence their neighbours did not approached them for any suggestion on family matter.

Not intimate with neighbours

Some from the intervention group felt that they were expected less than before to give their opinion in decision-making in neighbours' family because of not having intimacy with the neighbours. The gap they had with their neighbours was due to their parents and family members who restricted plaintiffs' interaction with neighbours after they were divorced.

Some plaintiffs from control group added that after being divorced, they had to struggle to maintain their family single handed, therefore, they had little time to think about neighbours. That was why their participation in the affairs of the neighbors became less after litigation in this regard along with influence the decision in those families.

How life would have been if HRLS was not there for help

The intervention group unanimously and categorically mentioned that it would not have been possible for them to run case in the court had it not been HRLS helped them in doing that. They felt that they themselves or anybody in their family did not have such money needed to meet the expenses in running case in the court. They could run case only because HRLS sponsored in running the case. They were ignorant about how to file and run case in the court. Had it not HRLS helped them to do that, the plaintiffs felt that, it would not have been possible for them to go through the court procedures. Besides running the case the staff provided psychological support and encouragement to run the case. These worked as a moral boost for them to believe that they would get justice in the court and at the end would be able to overcome the conjugal problem they were in. Some of the plaintiffs were located close to BRAC. They believed that they could not have taken advantage of HRLS program if they were residing far away from the office. At the end the plaintiffs from the intervention group felt that the verdict that was given by the court would not have been so if HRLS would not have helped them in running the case.

SUMMARY FINDINGS

The objectives of this study were to assess the outcome of the litigation process for the plaintiffs sponsored and not sponsored by HRLS, i.e., intervention and control group respectively. And, besides the impact the study compared the litigation process for both the groups. The study observed 194 plaintiffs each from both the groups.

On an average there were 9.3 hearing for the intervention group against 12.3 for the control group. It took 1.4 years for the intervention group to receive the verdict since the case was filed as against 1.5 years in the case of control group. On an average the intervention group spent BDT 170/- in running the case which was BDT 688/- for the control group.

The verdict was in favour of the plaintiffs in both intervention and control groups. The court decided that the litigant should compensate the plaintiff. Where the verdict was for the continuation of conjugal life the litigant was asked to provide maintenance for plaintiff and her children and litigant should not perpetrate on the plaintiff. The compensation that had been provided was both in cash and in kinds. In all instances the amount decided to be provided according to the verdict was less than what were expected by plaintiffs. In the case of intervention group the amount was much higher than the control group. In the case of asset the amount the court decided to compensate was much less than what was expected by the plaintiffs for both the groups.

Almost same number of plaintiffs from both intervention and control groups were completely or moderately satisfied with the verdict and these respondents constituted the majority within their group. The plaintiffs were satisfied with the verdict from the court. In these cases, where court decided that the litigant should be jailed the plaintiff considered it as a revenge on the litigants for the violation they perpetrated on plaintiff. In the case of divorce plaintiffs were particularly happy by thinking that due to the verdict they could get rid of her greedy husband who demanded dowry all the time. In contrast, some were satisfied as the court decided for the unification with the litigant as the plaintiff wanted to have a husband and their children should have a father.

In cases when the litigant did not abide by the verdict, the plaintiffs from the intervention group informed about it to the BRAC Lawyer and PO HRLS. Staff consoled the plaintiffs not to be disheartened for the delay in the implementation of the verdict and asked them to be patient. They helped such plaintiffs to file implementation case against the verdict. In response to such notification BRAC staff went to the litigants; told them that they should abide by the decision of the court and warned them that if they would not honour the verdict measures would be taken so that warrant might be issued against them. Where staff found that there was no chance that the litigant would honor the verdict the staff reported it to the police station, got an arrest warrant against the litigant and got them arrested. When all these did not work they took the help of community leaders, particularly chairman, to make the plaintiff follow the verdict.

The plaintiffs from the intervention group received 37.9 per cent of the compensation against 24.9 per cent by the control group of what was decided by the court. The plaintiffs received lesser amount of compensation than what was decided by the court as because litigant provided less compensation than what they were supposed to pay or all the instalments in which the compensation had to be made were not over when the information was collected for this study.

