

## STRENGTHENING CHILDREN PROTECTION SYSTEM FOR REDRESSING DOMESTIC EMOTIONAL ABUSE OF CHILDREN: BANGLADESH PERSPECTIVE

Mirza Farzana Iqbal Chowdhury \*

***Abstract:** Children abuse is a threat to the development of children. Emotional abuse is such a classification of children abuse which kills children's mind silently but deeply. Although the government and non-governmental organizations are taking many steps to prevent other kinds of children abuse such as physical abuse or sexual abuse, but due to silent killing nature of emotional abuse it is quite unaddressed and un-redressed by them. In this paper I tried to discuss the aspect of emotional abuse elaborately and its impact on children's psychology. A structured questionnaire survey was conducted to examine the level of emotional abuse among the respondents. The field survey shows that families are not conscious about their treatment of children. So my concentration was to focus on the life-long impacts of the emotional abuse on children and to recommend a strengthened children protection system including community people to prevent and protect children from emotional abuse.*

***Keywords:** Emotional abuse, children's development, children protection system, child rights.*

### **Introduction**

Children are the future of a nation. But we see that often children become victims of different types of abuse because of their vulnerability. The term "Child Abuse" has a long bitter history. The abuse of children is often caused by parents or other family members in the name of parental control and was protected by a system of laws which entitle children with few rights. Under existing social structure, children are treated as property owned by the parents. Parents, particularly fathers, exercise great power over the treatment and discipline of children. It is a matter of great sorrow that even in this modern era we did not come out from this heinous outlook of which result is children abuse. Children abuse is often justified by various names, such as, a disciplinary measure, a legally sanctioned act, an economic necessity, or cultural and religious practice. Children abuse has serious physical and psychosocial consequences which adversely affect physical and mental health of children.

---

\* Mirza Farzana Iqbal Chowdhury, Lecturer, Department of Law, Daffodil International University

It is very difficult to track whether children's rights are being protected or not as in Bangladesh less than 10 per cent of children are registered at birth (UNICEF, 2008). As a result, existing children protection system does not necessarily represent the gravity of the problems truly which affects the adoption of proper children protection system directly or indirectly. In the absence of an appropriate protection framework and children-friendly legislation, children are being abused by perpetrators quite easily. Therefore, children abuse issue needs due attention by authorities as today's children will be acting as the driving force of development strategy of country tomorrow.

As per UNICEF statistics, in Bangladesh the number of children in the year of 2010 was 55938 thousand which is 37.62% of the total population of 148,692 thousand in the same year of 2010 (The World Bank, 2012). This percentage carries more than one-third of the total population and if children are not protected properly, it will be huge loss of country potentials. November 19 has been designated as the 'World Day for Prevention of Child Abuse'. Prevention of child abuse is given so much importance as it is thought to be the mother of the major social problems of today's world. Though every abused child does not have all these problems, it affects the mind of children so as to hinder their attainment of full potentials. This situation has serious negative effects not only on the development and growth of children but on the development of a nation as a whole.

Children abuse is now regular in the newspaper headlines and media news. Not only that, the Committee on the Rights of the Child (CRC) has also given concluding observation regarding Bangladesh on 26 June 2009 where the committee expressed its concern about the different kinds of abuse and neglect that occur in both public and private institutions and at homes (Save the Children, 2011).

Though Bangladesh government adopted various laws and policies to protect children rights, but because of weak implementation along with structural weaknesses of adopted children protection system, the situation of children rights are not satisfactory. Therefore adoption of an effective children protection system and its proper implementation is very necessary to establish children rights.

**Objectives**

The objectives of this paper are as follows:

- To identify children's right "Right to be free from emotional abuse" under international and national laws and policies.
- To focus on harmful impact of emotional abuse on children's psychology and development.
- To suggest various ways for developing a strengthened national children protection system to preserve child's right to development by redressing emotional abuse of child.

**Methodology**

Required data have been collected from both primary and secondary sources. Primary data were collected from answers of person-to-person on the basis of given structured questionnaire. The questionnaire comprises 15 questions. Total 110 respondents have been randomly selected for answering the questionnaire from three private universities: Daffodil International University, Asian University and Northern University. The ages of respondents were between 18-25 years who can understand the level of abuse at their childhood and can give a rational judgment in answering the questionnaire. The sources of secondary information include journals, newspapers, various publications of Amnesty International, UNICEF, SAVE the Children, WHO, FAO and other local and international organizations.

**Definition of children abuse**

Generally children abuse is any action or inaction which adversely affects children's physical health, emotional health and psychological health. Physical abuse and sexual abuse are harmful for children's physical health directly. These abuses affect emotional health and psychological health indirectly as after occurrence of any type of abuse, the victim child becomes traumatized.

'The Centers for Disease Control and Prevention (CDC) of the United States define child maltreatment as any act or series of acts of commission or omission by a parent or other caregiver that results in harm, potential for harm, or threat of harm to a child' (Leeb et al, 2008).

'According to the Journal of Child Abuse and Neglect, child abuse is any recent act or failure to act on the part of a parent or caretaker which results in death, serious physical or emotional harm, sexual abuse or exploitation, an act or failure to act which presents an imminent risk of serious harm' (Child Abuse in the United States, n.d.).

Again World Health Organization (WHO) defines 'Child Abuse' in its report on the Consultation on Child Abuse Prevention held at Geneva, March 29-31, 1999:

"Child abuse or maltreatment constitutes all forms of physical and/or emotional ill-treatment, sexual abuse, neglect or negligent treatment or commercial or other exploitation, resulting in actual or potential harm to the child's health, survival, development or dignity in the context of a relationship of responsibility, trust or power."

Children abuse is such a complex matter which involves various behaviors such as physical abuse, emotional abuse, sexual abuse, child neglect and commercial exploitation in the form of child labor and child pornography. Though it is a complex matter, it should be reported in time so that it can be investigated properly and stopped before much harm is done.

If we analyze the definitions, we can easily identify the following types of children abuse:

- a) Physical abuse
- b) Emotional abuse
- c) Sexual abuse
- d) Neglect
- e) Commercial exploitation.

