

# CHILDREN IN THE SOCIO-CULTURAL CONTEXT OF BANGLADESH

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© Ontario International Development Agency. ISSN 1923-6654 (print)  
ISSN 1923-6662 (online). Available at <http://www.ssrn.com/link/OIDA-Intl-Journal-Sustainable-Dev.html>

**Abstract:** Exclusion and inequality are major obstacles on the way toward development. In Bangladesh, inequalities are primarily in terms of gender, ethnicity, disability, or geographical location. Women and children are still considered as dependents and minors. The inequalities are leading to social exclusion of women, children, indigenous communities, and people living in geographically remote and vulnerable places (river islands, coastal areas). They are marginalized and cannot escape from the poverty traps. Children of Bangladesh, who constitute about 50% of the total population of the country, are being ignored as an excluded group in most situations. Bangladesh signed the United Nations Convention on the Rights of the Child (UNCRC) on August 3, 1990. After almost twenty years, till today children appear to be excluded in the total development thinking. Among the Bangladeshi people, the understanding of the concept “child” is found to be vague. The present paper, in this context, using literature review, informal discussion and observation aims (1) to reveal the meaning of the word “child” in the socio-cultural context of Bangladesh; (2) to explore the situation of children (girl/boy, without parents, disable, working, etc.) of different socio- cultural context (i.e. urban/rural, poor/non-poor), children with disability and also about children living in rural and urban context; and (3) to identify the obstacles on the way to implement the United Nations Convention on the Rights of the Child (UNCRC) in Bangladesh. Rural communities of Gaibandha, Kurigram, Nilfamari, Shariatpur, Rajbari, Borguna and Potuakhali districts, and urban communities of Dhaka, Chitagong and ethnic communities in Mymensingh and Netrokona districts were considered in this regard. The vagueness is identified in this article through revealing inconsistency in the available legislation government documents and other relevant documents. The secondary literature review led to the understanding that the major obstacle on the way to implement the United Nations Convention on the Rights of the Child (UNCRC) in Bangladesh is the vagueness of the concept ‘child’. The importance of the socio-cultural considerations with regard to children in this context, is established through field findings in this paper. It is near 20 years that Bangladesh ratified the UNCRC, yet many children who have grown up

within the lifetime of the CRC have now ended their childhood years knowing little or nothing of what it is to have

the protection and freedoms mentioned in their rights. This paper identifies and discusses about the obstacles on the way to implement the United Nations Convention on the Rights of the Child (UNCRC).

**Keywords:** Development, inclusive development children in Bangladesh, United Nations Convention on the Rights of the Child (UNCRC).

## I. INTRODUCTION

“Development” the century old debate had always been evolving in its focus [1]. Prior to the second half of the twentieth century, the idea of ‘development’ [2] or ‘fostered development’ [3] barely existed. In 1949, Harry S. Truman in his inaugural speech as the president of the United States, naming the vast area of the world ‘underdeveloped’, identified the solution for them “modern scientific and technical knowledge of the developed” [4]. Consequently, the issue of *economic development* and poverty in the underdeveloped world became the international agenda. The modernization theory saw development as the ‘process of change towards those types of social, economic and political systems’ created in Europe and the USA from the 17th century [5]. The international institutional structures set up after the Second World War, including the International Monetary Fund, the World Bank, and the United Nations, started working with the goal of modernizing the ‘underdeveloped’. From the late 1960s, focus shifted from economic growth to understanding and addressing the national and local issues. Later focus was on meeting basic needs and thereafter, participation in decision making and distributional issues. After the debt crisis, in the mid to late 1970s there was a return to growth-centric development. In the 1980’s the focus shifted to “structural adjustment”, including liberalization of

trade, eliminating government deficits and overvalued exchange rates, and dismantling inefficient parasitical organizations. However, inequality, increased poverty, unemployment, and social disintegration re-emerged in the era of globalization and became concern for development economists in the 1990s [6]. The United Nations sponsored the World Summit for Social Development in Copenhagen, Denmark in 1995. Under a people-centered framework the governments in the summit urged a political, economic, ethical and spiritual vision for participatory social development that is based on human dignity, human rights, equality, respect, peace, democracy, mutual responsibility and cooperation, and full respect for the various religious and ethical values and cultural backgrounds of people<sup>1</sup>. Governments at the Summit acknowledged that primarily all the responsibilities are

identified at various international conferences and summits during the 1990s, were declared in the Millennium Summit that took place in September of 2000.