The plaintiffs made variety of productive uses of the compensation they received, like mortgage-in land, buy livestock, invest in business done with a motive to get a return. Seventy-one point seven per cent of respondents from the intervention group were completely satisfied compared to 65.4 per cent from control group in the way they used the compensation. The income of plaintiff from control group in a month was 34 per cent higher than that of the intervention group before their involvement in the litigation but after the litigation the intervention group had a higher income and it was 75.3 per cent higher than that of the control group per month.

A greater number of respondents from control group felt that their acceptance in the family increased after the verdict compared to that from intervention group. In contrast higher per centage of respondents from the treatment group (43.3%) reported to have participated in decision-making process in family matters compared to that of control group (36.1%). A little more than half of the plaintiffs from both groups felt that their level of acceptance in the community, after litigation remained same like before. Sixty-nine and

67 per cents, for intervention and control groups respectively felt that their involvement in litigation did not change their participation in decision-making in the neighbourhood.

The intervention group unanimously and categorically mentioned that it would not have been possible for them to litigate the case in the court if HRLS did not help them in doing so. They themselves or anybody in their family did not have such money needed to meet the expenses in running the case in the court. Besides running a case HRLS provided psychological support and encouragement to run the case. The plaintiffs from the intervention group also believed that the verdict that was given by the court, would not have been so if HRLS did not help them in running the case.

CHAPTER SIX

DISCUSSION AND RECOMMENDATIONS

It was a deliberate strategy at this stage not to highlight the summary findings of the study as doing that would be repeating of what had been said before and more importantly each of the chapters on the components have a section on summary findings. This chapter has focused on selected aspects of the HRLS directly and indirectly affecting the efficiency of the programme and in doing that in case the chapter has drawn relevance from other studies.

HRLS AND ITS STRATEGY

HRLS has always been committed to effective intervention for upholding human rights by remaining sensitive to family and community; and in the process it often poses a strategic challenge to the oppressive social structure that exists. Although in course of time the legal aid intervention of the programme transformed itself to one for legal empowerment, the vision of the programme remained inextricable from Paula Freire's philosophy of transforming behaviour of individual and society since inception. HRLS intends to transform the mindset of the community by ensuring human rights as such so, that the community may celebrate a society Freire envisioned. That is, a society in which the member will have the capacity to intervene, compare, judge, decide, choose, and desist; which in turn will make people capable of acting with greatness, dignity, and at the same time un-think in terms of indignity (Freire 2001).

Traditionally, there are two core models to access justice by the poor in developing countries – Rule of Law model¹⁶ and Legal Empowerment model¹⁷.

¹⁶ The model includes the training of lawyers, judges, prosecutions, and police, the financing of justice sector budgets, the drafting of improved legislation, and the constitution of physical infrastructure such as prison and courthouse (Golub 2003).

¹⁷ The model emphasises on enhancing the ability of women and disadvantaged groups to use legal and administrative processes and structures to access resources, services, and opportunities (Golub 2003).

For a long time, the development agencies have followed the Rule of Law model in their legal aid related interventions. The model was heavily focused on facilitating legal institutions for accessing justice. It is more of a state-centered approach assuming that improving the formal justice system and other institutions from the top-down will eventually improve government's accountability to citizens and will enhance the capacity of justice sector to provide quality legal services to the poor. However, such efforts have often not 'trickled down' to poor communities, thus the demand side in meeting the legal rights, particularly of the poor remained unaddressed.

The Legal Empowerment model acts as a vibrant system for transforming the target group into change-agents of their lives by using both legal and non-legal tools (Golub 2003). According to this model the poor gets acquainted with their legal identity, voice to promote democratic governance, and move forward to change the status quo (CLEP and UNDP 2008). Moreover, the model contributes in gaining self reliance, self respect, developing a sense of self worth, increasing bargaining power, understanding one's own potential, and realising the right to exercise the freedom of choice in decision-making (Cheston and Kuhn 2002; UNIFEM 2000; Mayoux 2001). The model recognises that along with the supply side (provision of legal aid and advice), it is vital to nurture the demand side by empowering marginalised groups with knowledge of their rights and encouraging them to come forward to claim those rights.

