

The Impact of Global and Regional Influences on Domestic Violence Policy Actions in Bangladesh

Dewan Farhat Al-Jami*
Tarana Begum**

Abstract

The issue of domestic violence, whose recognition and treatment varies from nation to nation, is an important public policy concern. Global and regional influences play a significant role in shaping national law-making processes related to domestic violence. With the global recognition of the severity of domestic violence, many countries have classified it as a criminal offence. Domestic abuse is now considered a criminal offence in many nations as a result of worldwide awareness. However, Bangladesh has long ignored it as a policy issue. Bangladesh has only recently started addressing domestic violence as a policy matter. The research investigates the impact of local, regional, and transnational factors on the development of policies addressing violence against women, transforming it from a personal issue to a public problem and from a civil issue to criminal conduct. The study uses a descriptive phenomenological approach and feminist theory to investigate how domestic violence gains attention from policymakers in Bangladesh. It analyses the influence of local, regional, and global factors in shaping policies addressing violence against women in Bangladesh and explores the transformation of domestic violence from a private matter to a public concern.

Key Words: Battered women's movements, CEDAW, Domestic violence, Policy problem, Transnational influences,

Introduction

Domestic violence is a significant public policy concern that varies in its treatment across nations. Domestic violence has gained international attention as a serious problem, prompting several nations to pass legislation to protect victims and punish abusers accountable (Ryan, 2013). However, considerations other than domestic interests impact the process of developing and passing such legislation. Domestic abuse is a criminal offence in many nations due to global and regional factors (Vyas, 2006). The United Nations' recognition of the severity of this issue has led many countries to classify it as a crime. However, some nations, like Bangladesh, have only recently acknowledged domestic violence as a policy matter.

* MSc., University of Technology Sydney (UTS), Sydney, Australia, E-mail: farhatjami6331@gmail.com

** Professor, Department of Government and Politics, Jahangirnagar University, Dhaka, Bangladesh, E-mail: taranalopa@juniv.edu

Domestic violence was not, however, recognised as a policy issue in Bangladesh for a long time. Due to the impact of social and religious norms, it was poorly accepted as a regular part of domestic life. This misunderstanding spread the belief that husbands had the right to exert control over their spouses and that physical violence is appropriate if the woman disobeys. Furthermore, women were socialized within the patriarchal social structure to endure and negotiate with their abusive husbands in order to maintain their married existence. Despite establishing various laws and regulations linked to violence against women since its independence in 1971, Bangladesh has failed to properly address the issue of domestic violence. There were insufficient systems in place to deal with incidents of domestic abuse and provide assistance for survivors. When Bangladesh signed and ratified the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), women activists and non-governmental organisations focused on the domestic violence act legislation. CEDAW's international commitments compelled several nations, including India, to pass domestic violence legislation in 2005. These regional legislative advances inspired women's movements in Bangladesh to push for the passage of a separate domestic abuse law.

Despite the pervasive nature of domestic violence, the early women's movement and policymakers in Bangladesh failed to address domestic violence as a significant issue due to its deeply ingrained cultural roots and societal perception. Women's activists played a pivotal role in driving the recognition of domestic violence as a significant issue. Feminist activism worldwide sought recognition and support within the women's movement, re-conceptualizing domestic violence and incorporating it into policy agendas. Feminists worldwide worked together to establish domestic violence as a social problem, contributing to the structural disadvantages faced by women. The knowledge and understanding of domestic violence expanded, shifting the focus from women's homelessness to the violence causing it (Ramsay, 2004). The feminist response to domestic violence evolved through the actions and words of abused women, who contributed to the development of feminist and policy analyses (Gordon, 1989). Feminists' struggle to get domestic abuse publicly recognised as a major issue impacting Bangladeshi women was successful only after the enactment of the Domestic Violence (Prevention and Protection) Act 2010. However, rather than simply demand from feminist movements and gendered understandings of domestic violence, the development of current policy approaches to this issue has been impacted by a number of international and regional obligations and influences. As a signatory to international treaties and conventions like the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), Bangladesh is obligated to promote gender equality, reduce violence against women, discourage child marriage, and do other things outlined in the CEDAW conventions. Concerns about economic globalisation and the incidence of gender-based violence during times of war prompted the United Nations to address the

issue of violence against women in the 1980s (Bellamy, 2016). Transnational feminist organisations were instrumental in persuading the United Nations to include violence against women on its agenda. International treaties and agreements, such as CEDAW and the Beijing Platform for Action, have emphasized the worldwide relevance of combating violence against women (Cook & Cusack, 2011). Domestic abuse has received significant attention from women's groups, development partners, and non-governmental organisations since the ratification of CEDAW.