Children should be protected by their family from abusers. If the family itself abuses children, the question arises where children will feel secured. If the family environment is not suitable for children, how can they cope with the situation at this very young age? Very often, children are emotionally abused within family which has a great negative impact on his/her self-development skills. But this sensitive issue often remains neglected and nobody is paying proper attention in this regard. Therefore the purpose of my article is drawing proper attention to this highly neglected aspect of children abuse and recommending adoption of a strengthened children protection system to redress emotional abuse of children and creating awareness about a children-friendly family environment.

#### **Definition of emotional abuse**

"When it comes to damage, there is no real difference between physical, sexual and emotional abuse. All that distinguishes one from the other is the abuser's choice of weapons" (Vachss, 1994). Emotional abuse is a pattern of behavior that can seriously interfere with a child's positive development and his self-respect.

World Health Organization (WHO) defines 'Emotional Abuse' in its report on the Consultation on Child Abuse Prevention held at Geneva, March 29-31, 1999:

"Emotional abuse includes the failure to provide a developmentally appropriate, supportive environment, including the availability of a primary attachment figure, so that the child can develop a stable and full range of emotional and social competencies commensurate with her or his personal potentials and in the context of the society in which the child dwells. There may also be acts towards the child that cause or have a high probability of causing harm to the child's health or physical, mental, spiritual, moral or social development. These acts must be reasonably within the control of the parent or person in a relationship of responsibility, trust or power. Acts include restriction of movement, patterns of belittling, denigrating, scapegoating, threatening, scaring, discriminating, ridiculing or other non-physical forms of hostile or rejecting treatment. "

Emotional abuse is a kind of abuse which kills children's mind silently. In case of physical or sexual abuse, physical evidence can be found and is used in penalizing the offenders. But as emotional abuse is hard to identify due to no physical evidence, it is more dangerous. Emotional abuse attacks children's emotional development and sense of self-worth. Emotional abuses can be in the form of excessive, aggressive or unreasonable demands which create pressure on children's mind. Emotional abuse includes failure to provide the psychological nurturing necessary for children's psychological growth and development (Kraizer, 2011).

To understand whether children are being emotionally abused or not, Arizona Child Abuse Info Center (2009) found the following indicators:

"Hiding his or her eyes, lowering his or her gaze, biting lips or tongue, forcing a smile, fidgeting, annoyance, defensiveness, exaggeration, confusion or denial, feeling of nakedness, defeat, alienation or lack of worth, regression, poor self-esteem, angry acts, withdrawal, insecurity, alcohol or drug abuse, depression, suicide, difficulty in relationships, eating disorders, sleep disorders/nightmares, speech disorders, developmental delays, nervous disorders or somatic symptoms."

Researchers have identified links between children abuse and neglect and several psychological consequences such as poor mental and emotional health, cognitive difficulties, social difficulties, behavioral consequences, difficulties during adolescence, juvenile delinquency and adult criminality,

alcohol and other drug abuse, abusive behavior (Child Welfare Information Gateway, 2008). Children abuse has immediate and long-term consequences. The immediate consequences are feeling of loneliness, fear, and lack of trust, whereas long-term consequences are lack of self-confidence, frustration, difficulty in relationships, suicidal tendency etc.

Emotional abuse is an emerging children abuse field. It is rarely recognized by society and traditional children welfare systems. Therefore interventions in such type of abuse are few. But as it has a profound impact on the emotional development of children, it should not be neglected and proper interventions should come forth to address this problem.

To address this problem properly we need to know how this abuse happens. These are most often like the following:

“To tell a child in many ways that he or she is unwanted, to show no interest towards the child, not to give or return affection, not to listen to the child what he or she wants to share, not validating feelings or telling the feelings of the child as fake, to be indifferent about tears of child, to give false promise or to break promise, to cut the child off while he or she is speaking or telling “You are telling non-sense” without just reasons, to pretend to hear concerns but then to disregard them, to judge what the child does as wrong, inferior, or worthless, to condemn the child telling “Who do you think you are, Mr./Ms big guy/girl?, “What do you think about yourself, very special? Huh!” etc., to accuse, blame, insult, criticize, punish and threaten with abandonment, physical harm, or death or telling to the teacher or others, to label the person as a loser, to take advantage of the person’s weakness, to manipulate the sentences of the child, not to allow the child to engage with peers or activities, to withhold information, to tell lies to avoid justifying actions or ideas (TEACH through Love, 2012).”

This list is not exhaustive. There are many other behaviors which are causing emotional abuse of children and preventing healthy development of the child.

Now we will see whether there is any law and policy in Bangladesh to combat this problem.

**International commitments of Bangladesh regarding various child rights related to emotional abuse**

Bangladesh is an early signatory of the Convention on the Rights of the Child 1990. The Committee on the Rights of the Child (CRC) is the body of independent experts that monitors implementation of the Convention on the Rights of the Child by its State parties. The principles of the convention are to ensure non-discrimination to any child, devotion to the best interest of child, the right to life, survival and development and respect to the views of children (UNICEF, 2008).

Article 2 of CRC contains 'Principle of non-discrimination' according to which 'States Parties shall respect and guarantee the rights set forth in the CRC to each child within their jurisdiction without discrimination of any kind, irrespective of the child's or his or her parent's or legal guardian's race, color, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status.'

Article 3 of CRC contains 'Principle of the best Interests of the child' according to which 'The best interests of the child should be the primary consideration in all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies.'

Article 12 of CRC contains 'Principle of the right to participate', according to which 'States should assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child.'

Again CRC contains 'Respecting the rights to life, survival and development' of child. As children abuse is likely to endanger the survival and development of affected children, state parties are responsible for preventing children abuse.

By signing in the CRC, the government of Bangladesh is committed to improve the situation of children rights in the country so that children's rights under the Convention are realized.

Besides CRC, Bangladesh also made commitments in May 2002 at the United Nations Special Session on Children and endorsed the World Fit for Children document. Bangladesh signed Millennium Declaration. The second point of the declaration calls the state parties to recognize their duty to the

vulnerable and in particular, to the children of the world (UNICEF, 2008).

In addition, Bangladesh endorsed the SAARC Convention on the Regional Arrangements for the Promotion of Child Welfare in South Asia 2002.