HRLS resorted upon legal empowerment model as a strategy for facilitating justice to the poor. Under this model HRLS strives to expand access to the formal justice sector, but also places an emphasis on the informal justice systems and forms of non-judicial representation such as, mediation, negotiation, and arbitration. It recognises that poor communities often have more familiar ways of resolving disputes, and strives to improve upon existing systems to guarantee better access to justice. HRLS is fulfilling the supply side through ADR service and by facilitating service in the court whereas it is addressing the demand side by educating and raising awareness through LCL workshop and particularly through HRLE training.

Although the philosophy of HRLS is very much aligned with the legal empowerment model the programme has adopted the Transformative Conflict Resolution approach¹⁸ in its strategy for action. As a result the knowledge dissemination goes beyond mere dissemination of legal information by raising critical consciousness to challenge the existing reality through questioning. All the components studies directly or indirectly are engaged in disseminating legal knowledge to beneficiaries. It should be acknowledged that HRLS has an overarching implication in breaking the traditional legal aid's fix-it approach to the legal dimensions of a problem.

¹⁸ That is, the programme dwells not only on the process of conflict resolution for a settlement and effective judgment but also, and most importantly, investigates how much truth the victim has come to know from the conflict resolution process and to what extent the victim has been empowered with the legal knowledge.

Use of local wisdom

Although HRLS emphasises on principles reflecting Western wisdom and philosophy based on which it functions, in no way it is indifferent to the convenience of applying indigenous knowledge, i.e., local wisdom. The programme recognises that local wisdom is valuable as it harmonises social relations and conflicts in a peaceful manner, and at the same time it is also aware that such wisdom in cases may carry the risk of serving the interest of patriarchy and those in power within the community. The use of local wisdom is likely to give immediate solution to the problems that are deeply imbedded in the structure of the society but not likely to weed out the genesis of such problem. In formulating the LCL workshops and HRLE training curriculum the local wisdom was taken into consideration. It was mainly used in the implementation of the learning from LCL workshop, ADR decision, and verdict from the court. It was observed that HRLS staff could help in successfully implementing the ADR and court case decisions when wisdom of local elites was taken into consideration. The instructions in these instances were in fact prudent suggestions for sustaining relations, desires, cultures, rituals, and interests of the family and the community.

Challenges from within HRLS system

In working for achieving the objectives HRLS often faces challenges. Some of the challenges are deeply ingrained in the basic structure of the society whereas others are located in the super structure of the society, again some are located in the programme itself. The strategies for addressing the problems within should be thought about.

Staff

It should be kept in mind that the challenges for HRLS may be apparent within the components of HRLS. The mindsets of the staff for being brought up with prejudices and under oppressive cultural norms might become an obstacle on the way to legal empowerment of the HRLS clients. Although the presence of such a mind-set was not observed in this study it is suggested that the programme should be vigilant against cropping up of such a mind-set particularly in the case of staff conducting ADR sessions; where they can easily influence the decision of the case with their opinion. In fact the programme is in guard in preventing the development of such a mindset or in removing it, if it exists, among the staff through workshops and training on how they should interact with the clients by not influencing them with their judgements.

Ain Shebika

The *Ain shebikas* were expected to work as vanguards in upholding the legal rights in their communities, but the study observed their minimal involvement in the case of ADR and court case for the respondents considered in the study. Studies (Alim and Rafi 2011; Rahman 1985) indicate the presence of a low level of satisfaction in *shebikas* for working with less or no monetary incentive. Such a level of satisfaction probably was also a reason for their minimal involvement in the preservation of human rights in their community. In

order to encourage them to give time, make an effort, and take risk in upholding others' legal right in the community HRLS might think about giving them a monetary incentive for the successful upholding of legal rights in their community.

Committee

As a strategy HRLS believes that the legal rights in the community might be preserved better through collective effort of the group. As a result it has formed several committees both from grassroots and elites of the community. The committees related to components observed in this study, i.e., Law Implementation Committee and Human Rights Implementation Committee appeared to be non-active. The success in implementing the legal rights in the community by the committees composed of the elites was likely to be higher particularly when their efforts were complemented by one from the grassroots and vice versa. It is suggested that HRLS should take greater initiative to set the committees into motion and as a policy to that the community should be provided with an honorarium for their involvement.