Domestic abuse has been recognised as a policy concern in Bangladesh since the mid-2000s, but it was not until 2010 that a complete legal and policy framework to combat domestic violence was constructed. Using the ideas of agenda setting and framing, this essay explores the historical processes and reasons that led to domestic violence becoming a serious policy concern. The paper investigates the factors that shaped Bangladesh's domestic violence environment and their impact on policy responses. The research is based on a content analysis of the domestic violence policy and regulatory framework. Domestic violence policy development in Bangladesh evolved through time and was characterized by the interaction of transnational, regional, and national policy development, major players, and varied frameworks. The way the issue was depicted at various times in time and by various parties played a significant impact in the delay in putting it on the policy agenda. Women's organisations and non-governmental organisations were critical in building frameworks for gender equality and development. The Domestic Violence Act was recommended by the Bangladesh Law Commission in 2004, and it was followed by the development of a National Plan of Action. However, women's rights activists and organisations criticized these attempts. In 2004, two renowned non-governmental organisations in Bangladesh, ASK (Ain o Shalish Kendra) and BNWLA (Bangladesh National Women's Lawyers Association), separately wrote the Domestic Violence Act and submitted it to the Ministry for consideration. Under the CIDV network, roughly 33 non-governmental organisations collaborated in 2007 to draught a domestic violence Act that incorporated the draughts of the Law Commission, ASK, and BNWLA. Domestic Violence (Prevention and Protection) Act 2020, often known as the DVPPA, became law in 2020. This research provides a critical perspective on the emergence of domestic violence as a public issue, the response of the nation, and the key influencers involved. This study examines the emerging domestic violence legislation in Bangladesh from the standpoint of gender equality. This study illustrates the effect of local, regional, and global forces by critically examining the rise of domestic violence as a public problem and the advancement of associated legislation in Bangladesh. To understand how violence against women has gained worldwide attention, it is essential to study the growth of the social policy agenda and the efforts made by

diverse players. This study looks into the origins of domestic abuse legislation, exploring the effect of causes such as the feminist movement in the 1970s and a series of global conferences conducted from 1985 to 1995. It also looks at current regional and local variables that are likely to have influenced the development of domestic violence regulations.

Objectives of the Study

The primary objective is to investigate the factors that influenced the formation of domestic violence legislation in Bangladesh. It evaluates the regional and transnational influences on the formulation and legislative process of domestic violence in Bangladesh. In addition, the study evaluates the transition of policy ideas from Western contexts to the local context in Bangladesh and analyses the support and opposition they encounter from various societal factions.

Significance of the Study

International treaties and transnational feminist organisations have played critical roles in raising awareness and eradicating domestic violence on a worldwide scale. This paper investigates how domestic violence became a public policy concern as well as the roles of various transnational and regional settings. By examining the expansion of social policy objectives and the engagement of varied stakeholders, such as feminist activists and international conferences, the research provides an understanding of the elements that have shaped domestic violence policies. Worldwide women's organisations and early feminist activity prompted the entire community to take a position against domestic abuse by designating it a human rights issue, elevating it from a private family matter to a public one. Transnational feminist organisations and international treaties contribute to raising awareness and combating domestic violence. Bangladesh's legislation on domestic violence is also influenced by CEDAW and global and regional factors.

Literature Review

This literature review investigates three research issues. The first section examines the theoretical framework for the impact of global and regional stakeholder roles and policy development. This study analyses Carol Bacchi's 'What's the Problem Represented to Be?' approach. Then it looks at the roles of both international and regional players in influencing domestic abuse legislation. Finally, the study takes a look at the literature on battered women's movements, international human rights movements, and transnational and regional developments on domestic violence policy processes and policymaking in Bangladesh.