### **Existing law and policy in Bangladesh to combat emotional abuse of children**

There is not any specific article in our constitution for protecting children rights although according to the constitution of Bangladesh nothing shall prevent the state from making special provision in favour of women and children or the advancement of any backwards sectors of citizens. To protect children's rights, the Children's Act 1974, and the Children's Rules 1976 were enacted. The Children's Act 1974 provides for care and protection of destitute and neglected children and contains provision for the punishment of special offences such as cruelty to children.

Bangladesh signed and ratified the UN Convention on the Rights of the Child (UNCRC), 1990 and is working to implement its provisions. Bangladesh formulated and updated the following children-related policies and plans:

- i) 1<sup>st</sup> National Plan of Action (NPA) for the children in 1992 for the term of 1990-1995
- ii) 2<sup>nd</sup> National Plan of Action (NPA) for the children in 1999 for the term of 1997- 2002
- iii) 3<sup>rd</sup> National Plan of Action (NPA) for the children in 2003 for the term of 2004- 2009
- iv) Bangladesh Decade Action Plan for the Girl Child 1991-2000, initiated in 1993 (Pragati).
- v) National Policy on Children (NPC) - 1994.
- vi) National Children Council (NCC) - 1994

After the 1<sup>st</sup> and 2<sup>nd</sup> NPA, the Ministry of Women and Children Affairs (MOWCA) of Bangladesh began a series of discussion in 2003 on the preparation of 3<sup>rd</sup> NPA (2004-2009) for Children. The discussion identified five thematic areas: (1) food and nutrition, (2) health, (3) education and empowerment of the girl child, (4) protection from abuse, exploitation and violence, and (5) physical environment (Ministry of Women and Children Affairs, 2011).



In the discussion of preparation of 3<sup>rd</sup> NPA, under the heading of Protection from Abuse, Exploitation and Violence the interventions of enabling environment; prevention; protection, recovery and reintegration; and prosecutions of perpetrators were defined. In February 2009, government of Bangladesh formed the National Committee on Women and Children Development (NCWCD) that will closely monitor women and children development (MOWCA, 2011).

Again, if we examine the national children policies, we find that 'The National Policy on Children, 1994' stipulates that a proper family environment is one of the main preconditions for the proper development of a child. The NPC identified the need for assistance to children in difficult circumstances, and ensures the protection of the legal rights of children within the national, social and family context. The policy clearly states that the government has adopted the principle of 'Best Interest of the Children' - that is, in all national, social, family or personal situations, the best interest of the child will be held paramount (Mashreque, 2012). The latest national children policy adopted by Bangladesh is the National Children Policy 2011 of which one of the strategies is to protect children from abuse and provide them medical and financial assistance (MOWCA, 2011).

So we see that Bangladesh adopted various policies and action plans to protect and prevent children from abuse. To stop oppression on women and children, Bangladesh also enacted Nari O Shishu Nirjaton Daman Ain in the year of 2000. This Act contains some provisions regarding children related oppressions such as children trafficking, children abduction, children rape, sexual assault, mutilation or maiming of children. These oppressions are more in the nature of physical abuse or sexual abuse which indirectly may cause emotional abuse. But there is nothing contained in the Act which purely deals with emotional abuse. This lacking of holistic approach to consider children abuse is the weak point of the Act.

Afterwards, considering the weaknesses of Nari O Shishu Nirjaton Daman Ain, 2000 and to protect children from domestic violence, Bangladesh enacted another Act, 'The Domestic Violence (Prevention and Protection) Act, 2010'. Comparatively this Act dealt with 'Emotional Abuse' of children by family members.

### **Review of the Domestic Violence (Prevention and Protection) Act, 2010**

The Domestic Violence (Prevention and Protection) Act, 2010 defines

‘Domestic Violence’ as any physical and mental torture, sexual harassment and psychological harassment of a woman or child by any member of the family. Any action that causes or likely to cause damage to the life, health, security or any organ of the body of a woman or child, forcing any individual to commit an offence or any provocation for doing so will constitute a domestic violence. Any oral abuse, insult, ignorance, threat to any individual or making any utterances that may cause mental harassment and interference in individual’s freedom of movement and opinion by any member of the family will also be counted as a domestic violence (South Asians for Human Rights, 2010).

Sec 2(6) of the Act defines “Aggrieved Person” as any child or woman who due to family relations became victim of domestic violence, or being victimized of domestic violence or in the risk of becoming victim of domestic violence. Section 4 of the Act asks a police officer, *being informed in any manner* about a domestic violence, to make the victim aware that she could get redresses, including legal aid and medical treatment. Under section 5 of the Act, the government will have to appoint an enforcement officer for every upazila, police station, district and metropolitan area to ensure enforcement of the law. The enforcement officer will monitor domestic violence in the area under his or her jurisdiction and if any domestic violence is reported, the officer will inform the officer-in-charge of the police station concerned, apply to the court concerned seeking protection of the victim and arrange medical examination and treatment of the victim, according to section 6 of the Act. Rights organizations and non-governmental organizations campaigning for protection of women and children’s rights will be considered as service organizations in order to ensure enforcement of the law and according to section 7 of the Act they will be entrusted with recording any incident of domestic violence and reporting to the court and police station concerned and ensuring safe custody of the victim at a safe home. According to section 8 of the Act, enforcement Officer shall arrange shelter for the victim if required. But the traditional shelter homes provided by NGOs and Government create threat to social integration Program instead of helping (Taslina et al, 2012). ‘In this regard the stakeholders need to be prompt to utilize the maximum resources effectively in applying the law in the ground’ (Ibid, 2012).