The shorter term vision embodied by the Millennium Development Goals replaced the metanarrative of modernization is replaced by United Nations Millennium Development Goals (MDGs) aimed at helping citizens in the world's poorest countries to achieve a better life by the year 2015 through achieving some goals meeting few specific targets. The MDGs include eight goals, eighteen targets, and forty indicators that come from the Millennium Declaration, signed by 189 countries. The MDGs, to be achieved by 2015, include<sup>2</sup>:

<i>Purpose/Legislation</i>	<i>Age/Age Range</i>
Admission to employment (Factories Act 1965, Shops and Establishments Act 1965, and Employment of Children Act 1938)	Between 12-21
2. Marriage	18 for girls, and 21 for boys
<i>Purpose/Legislation</i>	<i>Age/Age Range</i>
3. Consumption of tobacco, alcohol and dangerous drugs	16
End of compulsory education	10
Voluntary enlistment in armed forces	16 (on parental consent)
Criminal responsibility	Full responsibility from 12 years of age, and rebuttable presumption of capacity to infringe the criminal law between age of 7 and 11 years
Deprivation of liberty including by arrest, detention and imprisonment linked to age of criminal responsibility	No minimum age
Capital punishment and life imprisonment	Capital punishment 17 years; life imprisonment, in case of exceptional circumstances, 7 years provided that presumption of capacity has not been rebutted
Giving testimony in court	Though no minimum age, the witness must be intelligent and aware enough to understand the questions asked and to respond to them sensibly
Lodging complaints and seeking redress Before the courts without parental consent	18
Participation in hostilities	Non-commissioned officers after 6 months of training, and commissioned officers after 2 years of training

of states but positive contribution or in other words cooperation of many other actors in the international community, including multilateral financial institutions such as the World Bank and the IMF are required [7]. Finally, a set of refined development goals, the Millennium Development Goals (MDGs),

- Eradicate extreme hunger and poverty
- Achieve universal primary education
- Promote gender equality and empower women
- Reduce child mortality
- Improve maternal health
- Combat HIV/AIDS and other diseases

<sup>1</sup> Development in the 1990s, by Enrique R. Carrasco. Available: <http://www.uiowa.edu/ifaebook/ebook2/contents/part2-I.shtml>

<sup>2</sup> The UN Millennium Development Goals (MDGs). Retrieved on 18 June 2008, <http://www.un.org/millenniumgoals/>

- Ensure environmental sustainability
- Develop a global partnership for development

The developing countries put Millennium Development Goals in the centre of their present concern. And, to be meaningful development essentially needs to be inclusive. For making MDG based national development meaningful, there is no alternative to including children, disable, women and all different disadvantaged groups in the total development policy and process [8].

Diversity is a fact of life. Difference is normal. Some people are excluded from society because of difference. Difference can be due to a range of factors, some universal, some cultural and context specific. Inclusion is about society changing to accommodate difference, and to combat discrimination. It sees society as the problem, not the person. To achieve inclusion, a twin track approach is needed ;

- Focus on the society to remove the barriers that exclude. (mainstreaming)
- Focus on the group of persons who are excluded, to build their capacity and support them to lobby for their inclusion.

Inclusive Development therefore is the process of ensuring that all marginalized/ excluded groups are included in the development process.

—Inclusive Development, IDDC Paper <sup>3</sup>

Children of Bangladesh, who constitute about 50% of the total population of the country, are being ignored as an excluded group in most situations though they do exist in policies to some extent. Bangladesh signed the United Nations Convention on the Rights of the Child (UNCRC) on August 3, 1990. According to the Convention, a child is a “human being below the age of 18 years”. There are 54 articles in the UNCRC.