Bacchi's policy analysis technique and Edward Said's concept of a "travelling theory" provide valuable perspectives for understanding the dynamics of domestic violence policy-making worldwide. Bacchi's policy analysis technique, referred to as the "What's the Problem Represented to Be?" (WPR) approach, offers a valuable tool for critically

examining public policies. The approach recognizes that policy proposals inherently reflect what is perceived as problematic and in need of change (Bacchi, 2012). The WPR approach aims to uncover the underlying assumptions and conceptual logics that shape problem representations in policies by employing a set of six questions. Bacchi's approach offers a comprehensive theoretical perspective that allows for critical analysis of problem representations within domestic violence policymaking and other areas of public policy (Bacchi, 1999).

The battered women's movement has been instrumental in lobbying for reform and increasing public awareness of domestic abuse (Dobash & Dobash, 2003). Grassroots organisations have provided forums for women to discuss their stories, build support networks, and fight towards societal reform by breaking the silence around abuse. The movement attempted to make domestic abuse a public problem, attracting the attention of legislators and officials and paving the way for protective measures.

The development of domestic violence as a policy problem relied on the widespread acceptance of a reframed understanding of gender-based violence (Gordon, 2022). It was no longer viewed as a private issue but recognised as a societal responsibility, necessitating the intervention of public policy (Ramsay, 2007). This shift in perspective was achieved by feminists across different countries who worked independently and eventually collaboratively to establish the link between domestic violence and the broader social and economic disadvantages that shape women's lives. They challenged the prevailing notion of domestic violence as an individual pathology and successfully defined it as a social problem.

Numerous people will have an impact on how laws and policies aimed at reducing violence against women develop in some nations. Violence against women has been viewed in a different light since the 1970s. As a result, it is now seen as a public issue and aggressively pursued on a global scale. The traditional presumption that such violent crimes were exclusively perpetrated in secret has changed. In response to feminist protests in the 1980s, the United Nations recognised violence against women as a major issue and classified it as a violation of human rights (Pietila & Vickers, 1996). The issue of globalisation and transnational social policy has not received the same weight in the context of domestic abuse as talks on the design and implementation of laws to combat specific forms of violence against women, such as trafficking. Women's activists, non-government organisations, civil society, and scholars are pressing more and more for the global policy framework to be used to create policies with greater depth (Dobash & Dobash, 1979).

This study aims to investigate the impact of transnational and regional elements on domestic violence policy and action in different sociocultural settings. While Bangladesh enacted its first policy effort on domestic violence in 2010, early gains in eliminating domestic abuse remain. The study intends to show how transnational influences have greatly affected present efforts to address the issue.

Transnational Influence on Domestic Violence Policy

The United Nations (UN) has played a vital role in recognizing and addressing women's political rights in the sphere of international efforts. The 1952 Convention on the Political Rights of Women's signature serves as evidence of their initial focus on ensuring women's voting rights (Buzawa & Buzawa, 2017). However, it became clear that just ensuring voting rights would not adequately address the pervasive issue of domestic abuse against women. Domestic violence has historically been the most widespread type of human rights violation against women, owing to their inferior status within families and cultures. Many nations lacked comprehensive legislation to combat such violence, and in other areas where laws did exist, their enforcement was insufficient. In 1979, the United Nations took a crucial step towards tackling domestic abuse by ratifying the Convention on the Elimination of All Forms of Discrimination Against Women (Buzawa & Buzawa, 2017). Through this treaty, the United Nations started on a quest to abolish all types of discrimination against women, including domestic abuse. Representatives from the United Nations recognised that violence against women was widespread and deeply embedded in societal conventions, cultural practices, and even religious views about women's responsibilities.

