

Sexual Assault (Rape) in Bangladesh

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Abstract

Rape violently asserts masculinity in a patriarchal society, which assigns women a subordinate position. The study focuses on nature and consequences of rape victimization, their sufferings under criminal justice system and adaptation problems in society. As descriptive study, content analysis and case studies basic methods were used. About 211 rape cases as secondary data and 23 rape cases as primary data were estimated in 2012. Most of victims were unmarried (age between 16-20) and more become victimized by acquaintance person where anger rape committed most (48.3% from newspapers and 100% from cases studies). Refuse of love was main factor for causing rape. Offender arrested rate was low (20.2%). running of trial process were less (44%). Medical test had completed for maximum cases (90.9%).suffering too much under criminal justice system was responsible for not reporting to police. Shame, fear, helplessness, frozen feelings were active as post traumatic situation. Free movement discards and degradation of quality of life arouse for adjustment problems after victimization. Findings were presented basis on objectives and explained by social structural, cultural, and institutional victimization theory. The study conducted for social awareness and for the improvement of criminal justice system towards rape victims.

Keywords: Rape victim; victimization; nature of rape; sufferings under criminal justice system; adaptation of rape victim; social structural, cultural, and institutional victimization.

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INTRODUCTION

Rape is an abhorrent form of violent against women. In the prevailing socio-economic, cultural and politico-religious settings women cannot play an assertive role in development activities, either in the family or in the state. They are still treated as the weaker segment of the society and are subject to various social and domestic repressive measures [1]. There are about 427 in 1990, 556 in 1995 which increase 3140 in 2000 and in 2003 it was 4442 rape cases were recorded by Bangladesh police [2]. About 239 cases were recorded in January 2011, 261 in February 2012, 304 in April 2012, 363 in June 2012, 341 in July 2012, 327 in March 2012 & 250 in August 2012, 252 in December in 2011. In 2010 the registered cases of cruelty to women were 16210.

Criminologist Adler and Muller defined 'rape is an act of enforced intercourse by a man without consent' [3]. Moreover rape is inherently a sexual crime of violence and an exercise of power, a "carnal knowledge" though the use of force or threats [4]. From different aspects we can identify the causes of rape; suppose male socialization where men are sexually aggressive & female fall victim, from psychological

view i.e. men has hostile and sadistic feelings towards women; as social learning i.e. 40% rapists watching pornographic films featuring women; as for sexual motivation i.e. rapist prefers younger and more attractive victims [5]. In patriarchal society, women are less powerful than man and for that reason violent against women committed more than any other crime in various patterns like rape [6]. In this study we consider the definition of rape given by Penal Code 1860 in the section 375. In many study explanation about the concept of rape and rape victims but overall conditions about rape victims according to criminal justice system there is no initiatives to clear the situation.

Rape is one of least reported crime but they differ in their estimates of number of unreported cases [7]. Law enforcement agencies, hospitals & courts are large bureaucracies many of the problems rape victims face are related to this fact. Victims feel lost & neglected. Arriving at the police station, the emergency ward or the court house they find that the organization has its own time schedule & procedures that are often set up more for the convenience of staff than for public it is to serve. Victims who arrived at the emergency ward of a hospital may have to wait a long time for an

exam, especially if more life endangering cases than theirs are ahead of them. In some hospital one must wait alone. At the court house, the victim may sit unnoticed for hours in a crowded, noisy, depressing corridor. The act of reporting a rape starts in motion a complicated process. She will be questioned by authorities and her statement, describing what is often one of the more painful & embarrassing moment in her life will be forever recorded in official files [8]. Victims often do not report the rape, largely because they fear overbearing, hostile police, and vicious attacks on their character. If the rape victim's conduct prior to the crime violated traditional sex-role norms, police commonly disbelieve her report or blame her for the rape. Afraid that losing cases will look bad on their records, prosecutors are excessively reluctant to prosecute acquaintance rapists [9]. After being raped victim experienced shock, pain and sufferings in humiliation [10]. Tortured victim have higher psychic problems and diagnosed the posttraumatic stress disorder [11]. Post traumatic stress disorder, sexual addiction, dissociative identity disorder, date rape drugs. Domestic violence, nightmares, club drugs etc diseases and condition are related after being raped [9]. Rape survivors experience common symptoms of flash blacks, nightmares, anxiety, depression and land low self-esteem [12]. Almost all victims are fearful of being alone and of re-victimization by the assailant [13]. Physiological and psychological both are the complications of rape, and for those rape survivors become social outcasts and rejected from family [14]. So, Not only health but also social and economic components of women's life become vulnerable after being victim of rape of women in Bangladesh [15].