Scope of legal services provided

An overwhelming number of problems of the clients that ADR and court cases are dealing with were related to marital problems. Less the components would get involved with other types of legal problems in the community the components would develop the skill in handling those problems. Besides, there is a danger that HRLS might get leveled in the community that it does not provide any other legal services other than that on marital problem. It is suggested that the HRLS should take initiative so that it involves in providing all type of legal services in the community.

The components

We have seen, although the objectives of LCL workshop and HRLE were same – meet the demand/need for legal empowerment – the target groups for these were different. The workshop was a one-day crash course including elites of the society against HRLE a 22-day engagement of those mainly from grassroots. The HRLE curriculum was just the expanded version of what was covered in the workshop. As a result the local knowledge intended to inculcate, attitude intended to develop, and action the groups were expected to undertake were not supposed to be different and mutually exclusive.

As the groups participated in workshop and training belonged to the opposite ends of power structure in the community, the number of initiatives they would take for the preservation of legal rights and the rate of success in their implementation were likely to be different – the fact was well projected in this study. Similarly the role of retention of knowledge from the workshop/training and the formation of attitude were also likely to be different. Although both HRLE trained and participation of LCL workshop had a higher level of initiatives in awareness building clearly the latter had a higher number of instances compared to former where they tried to implement their learning. The success rate of the latter group in implementation was also higher than that of the former.

LCL

The knowledge gained from LCL workshop was implemented more in awareness building compared to their implementation in real life situation. This was because, as believed, that the counter effect from latter would be much higher than that from the former. Half of the participants in the LCL workshop who were expected to implement the learning were elites of the community. Their influence in the community depended on their popularity which they intended to preserve and in many cases they contested in the election or planned to where popularity was a factor in winning the election. In none of these instances the elites were likely to implement the training in real life situation at the cost of their popularity in their community. Besides number of incidences on the implementation of training within one-year observation period was not discouraging particularly when it was mentioned that the participation in the workshop was the motivation for the implementation of the learning.

Findings from this study might give an impression that after LCL workshop there was not much interaction between BRAC staff and the elites who attended the workshop; indicating that the objective of the workshop was not well achieved. Again it should be kept in mind that the observation period for the interaction considered was one year only. So, there was no reason to conclude that the frequency of interaction between the staff and elites attending the workshop was not up to the expectation. Nonetheless, it might be mentioned that the interaction between the two could be increased by increasing the functional dependency between the two. For example, as a policy the elites can be made part of the Decision Committee in ADR process.

HRLE

It was well observed that the knowledge level of the HRLE trainees lapsed with time (Rafi 1996). The trainees had difficulties in justifying why they had to learn laws not related to their religion. Although it was not the objective of the study to assess the HRLE training process definitely such lack of justification had a bearing on the level of knowledge that the respondents had when they were observed. The study indicated that the knowledge level of the respondents was low and a portion of them did not have any HRLE related knowledge at all. These findings call for a decision on the continuation or discontinuation of HRLE training along with the assessment on the pros and cons of the decisions. In either of these decisions several measure may be taken.

If decided to continue, the HRLE refreshers should be introduced to those who received training periodically to retain knowledge in them. The decision will ensure sustainable legal empowerment of the trained particularly the poor in a large society. The decision will demand a huge amount of resources in part of HRLS for the refresher. In contrast the HRLE in its present form may be replaced by formation of a small committee, like LIC, with HRLE training on legal issues and periodic refreshers for them. The committee will provide legal services in their catchments under the supervision of HRLS, and a service charge, financed by the HRLS, may be offered to the committee for its service. Adoption of this policy will be at the cost of legal empowerment of community members in a large scale.

The implementation of HRLE knowledge in real situation was much less than that in the case of elites who attended the LCL workshop. This was mainly because of the poor socioeconomic status of the HRLE trainees. They either believed that because of their such a status their effort in the implementation would be a failure or they would not be able to absorb the negative reaction on them by those on whom the training would be implemented. One way to overcome such an adverse position they were in their effort in implementation was to go for a collective action by them and HRLS can play a role by organising them for the implementation.

ADR

Although HRLS does not have the ability to formally enforce the decisions arrived mutually by the disputants through ADR process the study indicates that in most cases both the parties were satisfied with the decision and in their implementation. There was a variety of factors assumed to have contributed to such a success.