The adoption of the General Assembly's resolution titled "Declaration on the Elimination of Violence Against Women" at its 48th Session on December 20, 1993, was an important milestone in the UN's efforts. This resolution acknowledged that domestic violence disproportionately targeted women and was therefore a component of the discrimination against women forbidden by the 1979 UN Convention on the Elimination of All Forms of Discrimination Against Women (Buzawa & Buzawa, 2017). By taking this action, the United Nations General Assembly officially acknowledged that domestic abuse reflected and perpetuated unequal power dynamics between men and women, resulting in men's dominance, discrimination against women, impediments to women's advancement, and the perpetuation of women's subordination. The Declaration on the Elimination of Violence against Women's Preface emphasized this recognition. The majority of countries adopted the framework that this statement created. It states that domestic abuse is part of a larger pattern of discrimination and violence against women.

As mentioned in previous chapters, this gendered perspective has advantages and disadvantages. The fundamental benefit is that it recognizes the reality that most instances of domestic violence are motivated by gender discrimination. As a result, efforts may and should focus on tackling the issue as part of a holistic plan to combat discrimination against women, with males being the major perpetrators and women being

the primary victims. With the ratification of this framework by the UN, the great majority of governments now have a guiding principle for addressing domestic abuse as a manifestation of gender discrimination and violence against women.

This research examines the global impact of domestic violence policy processes. This perspective examines the various international actors that influenced Bangladesh to include domestic violence on its policy agenda. United Nations conventions and treaties, global women's movements, and human rights movements played a role in influencing the local policy process. Global initiatives, such as the Battered Women's Movement, human rights movements, and the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), contributed to a growing international consensus on the importance of combating domestic violence. The International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social, and Cultural Rights (ICESCR) of 1966, in addition to the Universal Declaration of Human Rights (UDHR) of 1948, explicitly acknowledged the obligation of States Parties to guarantee equal access to all civil, political, social, and economic rights outlined in the two Covenants for both genders (Muntarbhorn, 2017).

The United Nations adopted the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) on December 18, 1979. CEDAW's gender-specific approach to equality and non-discrimination highlights the need for legal measures against violence. Feminist legal scholars believe that CEDAW holds great potential for achieving significant gender equality for women. Upon ratifying CEDAW, a state assumes the responsibility to address discrimination and violence against women. The ratification of international treaties and conventions, including CEDAW, has influenced Bangladeshi laws, despite some reservations about specific provisions (Khan, 2015).

Regional influences play a crucial role in shaping domestic violence law-making processes. One noteworthy example is the impact of India's lawyers' collectives on Bangladesh's domestic violence law. The Lawyers Collective played a pivotal role in advocating for and enacting the Domestic Violence Act in India in 2005. This landmark legislation recognised domestic violence as a distinct offence and provided legal remedies and protection for victims. Inspired by the success in India, women's movements and activists in Bangladesh recognised the need for a separate domestic violence law and drew inspiration from the Indian model.

Countries often adopt successful models from elsewhere, adapting them to their unique social, cultural, and legal contexts. International and regional networks and platforms provide opportunities for sharing experiences, fostering cooperation, and strengthening capacity-building efforts. They contribute to the creation of a normative framework that encourages governments to prioritise domestic violence legislation and take necessary measures to protect victims. International and regional obligations also assist states in aligning their national laws with established standards, ensuring consistency and coherence in addressing domestic violence.

Role of Battered Women's Movements

During the late 1960s and 1970s, the battered women's movement actively spoke out against domestic abuse through focused campaigns, addressing a multitude of repressive issues (Moges, 2010). These encompassed lively debates about women's identity, political representation, education, employment, state involvement, autonomy, freedom, motherhood, the moral standing of women, the dynamics of family, patriarchy, power dynamics, domination, and oppression (Schechter, 1982). The movement drew inspiration and influence from significant historical periods such as the Enlightenment, French and American revolutions, the Industrial Revolution, Evangelicalism, religious revivalism, and early anti-slavery movements in the 18th and 19th centuries (Janse, 2015).