Though different research highlights one or two sights like the nature and causes, psychological conditions of rape victim in Bangladesh, but from beginning through criminal justice system sufferings of rape victims, with traumatic situation and finally their adaptation scenario in society related study the means overall situation of rape victims related study not conducted before. The study has been conducted in respect of these following questions: What are the basic socio-demographic conditions of rape victims? What are the nature and causes of rape? What are the major sufferings facing by rape victims in the criminal justice system? What is the post-traumatic situation of rape

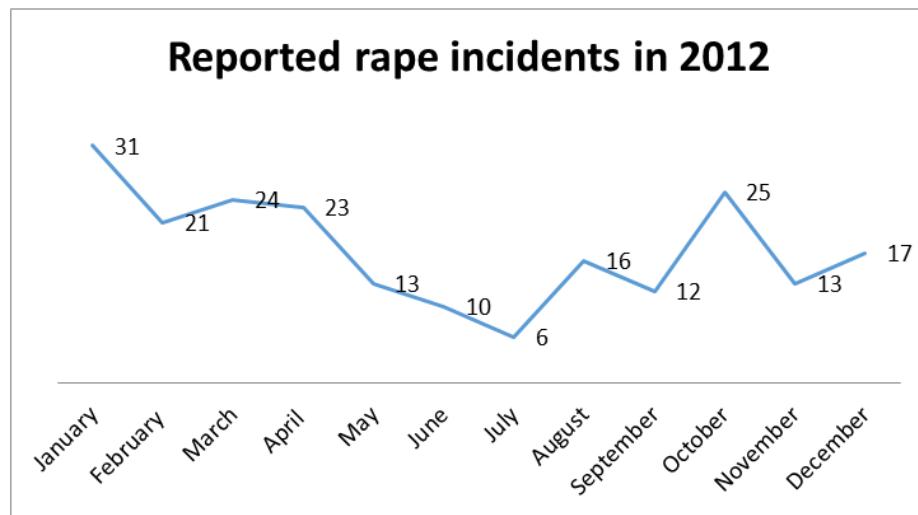
victims? In what situation after victimization they belong in society, and how they adapt it?

METHODOLOGY

Descriptive research design was followed in the study to describe the situation of rape victims. Content analysis and case study used to collect data on the basis of different data sources. Newspaper data was collected through checklists from four national newspapers where top and populated four newspapers used to collected data; primary data was collected through in-depth-interview techniques of survey method. Twenty three (23) cases were contact for in-depth interviews at victim's respective residence. Primary data covered the entire area of Tangail district. The study area selected as unique nature of rape statistics, availability of rape victims and easy access to researcher. Newspapers cover the remote area news of rape in Bangladesh with minimum explanations. Both combining newspaper and primary cases of rape victims helps to describe the overall situation of rape victimization. Form secondary data two hundred and eleven (211) rape related news of 2012 were collected for this study. Recorded cases in tangail district judge court of 2012 were selected for case study as primary data. Data triangulation used for combination of primary and secondary data. Based on qualitative data combination with primary and secondary sources data triangulation used here. As the design of research qualitative in nature, case study method used to describe the primary data. Only the description of research data described.

Analysis

To supplement primary data, newspaper data was collected from four prominent national daily newspapers. The daily Ittefaq, the daily Prothom Alo, the daily Jugantor and the daily Amer desh of 2012 were randomly selected for the study and highest rape incident was reported in the daily Amar desh (79). Most of the (15 per cent) rape incidents were committed in January and lowest in June (5 per cent). As primary data 55 cases were recorded in police court and twenty three cases were under charge sheet in police court were selected for primary data. Twenty three (23) cases were contact for in-depth interviews at victim's respective residence. Case study did on basis of twenty three cases.



Socio Demographic Characteristics of Rape Victims

From newspaper data about most of (77.1 per cent) the rape victim was student and unmarried rate (82.4% from primary data), and 85.2 per cent rape victims found unmarried. From newspaper data it found that, most of the (41 per cent) rape victim's age was in between 11 to 15 years old in accordance of tangail district, there was about 52.9% victims are belong age of 10-15. Among all victims of tangail district 58.8% were lives in village. Most of rape victims (88.2%) are literate in tangail district.

Nature of Rape Victimization

About (48.3 per cent) rape incidents were anger rape (refuse from his expectation) followed by (23.9 percent) date rape and stranger rape (5.9 per cent) and most victimization committed in morning (47.1%). From primary data all rapists were known by the victim in this study (100%). within the 'known' category, 44.6 per cent of rapes were committed by friends (25.5 per cent) or acquaintances (19.1 per cent) and most rape occurred at night and early morning [7]. About 43% in secondary case and four case was found in primary data was date rape. Marvin Wolfgang stated in active precipitation theory motivates women victimization [16]. In 1971 Menachim Amir suggested that, female victim contribute to their attacks through a relationship with the rapist [5] and in case of date rape at first start out as romantic though no intimate relationship and then deteriorate into rape. So the study supports active precipitation theory.