According to section 21 of the Act, any petition seeking protection of a victim can be filed with the court of first class magistrate or metropolitan magistrate concerned by the victim or the enforcement officer. Under section 14 of the Act, if the court is satisfied that a domestic violence has been

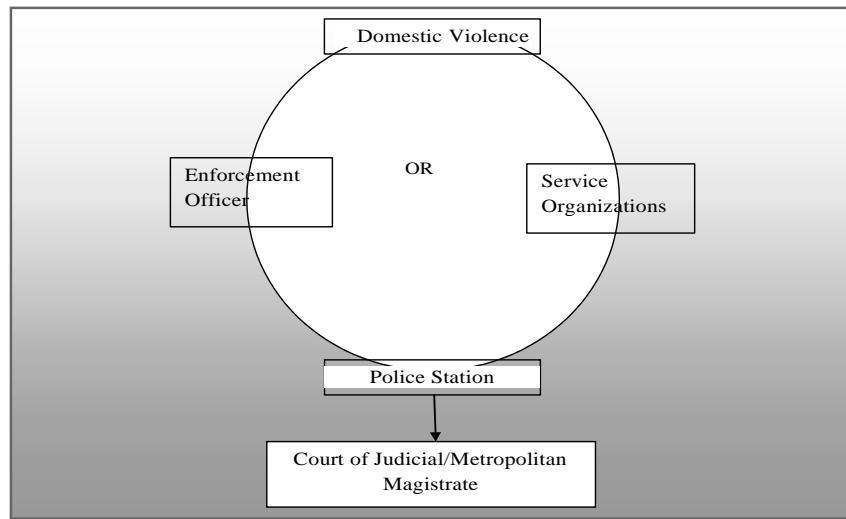
committed or there is a possibility of such violence, an *ex parte* interim protection order may be issued against the respondent and simultaneously a show cause notice to the respondent to reply within 7 (seven) working days why permanent protection order shall not be issued against him. According to section 30 of the Act, if a person fails to comply with court orders to ensure protection of the victim, s/he will be punished with imprisonment for six months or with a fine of Taka 10,000 or with both and for any repetition of the offence, the perpetrator will be punished with imprisonment for two years or with a fine of Taka 1 lakh or with both.

Therefore we can see that though Bangladesh adopted a good law to protect child from abuse but this Act is not organized enough. It emphasizes punishment of offenders rather than preventing emotional abuse of a child. This Act does not give more attention to awareness rising and involves law enforcement agency more than the concerned community of the victim child. The Domestic Violence (Prevention and Protection) Act 2010 adopted the traditional approach of involving law enforcement agencies rather than adopting a modern approach of involving community to make the society more sensitive about children's protection issues.

According to the Transparency International Bangladesh 2010 survey, law enforcement agencies were found to be the second most corrupt sector in Bangladesh (Farzana, 2012). The TI Bangladesh 2010 survey found that out of the total number of households that received services from law enforcement agencies and faced corruption 91.2% of the corruption was perpetrated by thana police (Ibid, 2012). Some of the main reasons for paying a bribe were - lodging a complaint (74.7%), avoiding arrest (38.1%), properly lodging charge sheets (11.4%) and avoiding torture (11.1%) (Ibid, 2012). Being bribed by the perpetrator, police officers do not want to file a petition and if already filed, on behalf of perpetrator, intimidates applicant to withdraw petition (The Lawyers and Jurists, 2010).

Where police sector is one of the most corrupt sectors of Bangladesh, how can the Domestic Violence (Prevention and Protection) Act 2010 be effectively implemented, of which working method depends to a great extent on the role of police officer!

The working method reflected in the Domestic Violence (Prevention and Protection) Act 2010 is as follows:



From the above figure, we can see that police station is the linking point or middle-men between domestic violence acts and protection from court. When Transparency International Report of 2010 reveals this linking point as the second most corrupt sector of the country, can this Act work properly to ensure justice of the victim women or children who are vulnerable in society? Without a reformed police sector, we cannot expect the proper functioning of the Domestic Violence (Prevention and Protection) Act 2010. Critics also express their doubts about effectiveness of the Act since it does not contain any provision for community participation and according to them, this Act can hardly be implemented without community participation and other logistic support (Taslina et al, 2012).

Although the law came into effect in December 2010, it is not yet enforced. No petitions have been filed with the courts as the government has not formulated the rules necessary for its implementation and has not appointed enforcement officers (Immigration and Refugee Board of Canada, 2011).

### **The role of non-governmental organization and other organizations**

#### **A. UNICEF**

To protect children's rights, UNICEF is working worldwide. In the context of Bangladesh, the role of UNICEF is quite praiseworthy. UNICEF supports government initiatives to maintain harmony between domestic legislation and

international standards along with the Convention on the Rights of the Child (CRC). To achieve this goal, UNICEF proposed legislation of a new Children's Code where all rights and principles of children mentioned in CRC and other international standards will be included. UNICEF has also supported the Government to amend the 1974 Children Act which covers children in conflict with the law and children in need of protection in line with the CRC (UNICEF Bangladesh, n.d.).

Along with other children rights, UNICEF Bangladesh is also working specifically to establish protective mechanisms against 'abuse, exploitation and violence'. To this end, UNICEF, the Government of Bangladesh and the Save the Children Alliance jointly conducted a study on children abuse. To protect children at risk UNICEF Bangladesh works to bring necessary legislative and institutional reforms, advocates on the rights and requirements of vulnerable children and participates in capacity building of child protection services and in piloting of child protection systems (UNICEF, 2008).

In case of 'Children Protection System', UNICEF advocates such a national children protection system which will support all vulnerable children, including victims of trafficking, violence, abuse and exploitation. According to UNICEF, this system should link together all public and private organizations and institutions that are working to support 'children at risk'. To support this network, UNICEF proposes development of a national child protection information management system where all required information about child protection will be available. Not only these, UNICEF also proposes adoption of community-based child protection systems (UNICEF, 2010).

### **B. Save the Children**

In curbing violence against children in Bangladesh, Save the Children emphasizes empowering communities through local community based organizations and calls for strengthening of national children protection system including community participation. Both the leading NGOs are working on strengthening policy, increasing life skills of children and trying hard to implement national child protection system and many other strategies to prevent children abuse but any special initiative regarding prevention of emotional or psychological abuse by these NGOs are not visible.

#### **Field survey**

I conducted a survey on 110 Bangladeshi students of private university level in July 2012 as mentioned in the methodology to understand their level of emotional understanding in their family.

