

The Girl Children's Right will not be Protected in Bangladesh Until Shariah Law is Implemented

News:

According to the news published in New Age on 19th February, 2017, Human Rights Watch (HRW) is demanding from the Bangladesh government to remove the provision of permitting girls to marry under the age of 18 from the draft Child Marriage Restraint Act 2014 to work towards a Bangladesh free of child marriage. The current law bans marriage before the age of 18 for women and 21 for men with no exception. Senior researcher, women's rights division of the HRW, Heather Barr in an article said the new law would permit marriage of girls below age 18 in special circumstances, such as accidental or unlawful pregnancy. She also added, "Prime Minister Sheikh Hasina has been celebrated for promoting women's empowerment in everything from education to maternity leave. But at her request, parliament is considering legislation that would allow child marriage for the first time in decades." ([Newagebd](#))

Comment:

In September 2014, the cabinet of Bangladesh had approved the newly drafted Child Marriage Restraint Act, 2014 which says girl child marriage below age 18 will be permitted in "special circumstances, such as accidental or unlawful pregnancy." This resulted in national and international outcry and delayed the passing of the draft act for two years. In spite of the protest from HRW and various Women Right Organizations of Bangladesh, Sheikh Hasina, the current Prime Minister of the country defended the law and stated to a local news agency that, "The law has been framed taking the reality of our society into consideration" where child marriage is very common and in response to the critics she also said that they are "far away from the reality" of Bangladesh.

So, we are seeing that the current Prime Minister Sheikh Hasina, who is apparently the champion of women empowerment and protecting the rights of the female children of the country, had to take a step backward after considering "the reality" of Bangladesh. It is already shameful enough that a government has to take "unlawful pregnancy" into consideration and term it as "the reality" and has been forced to pass a new law for this. In fact, the newly drafted law has again proved that the liberal values and manmade laws have utterly failed to protect the rights and honor of the female children of Bangladesh. Yes, the widespread sexual harassment, epidemic level of rape and merciless violence against girls under this secular system have forced the current government to amend the existing law. Though the so called national and international Women Rights Organizations have created hysteria about marriage at a young age and have been targeting a specific Islamic law regarding marriage, but they failed to identify that the root cause of violence against girl children is not related to a specific Islamic law or to a specific age limit rather the problem is deeply rooted in the corrupt values of the capitalist system.

The government and the feminist missed that the prevailing dire economic condition under the capitalist economic system has turned the girl children into a mere burden which forces parents to marry their daughters at young age. Moreover, this system has also failed

to protect the honor of the female children and to ensure the minimum level of security in society. Parents are forced to marry off their daughters just to protect their life and honor. According to the report of some girl children's right advocacy group of the country, recently the incidents of rape and physical abuse on female children have increased to an alarming level and the trend of torture took an inhuman turn as the prevailing manmade law failed to punish the criminals. Furthermore, the "unwanted pregnancy" is also the direct result of the liberal values which stems from the illegal relationship and free mixing between men and women in the society. Irony is that, after taking "the reality" into consideration the current regime wants to solve the problem under the very system which is primarily responsible for creating "the reality".

In addition to that, by putting the age limits on girl's marriage the secular government has practically snatched away the rights of girls and child because it is clear from the nature of human being that girl children are able to bear child at the age of puberty. Hence, it is injustice to put a ban on it. Rather it should be open for every girl so that the rights of girls and child could be secured through legal marriage contract and a man could be legally accountable for neglecting any kind of responsibility towards his wife and children instead of in the name of "special circumstances" giving a rapist the opportunity to marry his victim. If the government and the so called rights organizations had a genuine concern for the honor and safety of young girls and children of the country than instead of fixing arbitrary legal age limit they would have taken a close look at the secular liberal system and values which is directly responsible for breeding mass abuse, crime and horrific violence against girl children around the world.

Moreover, although the so called women rights organization throughout the world have been targeting a specific Shariah law regarding marriage which is at odds to the liberal values, but history is the witness that under the system of the Khilafah, only Shariah law had once protected rights and honor of girl children irrespective of their age, religious belief and ethnicity and will again protect the right of every girl children under the banner of second Khilafah Rashidah (Caliphate) upon the method of the Prophethood, In-Sha-Allah.

﴿أَفَحُكْمَ الْجَاهِلِيَّةِ يَبْغُونَ وَمَنْ أَحْسَنُ مِنَ اللَّهِ حُكْمًا لِّقَوْمٍ يُوقِنُونَ﴾

“Do they then seek the judgement of (the days of) ignorance? And who is better in judgement than Allah for a people who have firm faith?” [Al-Qur'an 5:50]

**Written for the Central Media Office of Hizb-ut Tahrir By
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