The key principles of the UNCRC are given below in brief<sup>4</sup>:

1. All the rights guaranteed by the Convention must be available to all children without discrimination of any kind (Article 2)
2. That the best interests of the child must be a primary consideration in all actions concerning children (Article 3)
3. Children’s views must be considered and taken into account in all matters affecting them (Article 12)
4. All children have the right to life, survival and development (Article 6)

All other articles can be defined within 3 categories<sup>5</sup>:

A. Participation: These articles are based on the concept of the child as an active and contributing participant in society and not merely as a passive recipient of good or bad treatment.

B. Provision: These articles cover the basic rights of children to survive and develop. These range through health care, food and clean water to education and an environment which allows children to develop. The Convention is clear that the best place for a child is with its parents, and that the State has a duty to support and assist parents in this responsibility where necessary.

C. Protection: These articles deal with exploitation of children at work; physical, sexual and psychological abuse; discrimination and other mistreatments which many still suffer. In other parts of the world children are suffering the effects of war. The Convention makes it a duty for State Parties to protect children, where necessary, to provide rehabilitation for them.

The reality is that children and women issues are to some extent there in the MDGs. The government is also committed to ensure the rights of the children. After almost twenty years of signing the UNCRC, till today children appear to be excluded in the total development thinking. Among the Bangladeshi people, the understanding of the concept “child” is to be vague [9]. But to ensure inclusive development in Bangladesh, the unique socio-cultural context of children (i.e. urban/rural, poor/non-poor) deserve special focus.

The present paper, in this context aims (1) to reveal the meaning of the word “child” in the socio-cultural context of Bangladesh; (2) to explore the situation of children (girl/ boy, without parents, disable, working, etc.) of different socio- cultural context (i.e. urban/rural, poor/non-poor), children with disability and also about children living in rural and urban context; and (3) to identify the obstacles on the way to implement the United Nations Convention on the Rights of the Child (UNCRC) in Bangladesh.

<sup>3</sup> Inclusive Development, IDDC Paper. Retrieved on 18 June 2008, <http://www.make-development-inclusive.org/inclusivedevelopment.php?wid=1024&spk=en>

<sup>4</sup> Children & Young People’s Rights: UNCRC Explained. Available: [http://www.sccyp.org.uk/webpages/cypr\\_uncrcexplained.php](http://www.sccyp.org.uk/webpages/cypr_uncrcexplained.php)

<sup>5</sup> Children & Young People’s Rights: UNCRC Explained. Available: [http://www.sccyp.org.uk/webpages/cypr\\_uncrcexplained.php](http://www.sccyp.org.uk/webpages/cypr_uncrcexplained.php)

## II. METHOD

Rural communities of Gaibandha, Kurigram, Nilfamari, Shariatpur, Rajbari, Borguna and Potuakhali districts, and urban communities of Dhaka, Chitagong and ethnic communities in Mymensingh and Netrokona districts were considered in this regard. Using literature review, informal discussion with groups of children and observation data had been collected for this exploratory study.

## III. RESULTS

Who are the children in Bangladesh?

In Bangladesh, with its highly youthful population, about 50 percent of the people are children [10]. In 1997, the country had a population of 124.3 million [11]. Children aged up to 18 years constituted 49.6% of the population. The country had then 61.75 million children<sup>6</sup>. More recent data shows in 2003 population under age 18, is 65.34 million<sup>7</sup>. Bangladesh is struggling with poverty and inequality. Inequalities are primarily in terms of gender, ethnicity, disability, or geographical location. Women and children are still considered as dependents and minors. The inequalities are leading to social exclusion of women, children, indigenous communities, people living in geographically remote and vulnerable places (river basins, coastal areas). They are marginalized and cannot escape from the poverty traps. Along with these excluded groups, children, who constitute about 50% of the total population of the country, are also being ignored. The Government of Bangladesh seems to be strongly committed to children's advancement and to uphold their rights. Article 28 (4) of the Constitution of the Peoples Republic of Bangladesh declares that the state can make special provision for the progress of children. Bangladesh signed the United Nations Convention on the Rights of the Child in August 3, 1990, the ILO Convention against the worst forms of child labour in March 12, 2001, SAARC Convention on Preventing and Combating Trafficking in Women and Children for Prostitution and SAARC Convention on Regional Arrangements for the Promotion of Child Welfare. Government formulated a National policy on Children to ensure the security, welfare and development of children. Interestingly, according to the National policy, boys and girls under 14 years of age are considered as children, while according to the signed UNCRC the age is 0-18.