Table-1: Impression about own family

<b>Choices</b>	<b>Scores</b>	<b>Percentage</b>
Good	96	87.27%
Bad	0	0%
Satisfactory	14	12.72%

Table-2: Less importance among siblings

<b>Choices</b>	<b>Scores</b>	<b>Percentage</b>
Yes	8	7.27%
No	102	92.72%

Table-3: Getting access of respondent's in sharing stories with family

<b>Choices</b>	<b>Scores</b>	<b>Percentage</b>
Yes	34	30%
No	23	20%
Sometimes	53	47%

Table-4: Mental pain about false promise of family

<b>Choices</b>	<b>Scores</b>	<b>Percentage</b>
Yes	45	40%
No	47	43%
Not happened	18	17%

Table-5: Without reasonable cause giving no importance to opinion

<b>Choices</b>	<b>Scores</b>	<b>Percentage</b>
Yes	24	22%
No	47	43%
Sometimes	39	35%

Table-6: Tendency of underestimating all things of respondents

<b>Choices</b>	<b>Scores</b>	<b>Percentage</b>
Yes	10	9%
No	100	91%

Table-7: False blame by family

Choices	Scores	Percentage
Yes	25	22.72%
No	85	77.28%

Table-8: Threat to hurt physically

Choices	Scores	Percentage
Yes	49	44.55%
No	61	55.45%

Table-9: Reaction of family about coming of friend at house

Choices	Scores	Percentage
Happy	40	36.36%
Expressed annoyance	11	10%
No special expression	59	53.63%

Table-10: Threat to abandon

Choices	Scores	Percentage
Yes	11	10%
No	99	90%

Table-11: Frustration due to family mal-treatment

Choices	Scores	Percentage
Yes	48	43.63%
No	62	56.37%

Table-12: Attempt to suicide due to family mal-treatment

Choices	Scores	Percentage
Yes	7	6.37%
No	103	93.63%

Table-13: General impression about children treatment by families

Choices	Scores	Percentage
Proper behavior	36	32.73%
Mental torture by families	59	53.64%
Sometimes good, sometimes bad	15	13.64%

Table-14: Proposing solution by respondents regarding saving children from emotional abuse by own family

Choices	Scores	Percentage
Child has to agree always with family	36	32.73%
Community and law must help the child	72	65.45%
We do not need any change of family behavior	2	1.8%

Table-15: Assessment of psychology of respondents regarding raising their future children

Choices	Scores	Percentage
Affection and ruling ( <i>Traditional approach</i> )	24	21.82%
Huh, do children need any right?	0	0%
I will try my level best to ensure optimum level of development of my children. ( <i>Modern approach</i> )	86	78.18%

### Major findings of the study

Although *prima facie* most respondents have good impression about their family's behavior but the pattern of answering questions does not justify their *prima facie* good impression. 7.27% of respondents reported that they were given less importance than their siblings in their home. 20% reported that they did not get access to share their story within family. 40% reported that they were hurt because of false promises by family. 22% told that their opinion was neglected by own family without reasonable reason. 9% reported that family had tendency to underestimate them. 22.72% told that they were blamed falsely by own family. 44.55% reported that they were threatened to be hurt physically by family. 10% told that family expressed annoyance regarding coming of friends at home. 10% told that their family threatened to abandon them. 43.63% told that they got frustrated due to family mal-



treatment in their life. 6.37% of respondents revealed that they attempted to suicide due to family mal-treatment. 53.64% expressed that generally children suffer mental torture within their own family. 65.45% agreed that law and community should help to save children from emotional abuse by family. In respect of caring future children of respondents, 21.82% showed traditional approach of affection and ruling and 78.18% showed modern approach of ensuring full development of children.

So we can see that emotional abuse is occurring in family and children become victim of emotional abuse by their own family. It is a matter of concern that those incidents of abuse create harmful impacts on the psychology and development of victim children even without their conscious understanding for which they may face multi-faced problems in their adulthood. If families become conscious at the very beginning of raising their children, many psychological and social problems can be reduced to a great extent.

### **Problems**

To address the emotional abuse issue properly in the context of Bangladesh, we have to understand the existing challenges which may hinder in the way of implementing laws and programs to prevent emotional abuse. The challenges are as follows:

1. The traditional culture of ruling upon children is the root cause of widespread abuse of children in Bangladesh. Often guardians are unable to understand the differences between ruling and abuse. Moreover, some guardians tend to deny allegations of abuse. They think what they do in name of ruling are alright. But they have to understand that if their actions create a harmful impact on the psychology of children, those actions cannot be justified in the name of ruling. In the regard of parental control, approach of Bangladesh is quite conservative and governments do not want to interfere in parental control. But as a state party to the Convention on the Rights of the Child 1990, Bangladesh is morally bound to interfere in such parental control which affects 'The Best Interests of the Child'.
2. Gender discrimination is another problem. Often disabled children and girls are more prone to be emotionally abused. The guardians and the society do not want to understand that the fear, lack of confidence and loss of trust are more harmful than the actual act of physical or sexual violence. Physical or sexual violence can be traced through medical treatment but emotional or psychological damage only can be understood

after a long period of time and by that time, much harm has already been done. These emotional stresses make children confused about their future roles, maintaining friendship, exploring their potentials as they suffer from lack of confidence and feel themselves guilty for all abusive things done on them. Children or teens who have been abused emotionally need moral support and reassurance that it is not their fault and they are perfectly good like others in any respect. But in reality often relatives, friends and society take the opportunity to blame them for the abusive things done on them.

3. Children who are victim of emotional abuse tend to be drug-addicted as a form of escape from their frustration. These children are vulnerable to HIV/AIDS and other transmitted infections.
4. 25 million people in Bangladesh are under extreme poverty line and 45 million people are under moderate poverty line (Perry, 2013). 'Communities with high levels of poverty tend to have deteriorating physical and social infrastructures and fewer of the resources found in wealthier communities' (World Health Organization, n.d.). So children who have a lack of economic opportunities and poor education are also more at risk of being abused.
5. Although in the Convention on the Rights of the Children 1990, 'Right to Expression' of children is guaranteed, children in Bangladesh rarely can exercise their 'Right to Expression' and when they do, adults do not give importance. In the teen-hood, when children are in the phase of developing the capacity for independent opinions and decision-making, parents often themselves make important decisions concerning lives of their children and children do not get chance to express their own decision (World Vision Bangladesh, n.d.). To ensure children's right to expression, initiatives in seeking the children's views in the formulation of policies regarding children abuse have been taken at national level. But the parents oppose their children from participating in such initiative because of fear of losing parental control (Ibid, n.d.).
6. Though Bangladesh government adopted various policies for development of children rights but government has no clear action plan of fulfilling the targets (Newaz, 2011).
7. Government ministries and agencies working on children protection are often grossly under-funded and their allocations are very poor compared with other sectors. The development budget for Ministry of Women and Children Affairs in Social Protection sector in 2012-2013 fiscal year is

225 crore which is only 0.41% of the total ADP of Bangladesh (Department of Development Studies, University of Dhaka et al, 2012).