Factors Causing Rape

Most of the cases revealed that, socio-structural; cultural and institutional position of women are the main focus for rape victimization at present in Bangladesh. From newspaper data most frequently (37.6 per cent) the rape was causing for the refusal of love. Another big portion (16.6 per cent) is occurring for the refuse of illegal propose of offender. From case studies about 10 girls were victimized for refuse of love (from victims point of view) and betrayal of trust,

sadistic feelings towards women are the main causes for rape victimization. Larry J Siegel states in factors for rape case that (in case of Biological factors), Men are sexually aggressive for male socialization and female fall victim [5]. Hans Joachim Schneider's cultural victimization reflects powerful group try to take action against the opposite party and from Bangladesh scenario support these types of theory [17].

Sufferings Facing By Rape Victims and Attitudes towards Criminal Justice System

From newspaper data it resulted out that police action of rape case is very shocking in Bangladesh. Only 20.2 percent cases police arrested the accused and 14.4 per cent cases the police submit charge sheet to court, only in 1% cases, offender gets punished for rape cases. . Still 9.1 per cent victim were not examined medical after being raped. About most of victims were harassed by the police for entry a case because police took too much time to entry a case. It is too much painful to do medical examination of rape victim, because they first afraid of examination and sometime get outside from room". Findings from primary data it was happened. In courthouse victim may sit unnoticed for hours in a crowded, noisy and depressing corridor. The rape victim may find that she needs a little privacy but court make victims situation known to the community. Victims who arrived at the emergency ward of a hospital may have to wait a long time for an exam [8]. Police questioning focuses on the woman having brought on the attack herself by her dress, her inviting a man to her house, accepting a ride from a man, going to a bar unescorted, or by her past sexual experiences. According to Social structural, cultural, and institutional victimization theory rape may committed in society specially in case through criminal justice system.

Post-Traumatic Situation of Rape Victims

From newspaper data there was no information about post traumatic situation of rape victim. But from primary data physical shock, physical agitation,

heightened sensory, unconsciousness, frozen feelings, anxiety disorder, nightmares, fear, loss of confidence, sense of helplessness, self blame, shame and humiliation, grief and sorrow, worthiness all these are we can see among all victims Psychologically. From primary data feel frozen feelings physically, nightmares, fear, loss of confidence, sense of helplessness psychologically and decreasing social reputation, embracement in society and their free movement discards in every steps. Breakdown her school going because of being rape. The family deprivation binds their adaptation in society and family. Society's people neglect there in all steps. Free movement hampered for them. The social position of them becomes low as a woman. Negative looking; feeling of shame, self blame is now their usual problem in society. Explanation supports this study especially for post traumatic situation of rape victim. Surveys have revealed that 31–48% of rape victims eventually sought professional psychotherapy, often years after the actual assault. These observations suggest that the primary role of clinicians in the treatment of rape victims is the identification and handling of chronic, post-traumatic responses to a non recent experience [18].

Adaptation Problems of the Victims

All victims are alive but they all cannot adapt them in society of their present situation. Degradation of quality of life, decrease social reputation, feeling of embracement in society, free movement discard, become burden of society are always companion of them. Societies' people neglect them in every steps of work. They cannot come outside the house of their area. In case of married rape victim breakdown of marriage life, deprived from family, degradation of quality of life, decrease social reputation, feeling of embracement in society. Society's people's neglects in all steps. Free movement hampered for them. From primary data in case of unmarried girls who are victimized by rapist they did not adjust yet in the society. Three of girl marriage will be held with rapist but rest of unmarried girls situation is uncertain, they do not adjust in their respective society sometime they need to change their home because of their brothers or sisters and relatives also. Social structural, cultural, and institutional victimization theory, applied for this study because the structure of the economy and the system of power eminently influence views, value concepts, and the stereotypes of a society. All these are committed though Social, cultural and institutional victimization.

CONCLUSION

The research explores the general observations in relations and sufferings to rape victims. Anger type rape committed most (48.3%) in case of newspaper data and also from primary data. Refuse of love and betrayal of trust are the main cause for rape victimization. In case of both primary and secondary data by abduction most of the rape victims are felt in rape victimization. Police arrest frequency rate is 43.3% but submitted

charge sheet rate is low only 14.4%. Most of the rape cases trial processing starts but imprisonment of offender not completed yet. Rape victims are deprived of societal advantage treat as a social curse in case of both newspaper and primary data. Frozen feelings physically, nightmares, fear, loss of confidence, sense of helplessness are by large seen among the victims psychological condition and moreover breakdown of marriage life, deprived from family, degradation of quality of life, decrease social reputation, feeling of embracement in society are societal consequences after rape victimization. Social, structural, cultural and institutional victimization penetrate women victimization in developing countries because there women are treated as marginalized and edged of the society.

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