<sup>6</sup> Bangladesh Shishu Adhikar Forum's alternative report on the implementation of UNCRC in Bangladesh 1996-2000  
[http://www.crin.org/docs/resources/treaties/crc.34/Bangladesh\\_BS\\_AF\\_ngo\\_report.pdf](http://www.crin.org/docs/resources/treaties/crc.34/Bangladesh_BS_AF_ngo_report.pdf)

<sup>7</sup> United Nations Population Division  
[http://www.unicef.org/infobycountry/bangladesh\\_statistics.html](http://www.unicef.org/infobycountry/bangladesh_statistics.html).

Within Bangladesh, various laws define children differently. There are 36 laws related to children. Yet, none provide a consistent definition of a child (Report of the Technical Committee on Children's Advancement and Rights: Background Paper for the Preparation of the PRSP). Table 1 shows the age range of child for a few important legislations.

Table 1: Definitions of Child as per Various Legislations

*Source: First Periodic Report of the Government of Bangladesh under the Convention on the Rights of the Child (Draft): Ministry of Women and Children Affairs; Government of the People's Republic of Bangladesh; Dhaka, November 2000.*

In order to make reconciliation among these definitions of children, the Government uses the term "children and young people" in its report to the United Nations and for all other purposes. On the other hand the private development agencies (mostly NGOs) have kept their definition (of the child) more in different projects. Again, different ministries and different NGOs working for the children have their own specific target groups with a variety of restrictions in terms of age-range, gender, economic status and the like. But majority of the population are least concerned about the age determined definition of a child.

Lives of Children in the Socio-cultural Context of Bangladesh:

The existing divergence in law, research, and activities regarding the age range of children draw attention to the reality of life conditions of children in different socio-cultural condition in Bangladesh.

In this context, the present study reflects the author's learning through informal discussion and observation of children (girl/ boy, without parents, disable, working, etc.) in different socio-cultural context (i.e. urban/rural, poor/non-poor) aims at revealing importance of the socio-cultural considerations with regard to children and childhood.

Discussion was conducted with poor, non-poor, urban, rural, educated, illiterate, boy and girl children groups. Through discussion with different groups of people the following ideas were found to be prevailing about children in different context of Bangladesh.

Observation of children of different rural communities of the country of Gaibandha, Kurigram, Nilfamari, Shariatpur, Rajbari, Borguna and Potuakhali districts, and urban communities of Dhaka, Chitagong and ethnic communities in Mymensingh and Netrokona districts shows an alarming sign. Even up to present, in Bangladesh UNCRC is in practice for over 16 years; however,

most of the children are still extremely vulnerable to exploitation, abuses and many other kinds of threats to their rights and welfare. Their situation ensures that the implementation of the convention is still very limited, and the knowledge and understanding about child rights is almost completely missing. Up to now, there are no clear and specific mechanisms to disseminate child rights broadly.

For the urban educated discussants (school and college going children in cities) a child is the one who is a vulnerable minor and depends on adults. They do not have adequate rational and logical thinking. Children are immature in their behaviour and do not understand complexities in adults. Children are those who should obey the instructions of the adults because of having less intellectual ability. The age range is 0 to 5 or 0 to 12 (the discussants seemed confused). They don't have any responsibility accept respecting the elders and obeying them. Only one student of class four mentioned that he knows about six rights that he learnt about from his text book in class three. He could during the discussion mention about the right to have a legally registered name and nationality. In the urban setting there are children who work as street hawkers, waste pickers, beggars. They are as young as 4 years old many a times. They had to face the hard reality from the beginning of their life and thus became matured mentally at this early age. The domestic workers are children in most of the cases. But the discussants are not ready to recognize the elder children (above 5 or 12 as children) in the domestic work as children. The discussants agreed that their parents' behave discriminatively toward the domestic workers. For the discussants they (child domestic workers) become subject of violence of different forms because of their own stupidity or because the parents are not happy with their work. But in a good family the discussants feel that domestic workers can survive and get food and salary. They can help their parents as well. In the extreme poverty they otherwise could become spoiled, derailed and their survival could also be threatened.