- ▶ The perception of BRAC was powerful within the community. ADR was seen as accessible, fast, and particularly fair with the decision. There was a respect for due process.
- ▶ HRLS most commonly relied on the 'shadow of the law' including the threat of filing cases in the court to enforce ADR decision. The threat of court action often worked to pursue the disputants to accept the decision, primarily because many poor defendants were afraid of getting involved in the formal justice system due to their poverty, inability to afford a lawyer, and the reputation of the system as corrupt, thus requiring bribes or political influence to win a case.
- ▶ It was often well known in communities that BRAC has established a robust links with local UP members, village police, and other key stakeholders. Such an impression translated into an influence that helped in enforcing its decisions.

Despite these factors influencing enforcement of ADR decisions, some defendants refused to follow ADR decision, as there was no strict penalty for those who did not abide by the decision. In some cases, the defendants proven guilty were not deterred by the threat of litigation, especially if the complainants themselves did not wish to pursue the matter in the court. Powerful defendants threatened BRAC staff who tried to gain the support of local elites. Thus, increased follow-up and monitoring by staff and continued efforts to strengthen relationships with local government leaders and police to exert positive social pressure should be done to help better enforcement of ADR decisions.

Court Case

By facilitating clients in the court the component serves the HRLS clients at two levels. By developing awareness in the part of the defendant that if they would not abide by the

ADR decisions the complaint against them would be filed in the court was effective in many cases to compel the defendant to abide by the ADR decision. Secondly, the scope of filing case with the help of HRLS was a great opportunity for the poor to preserve their legal rights. The clients candidly expressed that it would have not been possible for them to take advantage of the court if had HRLS not helped them in doing that. The panel lawyers were much prompt in providing the services to the clients as they were remunerated by HRLS according to a package deal set beforehand.

Effectiveness of ADR and court case

HRLS catered to the demand side of the clients by preserving their legal rights through two different modes – ADR and court case – which are likely to have similar outcome. Scholars have debated on the effectiveness, and relative advantages and disadvantages of mediation and litigation on their preservation of legal rights. The findings of this study managed to shed light on the issue.

Against

It was argued that the mediation process may actually exacerbate violence (Landrum 2011). It actually increases the victim's chance of being abused in the future. When disputants were in the same room during session the clients were physically intimidated and endangered during, before, and after the mediations. The threats made prior to the mediation session, or even a 'look' during the session, can force victims to give up their claim for rights and remedies to which they are entitled, in exchange for the illusion of safety. It was observed that it can place victims in situations where they are more likely to be pressured into an agreement that does not reflect their true interests, due to the inherent power imbalance in such relationships. Thus, the outcome of mediations where domestic violence has been present may not be 'fair' in any sense. These observations made scholars to argue that mediation should never be employed for family disputes where domestic violence is present.

Favour

Others (Boxer-Macomber 2003; Rimelspach 2001), feel that the risk of further violence is actually less in mediation than if the victim goes through the court process. It was observed that mediation reduced the risk of further physical, verbal, and emotional abuses more than litigation. The mediation helps to reduce future abuse because it teaches disputants in healthy and peaceful ways to resolve the conflict and empowers victims to feel more in control of decision-making. Such observation developed an opinion that women should not be deprived of the option to engage in mediation, which can be convenient and inexpensive, and should have the ability to make that choice for themselves.

The findings from the study indicate that the clients for both ADR and court case were subjected to prospective and actual violence from the accused and these for the litigant was higher than that from defendant. This was probably because the litigants believed

that the verdict of the court would be against them and their implementation could not be avoided.

It should be kept in mind that in Bangladesh, most married women are dependent on their spouses for livelihood and lack the education needed for formal employment. In such a context, many women have no real choice but to stay in an abusive relationship with their husbands. It is also true that the clients of both ADR and court case had lesser chance of being violated as when the sessions were in progress they were not living with their divorced husband. In such a situation if ADR has a mechanism for learning and deter defendant to violate by making them believe that the complainant would take help of ADR system again if they were violated like before may be one of the options for reconciliation with the defendant and solve the problem.

