

Shalish (Mediation) to Right Social Wrongs

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SHYAMOLIS ex-husband thought it to be an easy escape for him. Of course, he was powerful - as a habildar - and had the prerogative of getting away with everything. That is his privilege of being in the police service. But this time it wasn't all that easy.

Shyamoli, in a remote village in Tangail, without retorting proved her tolerance from the very beginning of her marriage when she discovered that her husband had married earlier and had two children. Without really making an issue of it their marriage continued smoothly for a year during which they were blessed with a son. Soon after the birth of the baby Shamoli's husband was posted to Bhairab. This unfortunately brought an end to their married life, as he abandoned the family immediately after his posting, only to remarry a mother of four children.

He thought he would be able to get away with his unjustified doings. She came back to her parents and put up her case with the village elders. This led to two unfruitful sittings by the Salish committee in her village. Her husband "cleverly" ignored the messages for attending the Shalihs only to find himself in a worse position than he ever thought he would.

The Shalish committee with assistance from a legal aid organization contacted with Bhairab police headquarters. A notice warning that, failing to attend the next Salish will see the case travel to the court was served.

This was a turning point of the case Shyamoli's husband was shaken and panicked as his higher authorities took up the matter seriously and wanted to resist any damaging allegations against anyone in the service. Again, this would not be quite possible by the villagers alone, said Khadija Khatun a field worker of Nagorik Uddyog a non-government organization, working mainly in the field of legal aid and advocacy Shamoli's husband had to finally given in to the hands of family law and agreed to pay maintenance to the family which he abandoned.

The non-government organization that started off with mainly legal awareness programme has been working in Tangail for the last one and a half years. Both legal and civic education are closely inter linked with advocacy of human rights, so keeping this in mind Nagorik Uddyog's work has been mostly community based.

Bringing about small changes and educating communities especially about family laws and its dos' and don'ts, is not easy in the male dominated rural setting. Moreover discrimination against women permeates` in this society. Repressive age-old traditions, unquestioned social norms, unchallenged economic dependence and financial insecurity, illiteracy and ignorance, the invisibility and silence of women in public life - all these combine to keep women in a low state within their families and their communities.

Field workers like Khadija Khatun said, that they had to integrate themselves totally into the lives of the people in that community who are quite reticent when it comes to their family disputes, in order to understand their shortcomings and gain their confidence.

The Salish is an integral part of the traditional rural society in this country. Whatever be a person's social status, the first thing that he would do, is go to the Salish and solve the problem without going to the court. Legal disputes may be settled by negotiations and payment of damages, without the intervention of police or judges are made. That was in fact the initial thought behind the system of Salish.

Unfortunately, the system set to bring justice has over the years evolved in most cases as institution that discriminates harasses and tortures the most disadvantaged section of the society. And the worst victims are women. So democratising the 'Salish' to work for women and the very poor is one of the major goals of this organization.

"From the very beginning we have been working from the back stage a catalyst to make the existing social system work," said Mirza M Hassan the co-ordinator of Nagorik Uddyog. "We are dealing with very sensitive issues with beliefs and nations that are deeply engrained in their value system that the community people consider to be very personal without any alien intervention" he explained.

Therefore this organization gained legitimacy through empowering the community rather than dictating to them As Hassan clarified. "We want to see a sustainable social system where the presence of our organization will soon be marginalised. And the community people themselves will be able to take up matters without any organization in the background."

Successful cases like that of Shyamoli's and few others helped the otherwise submissive women to gain self confidence. The field workers of Nagorik Uddyog witnessed transformations as women in this village in Tangail began to throw off the shackles of centuries of ignorance and oppression. As women are aware of their legal rights and is witnessing its implementation - it has now helped them to articulate their own needs and demonstrate their sufferings. Their latent complaints are now coming forward.

In majority of case most women in the villages, like Shyamoli are totally ignorant about their legal rights and the ways of implementation of the existing laws. The men are not any better, as is in practice in the villages during Salish elite's murabbis (elderly people) and mollahs act as arbitrators of disputes and end up passing a judgement that is in most cases illegal. But there are times when to everyone dismay young widow like Moni unduly harassed her in laws and at one point forcibly acquired their belongings. Here too the workers of Nagorik Uddyog helped both sides to have a fair deal and the process taught Moni that it was illegal for her to everything from her husband's parental property.

Keeping all these in view, Nagorik Uddyog started its work with legal awareness programmes and moved on to legal aid as and when necessary. They have refrained from introducing any alien ways in their system and from the beginning until now has had an

integrated approach that respects their values and traditions and helps work to transform their communities.

“We first listen to the villages. Through discussions we try to arrive at a solution that the people in the village themselves consider to be acceptable. We intervene only when we are asked to or when there is need for legal clarification,” said Khakija Khanam.

It is well proven that only educating women about their rights and the legal system is meaningless. Nagorik Uddyog’s training and motivation of all women and men about the urgency for understanding the legalities of the existing social system and also about the need for men to work with women in challenging at all levels of the patriarchal system and gender disparity which demeans women and pauperizes everyone.

So along with empowering women to redress their grievances through Nagorik Uddyog’s active intervention there exists advocacy at the community level, with local leaders and elite’s such as union chairman and Kazis. Day-long workshops at different thanas every month has given the villagers an insight to the family laws and helped to clear out many preconceived notions which prevailed especially amongst the elite’s.

Time is definitely changing. More women in this village are raising their voice and asserting their rights. Despite restraints and pressures they are coming up for justice refusing to be locked up in the dark. There is a growing need for women’s equality at all level for implementation of women’s rights which are the key issues to ensure democratization of the civil society.

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