8. Traditional cultural norms and rituals often allow flexibility in the issues of violence against children, child labor, child marriage or Child maltreatment. These are often seen as family or religious matters and are not within the power of the government or NGOs to intervene. However, awareness-raising campaigns have been successful in bringing change in social thinking but still these are not very satisfactory.
9. Children's rights to care and protection are outlined in the UNCRC, which states that every child has the right to be free from abuse, exploitation and neglect. But millions of children worldwide face violence and abuse in all places, even at home and in school, which are thought to be the safest places for children. It is extremely difficult to find reliable statistics for the number of abused and exploited children as the guardians do not want to reveal these to the society in fear of future problems but by this silence, abused children suffer most as they feel themselves guilty for all things.
10. In Bangladesh, children protection system tends to focus on a specific point: protection from sexual violence. But children protection is not only the protection from sexual violence but also protection from physical abuse, emotional abuse, neglect and commercial exploitation. Therefore Bangladesh needs to define children protection in a more comprehensive way so that children at risk can be saved by proper initiatives within time.
11. There are lots of laws in Bangladesh that seek to protect children from negligence, cruelty, exploitation and abuse and to promote their development. However, existence of these laws does not necessarily imply the proper protection of children from different forms of abuse. Implementation of these laws is seen as a challenge as it lacks co-operation of all and it is also resource-intensive.
12. Progress in children's well-being has lagged behind in some areas, in particular, nutrition, water and sanitation, and protecting children from abuse and exploitation. Therefore this area needs much more attention to protect children from all probable harms and to ensure sustainable development of children (UNICEF, 2012)

### **Proposing a strengthened children protection system**

#### **Monitoring and Reporting**

Ensuring rights of every child is government's duty. Community-based

children protection mechanism needs to be developed by the help of government. A central committee for prevention of children abuse should be formed under the Ministry of Women and Child Affairs. For the convenience, the committee shall be divided into many sub-committees dealing different types of children abuse separately. Area-based observatory groups should be formed in every area to observe whether children are being emotionally abused in that area. District-wise sub-committees should be formed to investigate the reports of children abuse in that district which shall be reported by area-based observatory groups including community people. These are shown by the following figure:

### **Prevention, Protection and Punishment (3 P's) Framework**

In order to ensure children's right to be free from abuse, a strong framework should be adopted containing 3P (Prevention, Protection and Punishment) altogether. Not only adoption theoretically, but also these should be strictly implemented by proper authorities. While addressing this issue, we should adopt sensitive humanitarian approach to the victim children rather than mere penalising the offenders. Therefore 2 P (Prevention and Protection) should be more emphasised than punishment. Prevention scheme includes awareness program in media (television, newspaper), rally, and schools etc. explaining harmful impact of emotional abuse on children and punishment provisions for abusers. As awareness-raising on children's rights and social mobilization may contribute to improvements of children protection, we can adopt various awareness rising programs to change societal traditional norms and approaches which ultimately will contribute in preventing emotional abuse of children. To raise awareness among children, revising educational curriculum in the light of article 28 and 29 of the Convention on the Rights of the Child 1990 is necessary. Different aspects of abuse and manner of prevention and protection from abuse should be included in the educational curriculum. Again, protection scheme may be divided into two parts: pre-abuse (including prevention scheme) and post-abuse. Pre-abuse protection system includes initiatives to be taken to prevent abuse. Post-abuse protection system should include psychological counseling and shelter home for abused children for a short time considering the principle of the best interests of the child and principle of the right of participation of child mentioned in the CRC and successful reporting mechanism for real and probable abusers. To protect children rights, government should take necessary steps from root level to the middle level for establishing reformatory, rehabilitation centers, drop-in centers, helpline and arranging psycho-social counseling and providing necessary treatment, food and entertainment at division,