Many of the illiterate discussants in urban setting were working as hawkers or car cleaners or shop assistants. They perceive themselves extremely helpless but feel happy for their contribution of somewhat Tk. 100 (less than \$ 2) a day that they earn. They consider their 5-year olds to be children but are fatalist to explain their situation. Even though they try to keep themselves safe, there have been instances of the customers harassing girls working on the streets. These children were found to be more aware about their rights (without knowing those as their rights). They mentioned about the essential protection what they deserve from the government as

working members of the society. The government should ensure their security in the work place and slums where they live and provide them with future opportunities.

For the rural discussants, both educated and illiterate, a child is no longer a child as he/she starts working. In the rural context childhood ends as the child starts taking care of the siblings, helping the mother at home, watering the trees, taking care of the cattle, working with father, etc. Childhood lasts no longer than 5 to 6 years as perceived by the rural discussants. Those beyond these ages are grown up in terms of both age and physical structure. Girls become matured or grow up earlier than boys. Their movements should be restricted as instructed in the holy Quran.

Research shows that childhood, especially in poor, disadvantaged homes, slips into adulthood as early as 7/8 years of age when these children start taking responsibility of different domestic chores including looking after the younger siblings and working for earning income to help parents [12].

The poor disabled in the rural context are neglected and in many a situations are abused. The urban setting finds them begging. The disabled in the rich families surely gets highest attention. There appears to be no reliable data on the number of children with disabilities. However, it is estimated that 339,823 children in Bangladesh have some form of disability. The rights of the disabled are not ensured by the constitution, and there exists no legislation to ensure the rights of disabled children (Report of the Technical Committee on Children's Advancement and Rights: Background Paper for the Preparation of the PRSP).

The responsibility of the parents toward the children include the assurance of food shelter, survival, treatment, love, care, opportunity to play and education and comfort as perceived by all the discussants. The poor vulnerable context, is the reason for their (poor children in both urban and rural context) inability to get these responsibilities fulfilled by their parents.

Undoubtedly, the group of human beings who we, a few academicians, some ministries of the government of Bangladesh and NGOs, define as children (below the age of 18) is diversely perceived by majority of the child population in the country. The adults perceive them ambiguously as they consider children belonging to different context as different.

Ensuring implementation of the UNCRC

The discussion, observation and literature review indicate the existence of specific meaning given to children by others in different context. So when

planning for implementation of the UNCRC, this matter must be considered with caution.

Government and the NGOs do work for them, but to have the convention work for the children, detailed information about it in a comprehensive way is to be communicated.

A great constraint continues to be a lack of awareness of children's rights. Bangladeshi children as well as their parents are often unaware or have difficulties in understanding why children should have rights within the society and the family. Linked to traditional customs and attitudes, children's capabilities are both over and underestimated: children are expected to support the family and to take on responsibility at a very young age but expressions of their opinions or future plans are forbidden or discouraged. It is more than 16 years that Bangladesh ratified the UNCRC, yet many children who have grown up within the lifetime of the CRC have now reached the end of their childhood years knowing little or nothing of what it is to have the protection and freedoms mentioned in their rights.

Efforts have been made by the Government and UNICEF to publicize and promote awareness about children's rights using such methods as communication campaigns and training of officials [13]. But the reality is that, though according to Article 42. the government should make the convention known to all children and young people and their families, the rights mentioned in the convention are not known to any of the discussants as such. The responsibility lies on the government to change the attitude of the adults and the children toward the rights of the children considering different context for different groups of children.

The anomalous situation regarding the definition of a child is compounded by the lack of documentary proof of children's ages due to the low level of birth registration, which is a major obstacle to ensuring the rights of children under both the Convention and domestic legislation.