Against

It was observed that the form of “justice” dispensed by the court was not acceptable to many, as the formal justice system often focuses on what was legal, rather than social, economic, and cultural implications of a judgment on either of disputants. Many considered the formal system to be an elitist ‘institution primarily for the rich (Jahan 2005). The clients did not use the formal justice system because of the costs and complexity of the process frequently riddled with corruption, harassment by lawyers, and the fact that the justice system was intimidating. The courts were physically distant from the poor, often procedurally unfamiliar, expensive for the group who do not having NGO assistance (Siddiqi 2003). Some of the plaintiffs who have filed domestic violence complaints have had their cases dismissed when their husbands asked for that. The process was also quite lengthy due to court backlogs.

Favour

In contrast the key benefit of going to court was that it handed down judgments, which were technically and legally enforceable, and which was especially useful for plaintiff seeking finalised decisions, like divorce, alimony, or child custody, where the court issued a final judgment. The closest the complainant could get to an enforceable decision within the current system was to take a case to the formal justice sector. For criminal cases, there remained little choice but to take the case to the courts.

Still, the formal system needs to be reformed if judgments are to be issued quickly with a non-biased outcome, and to be truly enforceable. This, of course, is a long-term challenge, with no easy solution. In order to improve access to justice for the poor, HRLS must somehow address these broader issues. It is necessary to work with the government to reform the formal justice sector. HRLS can do this by providing training, conducting advocacy with the government, and by building awareness to resist corruption in the court. By undertaking these agendas the HRLS will adopt the Rule of Law model.

The study in hand indicated that both ADR and court case were equally effective in upholding the legal rights of the clients. In spite of that it may be mentioned that the

former had an edge over the latter in terms of the success rate in the implementation of the decisions along with the former being less expensive than the latter. The decisions were equally satisfying for the clients from both the systems. The clients' involvement in the ADR and court case demonstrated similar tendencies. Both the groups felt that they were more empowered than before their involvement in the process and particularly after the decision. In real sense their participation in the IGA increased along with their acceptance in the family and community. In spite of the empowerment a good number of the clients from both the groups who had a divorce as because of the decision had a feeling of emptiness that they did not have a husband.

In spite of court case conducted by panel lawyer for HRLS client became less time consuming compared to she/he doing it for the non-HRLS clients the case dealt by ADR system had an edge over these in terms of time needed to come to the decision, expense, and the extent the clients were comfortable with the system. It is suggested that HRLS should make an effort to make the communities aware of the presence of the component and make an easy access to the services by increasing the number of Legal Aid Clinics.

Although the systems were quite efficient in coming up with a decision for the clients in many cases, the elites intervened in the implementation of the decision by providing counter decision and forcing for its implementation which often went against the interest of the clients. It is desired that HRLS should have a system for effective implementation of justice for the clients whether the judgment is from ADR or court. It can be done through combining effort of elites and grassroots committees who would exert pressure for the implementation of the ADR/court case decisions against any opposition. For this the committees should be made part of ADR and court case initiatives.

Encountering perpetration

It was widely observed that the clients along with their associates after filing complaint became victims of harassment, threats, and attacks from opposing parties who want them to withdraw complaints. It is an obvious expectation that HRLS should take measures to prevent such incidences. Both preventative and curative measures are suggested and that again in terms of ADR but those are also applicable for court.

- ▶ Some plaintiffs who pursued cases in court were seen as bringing dishonour to their family by going against the accepted social norms. These plaintiffs became subject to mistreatment by the family members with whom they were residing during litigation. HRLS should be mindful of the negative effect both at home and outside on the complainants for pursuing justice and should consider means to minimise the resulting harm by counseling and convincing within the period mentioned.