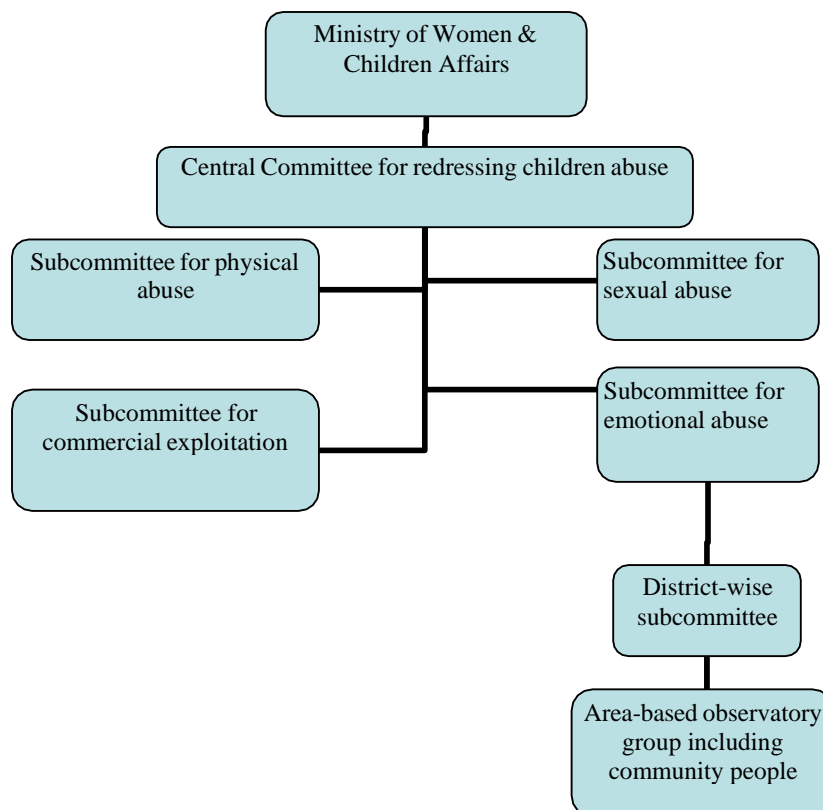


Figure 2: *Proposed Monitoring and Reporting Mechanism*

district, upazila and even at the union level for the poor children to protect them from abuse. Punishment scheme should include punishments under reformatory and deterrent theory. Punishment scheme may include warning and mandatory training for abuser family in order to develop their traditional mindset regarding their children (Reformatory theory of punishment) and in case of more than one abuse complaint for the same family, punishing under deterrent theory of punishment by the way of fine and imprisonment. To ensure children's right to be free from abuse, government must control corruption within law enforcement agencies and must conduct periodic

reviews to observe functions of children-protection authorities so that they cannot misuse their power.

### **Recommendations**

To resolve issues of emotional abuse of children in the context of Bangladesh, the following recommendations may be suggested:

1. Government must establish a proper monitoring and reporting mechanism on children abuse cases.
2. Government should transform its ambitious policy commitments into detailed programs linking between sectors and in order to implement those programs, government should invest properly.
3. Necessary legal reforms must be undertaken. Domestic Violence (Prevention and Protection) Act 2010 should be revised in respect of monitoring, reporting, protection and punishment aspects.
4. Government needs to take a focused action in redressing emotional abuse.
5. Counselling programme in schools to raise awareness regarding emotional abuse of children should be initiated.
6. Education curriculum should be updated containing information regarding prevention and protection of children from various abuses.
7. Guardians should be more conscious about their behavior as guardian and they should come out from traditional oppressive mindset. They should bring positive attitude in their parental character to ensure the full development of their children.

### **Conclusion**

Emotional abuses of children are the bad treatment of children by parents, caretakers or others. Emotional abuses of children are those things that cause injuries or put children in danger of injuries. Children have the right to life, survival and development. Right to life does not mean only being physically alive; it means to live fully, meaningfully and without fear. Without emotional development, children cannot enjoy right to life properly and cannot be developed in the true sense of the term and face many problems in the present and future relations. Emotionally abused children face lots of psychological problems which ultimately affect the development of the nation. Due to difficulty of identification, this abuse is occurring silently and abused children are dying in every moment under the curtain of traditional societal structure on which proper attention of all is the urgent need. Avoiding this aspect of children abuse, we cannot expect children in their

best developmental stage and also a nation in its best developmental condition. Therefore strengthening children protection system to redress the sensitive issue of emotional abuse of children is now not a small issue, it is the very demand of time. Proposing children protection system without involvement of community people cannot bring a positive result in curbing children abuse problems. Involving community people in the prevention and protection framework will not only increase effectiveness of the system but also their involvement will facilitate the dissemination of information regarding children rights and protection mechanisms. The perpetrators or probable perpetrators cannot avoid the moral pressure of community people and they will tend to be restrained by the society. Only policing system to punish offenders without sensitizing people regarding children rights and affected psychology of victim children cannot wipe out children abuse problem from the root. Proper humanitarian approach is needed to understand the deep level impact of children abuse incidents and to develop a better children-friendly environment. Therefore a strengthened children protection system should be structured so as to include humanitarian approach, community-based participation, revised education curriculum, participation of children in policy-making regarding their rights, a scheme of developing modern approach of guardians to bring children up and overall the children protection system shall ensure the full and uninterrupted development of potentialities of children in Bangladesh.

### References

- Arizona Child Abuse Info Center (2009). Signs and Symptoms. Available at: [http://www.childhelpinfocenter.org/index.php?option=com\\_content&task=view&id=28&Itemid=41](http://www.childhelpinfocenter.org/index.php?option=com_content&task=view&id=28&Itemid=41) (Accessed 2 February 2013)
- Child Abuse in the United States* n.d., Available at: <http://www.mtholyoke.edu/~tasni23s/classweb/pol116/pages/What%20is%20Child%20Abuse.html> (Accessed 16 April 2013)
- Child Welfare Information Gateway (2008), Long Term Consequences of Child Abuse and Neglect, Available at: [https://www.childwelfare.gov/pubs/factsheets/long\\_term\\_consequences.cfm](https://www.childwelfare.gov/pubs/factsheets/long_term_consequences.cfm) (Accessed 16 April 2013)
- Department of Development Studies, University of Dhaka, Centre for Services and Information on Disability, Save the Children in Bangladesh (2012), 'Reflection on 2012-13 National Budget', August, p.59, Available at: <http://www.infokosh.bangladesh.gov.bd/files/6064.pdf> (Accessed 27 April, 2013)
- Farzana, N 2012, *Overview of corruption within the justice sector and law enforcement agencies in Bangladesh*, Transparency International Bangladesh, 13 February, p.6, Available at: [http://www.transparency.org/files/content/corruptionqas/316\\_Judiciary\\_and\\_law\\_enforcement](http://www.transparency.org/files/content/corruptionqas/316_Judiciary_and_law_enforcement)

\_Bangladesh.pdf (Accessed 26 April 2013)

Government of Bangladesh. 'Nari O Shishu Nirjatan Daman Ain (2000)', Available at: [http://bdlaws.minlaw.gov.bd/pdf/835\\_.pdf](http://bdlaws.minlaw.gov.bd/pdf/835_.pdf) (Accessed 27 July 2012)

Government of Bangladesh. 'The Children Act (1974)', Available at: [http://bdlaws.minlaw.gov.bd/chapter.php?act\\_name=The Children Act, 1974 &vol=&id=470](http://bdlaws.minlaw.gov.bd/chapter.php?act_name=The Children Act, 1974 &vol=&id=470) (Accessed 27 July 2012)