There is no explicit mention of children's rights in IPRSP. The conventional approach to development taken by the IPRSP is neither pro-child development nor pro-micro-economics. The steps to ensure into poverty reduction process integration of child perspectives require situational analysis of children in Bangladesh, which was not completed in the IPRSP process. Hence, to address children's advancement and rights, more emphasis needs to be placed on social integration and inclusion (Report of the Technical Committee on Children's Advancement and Rights: Background Paper for the Preparation of the PRSP).

In 2003 the number of primary schools were 62,156 [14]. In Bangladesh, 33 percent of children dropping out before the end of the primary cycle while 67 percent completing [15]. Unfortunately, children as young as 10 years of age often leave school to work so that they can bring in an income. The dropout rate, especially after primary school, is very high although Government stipends do seem to have helped keep children in school longer<sup>8</sup>. The drop out rate and the low quality of education at the primary level is responsible for creating lack of awareness among the teachers and the pupils though the curricula adequately address the issues on human rights and humanitarian law. Primary school curricula include issues on human rights and introduction to humanitarian law to strengthen a culture of peace and tolerance. The textbook 'Introduction to Environment' of grade V includes separate chapters on human rights and humanitarian law. Included also in that textbook another chapter titled "World Peace and United Nations". The Chapter on "Human Rights" includes an introduction to "General Declaration on Human Rights" adopted by the United Nations General Assembly on 10th December 1948. Besides, this chapter discusses about The Children Act, Compulsory Primary Education Act, Suppression of Violence against Women and Children Act 2000 amended in 2003, etc. There is also detailed discussion on Child Rights, Women and Child Trafficking, Acid Throwing, Communalism and Effects of Dowry. There is another chapter on tolerance and peaceful co-existence of different communities in the society irrespective of their religion, culture and tradition. Moreover, the curriculum includes measures to protect human rights and awareness building through national and international programs such as "World Anti Child Labour Day, World Women's day etc."<sup>9</sup>

Bangladesh established a CRC Standing Committee (CRCSC) to implement the CRC in January 2006. But, to note that, the Committee on the Rights of the Child expressed concern about a lack of clarity about the competency of the CRCSC. Likewise, Bangladesh has created an "Empowerment and protection of children and women" project and a National Plan of Action against sexual abuse and exploitation of children but the Committee remains concerned about a lack of information<sup>10</sup>.

<sup>8</sup> Country Reports on Human Rights Practices 2004: Bangladesh", US Department of State, 25 February 2005 (<http://www.state.gov/g/drl/rls/hrrpt/2004/41738.htm>)

<sup>9</sup> Report for the Committee on Rights of the Child 41st Session Pre-Session Working Group Ministry of Women and Children Affairs Government of the People's Republic of Bangladesh.

In this poor country where the majority of the population live in the villages and mostly illiterate, it is very difficult to change the attitude and understanding of the adults regarding children and childhood. People in this country are least aware about their own human rights. Most of the people who are poor are not worried about the rights and the conventions be it for adults or children, but they do feel the need to fulfill the basic needs when the chain of poverty doesn't allow them to come out of it. They recognize their duties and responsibilities toward their children but have no means to realize those.

A paper from the University of Bath relates child rights rhetoric to the reality of poverty in Bangladesh [16]. The paper urges agencies trying to promote UNCRC values in developing countries to:

- Engage with the way people actually think and the resources the local culture offers
- Guard against 'rights-talk' displacing practical actions to support real children
- Recognize that the critical issue is not 'childhood', but poverty
- Recognize that the specifics of children's poverty can only be addressed in the context of their families and communities.

#### IV. CONCLUSION

Poverty makes people helpless. There are policies, programmes, and initiatives to achieve the Millennium Development Goals (MGDs). But, in reality, the implementation process and governance is questionable, as is true for the UNCRC. In the conclusion, the only recommendation is that, information about the rights of the child must be made available for all in the country, but, of course, considering the cultural context and values, the government need to tack policies that need to be realized by the citizens of the country.

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