- ▶ Although HRLS helped some victims of violation in finding safe shelter through Ain O Shalish Kendro, certainly the initiatives were not sufficient. It appears that there is a limited provision for connection between HRLS and government-provided social or health services, or assistance in securing safe long-term housing for women who faced domestic abuse. It is proposed that HRLS should chalk out plans with the government for the creation of women's shelters in cases of serious emergencies. The HRLS should take advice of existing social services of the Government that aid in their protection of the victims and their well-being.
- ▶ There is a need to work with police and local authorities to implement the 2010 Domestic Violence (Prevention and Protection) Act and to create a more streamlined procedure to ensure client's safety. Local police should be trained and sensitized to intervene in a sensitive manner when clients need their help.
- ▶ Panel Lawyer and staff should be trained so that they might conduct safety planning sessions with clients. The risk of physical abuse and intimidation during and immediately after the ADR process can also be lessened through appropriate frameworks to protect victims, including an intake and screening process and the training of staff to check-in with complaints to ensure their safety. An ADR system where staff would speak to each party separately and in different locations can be introduced to avoid face-to-face interaction and mistreatment of disputants by each other.
- ▶ Staff may be trained to handle the dynamics of family law mediations in the case of violence, and to recognise subtle signs of violence and intimidation. As an alternative staff may abandon their neutral role and support the victim to ensure that the complainant in ADR gets a fair settlement. As this recommendation would mean that the staff would not be neutral, it might be recommended at best short-term solution.
- ▶ Provide therapy or counseling treatment for the defendant to bring behavioural change in them not to violate.

Ensuring well-being beyond preservation of human rights

Although staff makes a good effort to connect its clients to an integrated set of social services in BRAC, many but not all, clients are assisted with securing employment, safe shelter, or microcredit loans. Especially motivated and resourceful staff connects clients with such opportunities, but there is no HRLS policy in place making such programme integration mandatory. In addition, there appears to be limited provision of healthcare and mental health counseling for clients who have faced domestic abuse. A clearly defined, systematic process through which legal aid clients can be connected to a whole host of

desired services, either through BRAC or a partner organisation, including healthcare, employment, microcredit, mental health treatment, and housing is necessary if clients are to truly be lifted out of poverty they are in.

End note

One cannot fail to observe that legal intervention initiatives of HRLS could save the poor, particularly women from the violence from their close relatives. Studies have provided the proof of increasing agency and empowerment in women due to providing knowledge and legal aid interventions. A significant number of examples of successful implementation of justice and women rights set up through justice system of the programme have been demonstrated in this study. HRLS has enriched itself with thousands of success stories of reviving justice in the lives of disenfranchised people. The study has not only pointed to that but also to the challenges and weakness of different components of HRLS and provided a guide in lacking and in improving the interventions consistently.

Kolisetty (2014) identified several key attributes of the legal empowerment model of HRLS programme. These are: (1) the programme is grounded in grassroots, (2) it is large in size and scale, (3) couple rights literacy with legal aid, (4) use non-legal tools and functioning under the 'shadow' of law', (5) apply culturally relevant informal justice mechanisms, (6) empower clients, (7) endeavour for holistic integration with mainstream development, (8) make diverse groups work towards community goals, and (9) consider itself as a 'learning organisation'. Without going into the explanation on the mechanisms how these attributes add to the legal empowerment it may be mentioned that the findings of this study amply indicate their contribution in the impact of the components considered in this study. Of course, the attributes are contributing differentially to legal empowerment.

Empowering individuals so that they might realise their rights and voice their demands is more about power and freedom than about law. The legal empowerment which HRLS cherish clearly indicates the use of the law, but it also initiates the inclusion of activities that are not inherently law-oriented, such as community organisation or livelihood development. It is about protecting assets and resources and securing a voice for bargaining and negotiation. By going beyond simple service delivery or resolution of individual disputes the legal empowerment programmes seek to build power among marginalised communities.

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APPENDIXES

Appendix 1 | Intervals between sessions and mean of associates accompanied respondents in sessions

Session	Interval between sessions (days)	Associates Accompanied	
		Complainer	Complained
1 st		1.5 (n = 193)	1.6 (n = 187)
2 nd	38.4	2.0 (n = 191)	2.8 (n = 170)
3 rd	40.2	2.6 (n = 151)	2.9 (n = 66)
4 th	29.6	3.0 (n = 60)	3.2 (n = 8)
5 th	24.4	2.2 (n = 8)	2.2 (n = 8)
6 th	10.7	3.2 (n = 5)	-
7 th	2.8	2.0 (n = 1)	-
8 th	0.5	4.0 (n = 1)	-

Appendix 2 | Socio-demographic profile of associates accompanied complainants and defendants

Variable	Respondent		Significance Level
	Complainant	Defendant	
Relationship			
Children	0.7	1.5	
Parents	36.4	23.9	
Brother/sister	13.6	13.3	
Uncle/aunt	11.7	12.0	

[Appendix 2 | Contd...]