Government of Bangladesh. *English Version of the Domestic Violence (Prevention and Protection) Act* (2010), Available at: [http://phrplanbd.org/attachments/article/42/DV%20Act\\_Engling%20Translation%20%28unofficial%29.pdf](http://phrplanbd.org/attachments/article/42/DV%20Act_Engling%20Translation%20%28unofficial%29.pdf) (Accessed 26 July 2012)

IRB - Immigration and Refugee Board of Canada (2011). Bangladesh: Domestic violence, including legislation, state protection, and services available to victims (2007-July 2011) [BGD103807.E]. Available at: [http://www.ecoi.net/local\\_link/203055/308008\\_en.html](http://www.ecoi.net/local_link/203055/308008_en.html) (Accessed 26 April 2013)

Kraizer, S. (2011). Understanding Emotional Abuse, Available at: <http://www.safechild.org/new/2011/12/06/understanding-emotional-abuse/> (Accessed 12 July 2012)

Mashreque, Shairul (2012), Child-related policies in Bangladesh: Some Reflections, Daily Sun, 6 November, Editorial page, Available at: [http://www.daily-sun.com/details\\_yes\\_06-11-2012\\_Child-related-policies-in-Bangladesh:-Some-reflections\\_311\\_2\\_5\\_1\\_0.html](http://www.daily-sun.com/details_yes_06-11-2012_Child-related-policies-in-Bangladesh:-Some-reflections_311_2_5_1_0.html) (Accessed 16 April 2013)

Ministry of Women & Children Affairs (Bangladesh) (2011), 'Jatiyo Shishu Niti 2011', Available at: [http://www.mowca.gov.bd/?page\\_id=36](http://www.mowca.gov.bd/?page_id=36) (Accessed 3 July 2012)

Newaz, S. (2011), Development Policies for Street Children in Bangladesh, Available at: <http://lup.lub.lu.se/luur/download?func=downloadFile&recordOId=2164018&fileOId=2164054> (Accessed 27 April 2013).

Perry, J. (2011), 'New Statistics: 25 million in extreme poverty', *The Daily Star*, 08 October, op-ed. Available at: <http://archive.thedailystar.net/newDesign/news-details.php?nid=205568> (Accessed 26 April 2013)

Rebecca T. Leeb, Leonard J. Paulozzi, Cindi Melanson, Thomas R. Simon, Ileana Arias, (2008), 'Child Maltreatment Surveillance: Uniform Definitions for Public Health and Recommended Data Elements,' Version 1.0, *Child Maltreatment Surveillance: Uniform Definitions for Public Health* [Internet], p.19. Available at: [http://www.cdc.gov/violenceprevention/pdf/CM\\_Surveillance-a.pdf](http://www.cdc.gov/violenceprevention/pdf/CM_Surveillance-a.pdf) (Accessed 10 April 2012)

Save the Children (2011), Bangladesh CRC reporting, Concluding observations (CRC/C/BGD/CO/4), Para 8, Resource Centre on Child Protection and Child Rights Governance, March. Available at: <http://resourcecentre.savethechildren.se/content/country/bangladesh/crc-reporting> (Accessed 20 July 2012)

South Asians for Human Rights (2010), Domestic Violence: Offenders to be jailed up to 6 months. Available at: <http://www.southasianrights.org/?p=1794> (Accessed 5 July 2012)

Taslima, K, Farzana, R (2012) 'Domestic Violence against Women in Bangladesh: Analysis from a Socio-legal Perspective' *Bangladesh e-Journal of Sociology*. Volume 9, Number 2. P.9 (Accessed 26 April 2013)

TEACH through Love (2012), Types of Emotional Abuse. Available at: <http://www.teach->



[through-love.com/types-of-emotional-abuse.html](http://through-love.com/types-of-emotional-abuse.html) (Accessed 5 July 2012)

The Lawyers and Jurists (2010), Available at: <http://www.lawyersjurists.com/articles-reports-journals/law-and-ethics/%e2%80%9cthe-police-are-the-main-terrorist-in-bangladesh-they-harass-general-people-in-many-ways-to-get-some-bribe-and-sometimes-want-to-protect-corrupt-people-because-they-give-heavy-amount-of-money/> (Accessed 25 April 2013)

The World Bank (2012). Population, total /Data/Table. Available at: <http://data.worldbank.org/indicator/SP.POP.TOTL> (Accessed 5 June 2012)

UNICEF (2008), Country Report Bangladesh. Available at: [www.unicef.org/bangladesh/cbg\(18.10.08\).pdf](http://www.unicef.org/bangladesh/cbg(18.10.08).pdf) (Accessed 6 July 2012)

UNICEF (2010), Bangladesh statistics, Population (thousands), 2010, under 18. Available at: [http://www.unicef.org/infobycountry/bangladesh\\_bangladesh\\_statistics.html](http://www.unicef.org/infobycountry/bangladesh_bangladesh_statistics.html) (Accessed 5 June 2012)

UNICEF (2012). Progress in child well-being, a report commissioned by Save the Children & UNICEF. Available at: [http://www.unicef.org/media/files/Progress\\_in\\_child\\_well-being.pdf](http://www.unicef.org/media/files/Progress_in_child_well-being.pdf) (Accessed 8 June 2012)

UNICEF Bangladesh n.d., Children and the law, Available at: [www.unicef.org/bangladesh/4926\\_4960.htm](http://www.unicef.org/bangladesh/4926_4960.htm) (Accessed 21 April 2012)

Vachss, A. (1994). *You Carry the Cure In Your Own Heart*. Available at: [http://www.vachss.com/av\\_dispatches/disp\\_9408\\_a.html](http://www.vachss.com/av_dispatches/disp_9408_a.html) (Accessed 5 July 2012)

World Health Organization (1999), Report on the Consultation on Child Abuse Prevention, Geneva, March 29-31, Available at: <http://www.yesican.org/definitions/WHO.html> (Accessed 5 July 2012)

World Health Organization n.d., *Child abuse and neglect by parents and other caregivers*, Available at:

[http://www.who.int/violence\\_injury\\_prevention/violence/global\\_campaign/en/chap3.pdf](http://www.who.int/violence_injury_prevention/violence/global_campaign/en/chap3.pdf) (Accessed 26 April 2013)