The battered women's movement has played a crucial role in bringing public attention to the issue of domestic violence and organizing practical assistance for women based on a broader feminist-inspired philosophy of change. The battered women's movement has effectively placed the physical and sexual abuse of women and girls at the forefront of the social agenda. It has done so by contextualizing the movement within the legacy of the women's liberation movement and exploring diverse approaches to understanding social movements and bringing about social change in the context of domestic violence (Mahapatra, 2008). The women's movement of the late 1960s and 1970s served as the foundation for membership and provided an overarching perspective from which numerous issues could be addressed and actions organized. This movement drew from various sources, engaging in debates about women's nature, citizenship and political representation, higher education, employment, the role of the state, independence, autonomy, freedom, motherhood, the moral standing of women, the family, patriarchy, power, domination, and oppression, among many others. The ideas and influences that shaped the movement trace back to the Enlightenment era, the French and American revolutions, the Industrial Revolution, evangelicalism, religious revivalism, and early anti-slavery movements in the 18th and 19th centuries (Anderson & Zinsser, 1988; Banks, 1981; Rendall, 1985).

The battered women's movement has been pivotal in bringing about significant progress in raising public and political awareness of domestic violence since the 1970s (Meyer-Emerick, 2002; McCown, 2004; Felder & Victor, 1996; MacKinnon, 1987). It is widely recognised as an offshoot of the Women's Liberation Movement of the 1960s (Alcaraz, 2006). According to Ashcroft (2000), before the 1970s, there were no terms to describe the problem of wife abuse; the problem instead stayed indoors and behind closed doors. In 1973, Erin Pizzey, the founder of the battered women's movement in England, first focused on domestic violence in an article published in *Ms. Magazine* (Walker, 2002). In 1977, Pizzey's book, *Scream Quietly or the Neighbors Will Hear*, brought attention to the issue of domestic violence (Portillo, 2011). One of the primary goals of the battered women's movement was to transform the issue of women's abuse or violence in intimate relationships from a private matter to a public issue (Walker, 2002). Making it a public

issue was key in order to get the attention of legislators and policymakers so that policies to protect women against violence could be implemented. Activists of the battered women's movement soon came to the realization that the efforts to eliminate violence against women needed to encompass the wide-ranging structural transformation of society (Muntarhorn, 2017).

The Battered Women's Movement is frequently credited with revealing the extent of domestic violence and agitating for social change (MacKinnon, 1987; Schechter, 1982; Koss et al., 1994; Kurz, 1989). This movement is recognised as a by-product of the Women's Liberation Movement of the 1960s (Koss et al., 1994, cited in Portillo, 2011). Since the 1970s battered women's movement, the world has seen significant progress towards increasing public and political awareness of domestic violence (Drum, 2004). Through its unwavering commitment to shedding light on the extent of domestic violence and advocating for social change, the movement continues to drive transformative efforts to address this pressing issue. Women who have been physically attacked at home by the men with whom they live have launched a worldwide movement to protect battered women and combat male violence.

During the 1960s and 1970s, the campaign resurrected women's rights and the need to protect women from abuse, garnering legal and legislative attention since the early 1970s (McQuigg, 2011). Before this age, wife abuse remained buried behind closed doors due to a lack of adequate words. Erin Pizzey, the originator of the battered women's movement in England, raised awareness about domestic abuse in a 1973 essay and again in 1977 with her book (Simic, 2020). The campaign attempted to make domestic abuse a public problem, drawing the attention of politicians and officials to the need for protective measures. Activists quickly realized that ending violence against women required structural societal reforms.

Findings of the Study

This study finds that feminist mobilization is the key driver of variation in the development of policies addressing domestic violence against women. Furthermore, the study shows that autonomous movements have a lasting influence on DV policy. By emphasizing the importance of civil society, especially social movements, this research highlights their crucial role in driving progressive social policy change at both national and global levels.

Violence against women was not commonly recognised in the past as a crime or a violation of human rights. Even international human rights frameworks such as the Universal Declaration of Human Rights and the United Nations Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) did not specifically prioritise DV. The feminist activists' lobbying led to the acknowledgement of DV as a serious issue and a violation of human rights. Feminists have been at the forefront of bringing DV to the public's attention and advocating for its inclusion in legislative agendas. Government and non-government policy players, as well as human

rights organisations, frequently neglected to confront VAW until feminist activists pushed them to do so in the 1990s. Domestic abuse was included in the Domestic Abuse (Prevention and Protection) Act 2010 by Bangladesh civil rights organisations and women's activists in 2010.