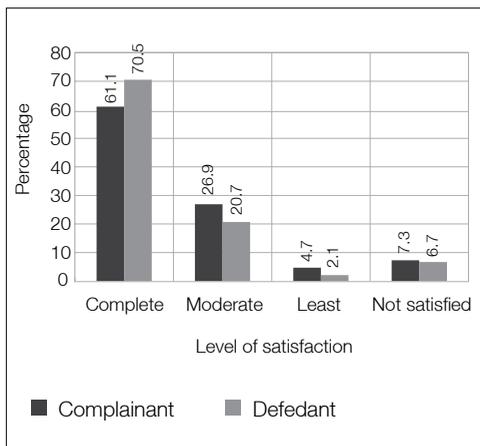
[...Appendix 2 | Contd]

Variable	Respondent		Significance Level
	Complainant	Defendant	
Other relatives*	8.4	9.2	
Neighbour/friend	28.9	40.1	p= 0.00
Sex			
Male	70.8	83.2	
Female	29.2	16.8	
Education (class completed)			
Mean year of education	3.8	4.3	p= 0.06
Income Generating Activity (main)			
Not engaged	30.4	20.7	
Service	8.1	6.3	
Day labour/self-employed agriculture	43.9	48.3	
Business	17.5	24.7	p=0.00
Economic Status (class)			
Rich	11.2	16.2	
Middle	30.9	39.4	
Poor	49.6	38.4	
Ultra poor	8.2	6.0	p= 0.00
Social Status			
Common villager	82.6	72.3	
<i>Goshti/Shamaj prodhan</i>	7.2	14.6	
Present and ex-UP chairman/member	4.8	6.6	
Teacher, and religious and political leader	2.8	2.4	

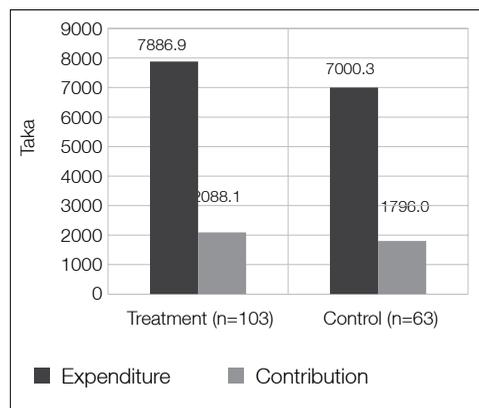
n: Complainant - 667, Defendant - 619

* Includes grad parent, cousin, nephew, niece, in-laws (own side), in-laws (husband/wife's side)

Appendix 3 | 104 level of satisfaction over ADR decision



Appendix 4 | Average monthly expenditure and respondents' contribution in family



Appendix 5 | Socio-demographic profile of associates accompanied plaintiffs to courthouse by groups

Variables	Group		Sig. Level
	Treatment	Control	
Relationship			
Parents	26.9	35.9	
Uncle/Aunt	2.9	6.6	
Brother/Sister	13.4	17.1	
Children	4.0	6.2	
Other relatives	4.0	8.9	
Neighbour and friends	18.2	24.9	
BRAC HRLS/other NGO staff	30.6	.5	p= 0.000
n	621	563	
Sex			
Male	53.1	57.6	
Female	46.9	42.5	
N	818	759	
Education			
Not education (including <class 4)	41.8	37.2	
Years of Education (mean)	9.3	7.9	p= 0.000
n	500	496	
Main Income Generating Activity			
Not engaged	30.1	39.7	
Service	35.8	12.1	P= 0.000

[Appendix 5 | Contd...]

[...Appendix 5 | Contd]

Variables	Group		Sig. Level
	Treatment	Control	
Day labour/self-employed agriculture	28.0	34.7	
Business	6.5	13.5	
N	817	750	
Economic Status			
Rich	2.4	2.5	
Middle class	34.8	26.9	
Poor	47.9	59.9	p= 0.000
Ultra	14.8	10.7	
n	818	759	
Social Status			
Common villagers	70.3	90.1	
Traditional leader	3.6	4.4	
Elected leader (incumbent and ex)	2.9	2.7	p= 0.000
Elite	1.1	2.6	
BRAC staff	22.1	0.1	
n	818	759	

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