The importance of battered women's movements lies in their early intervention in raising awareness about domestic abuse. This activity eventually expanded from the West to the rest of the globe. They have also inspired feminist movements in Bangladesh. Battered women's movements have affected VAW policy via a variety of means, including altering public and government agendas, demanding institutional reforms, lobbying, shifting cultural perceptions, and organizing networking and cultural events. These movements generate political will to solve the problem and challenge existing power systems.

While scholarly attention to government action on domestic violence (DV) has increased, there is a lack of examination regarding the impact of global policy shifts in comparative social policy and gender and politics studies. DV policy encompasses various aspects that shape the normative and social order, define social groups, and determine their status in society.

Women's movements in Bangladesh have focused on violence against women since the country's independence. Although domestic violence was not initially a central concern, feminist groups have included discussions on gender-based violence from the outset. After the 1970s, the idea of domestic violence—which encompasses physical, emotional, and psychological abuse by intimate partners—gained explicit attention (Ramsay, 2007). Earlier discussions primarily revolved around topics such as women's work, marriage, motherhood, and rape without specifically identifying violence within intimate relationships (Ramsay, 2007). However, gradual developments led to the recognition of domestic violence as a core feminist issue. These developments included discussions on rape and the publication of articles and newsletters highlighting the experiences of women facing violence.

It is important to note that the international recognition of domestic violence as a feminist issue did not emerge immediately. Even at the first UN World Conference for Women in 1975, violence against women within families was not considered a significant concern. The recognition and inclusion of domestic violence on the multilateral agenda took time. This delay does not imply that early Women's Liberation activists were unaware of its existence but reflects a process of re-conceptualization and reframing the issue within a feminist analysis. Women who had experienced male violence played a crucial role in driving this recognition and seeking support. Their courage and willingness to speak out contributed to the new strategic opportunities provided by the evolving women's movement. Various factors, such as changes in women's education, employment, and reproductive control during the 1960s, also contributed to the disconnect between early feminist movements and the identification of partner violence as a key issue.

Conclusion

This study focuses on the variables that impacted the evolution of domestic abuse laws in Bangladesh and investigates the role of transnational and regional forces in creating policy responses. It investigates the historical processes and causes of Bangladesh's acknowledgment of domestic abuse as a key policy problem. Domestic violence was not widely tolerated in Bangladesh because of societal and religious traditions, which led to the notion that husbands had the right to rule their wives and that physical violence was permissible. Women were raised in a patriarchal society that emphasized forbearance and bargaining with violent spouses. The feminist movement and women's organisations, on the other hand, played a critical role in opposing these standards and increasing the acknowledgement of domestic abuse as a serious issue.

International laws and agreements, such as the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), prompted Bangladesh to take action to promote gender equality and prevent violence against women. The UN also addressed the subject of violence against women, which resulted in increased awareness and global initiatives to prevent domestic abuse.

The research also investigates the role of various stakeholders, such as grassroots organisations and the battered women's movement, in campaigning for legislative reform and raising public awareness of domestic violence. These efforts helped reframe domestic violence as a communal rather than a private concern, paving the way for protective measures. The global and regional features of domestic violence policy development, as well as the involvement of numerous stakeholders, prompted Bangladesh feminist activists and groups to raise the concerns as policy priorities. CEDAW responsibilities provided the foundation for their demand, and they were eventually able to adopt a domestic violence statute in 2010.

Domestic violence has been highlighted as a policy problem in Bangladesh since the mid-2000s, but a comprehensive legal and policy framework to prevent domestic violence was not established until 2010. While scholarly attention to government action on domestic violence (DV) has risen, there is a dearth of investigation in comparative social policy and gender and politics studies of the impact of global policy reforms. Since the country's independence, women's movements in Bangladesh have concentrated on violence against women. Changes in women's education, employment, and reproductive control throughout the 1960s further contributed to the divergence between early feminist movements and the recognition of partner abuse as a critical issue.

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