

Gender-Based Harassment on Public Transport: A Socio-legal Study in Dhaka City

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Abstract: Gender-based safety in public transportation is considered one of the major challenging issues around the world. Bangladesh is not free from this problem because in maximum cases, women have to use public transport for their daily travel and suffer from various kinds of harassment from passengers, drivers, or helpers in that vehicle. This paper explores the major causative factors, public reaction, and impact of harassment on women who use public transport in Dhaka City, Bangladesh. The study was conducted in Dhaka South City Corporation, Dhaka. This study followed a survey research design and the data were collected from a sample of 90 participants by using a purposive sampling method through face-to-face interviews. Findings reveal that around 65.56 percent of women face sexual harassment when the public bus becomes overcrowded and they were intentionally touched in their body (75.56%), marked as the most facing harassment in public transport and these harassed women shouted (48.89%) loudly when they were harassed in public transportation. Those harassments had a long-lasting effect on women's mental, physical, economic, and social sites. Even though about 55.56 percent of women reported that they become traumatized in their later life. The overall scenario represents a vulnerable situation for women while they use public transport and it is highly essential to ensure women's safety at public transport in Dhaka city, and it is much regrettable that there is no obvious law against harassing women in public transportation in Bangladesh. However, researchers have mentioned the legal position of this concerning issue in Bangladesh.

1. Background of the study

Women's sexual harassment is a global problematic issue and it has been predictable as a serious problem in the world.¹ Harassment covers a wide range of offensive or unwanted behaviour and also refers to unwelcome sensual advances, requests for sexual favouritisms, and other verbal or physical conduct of a sexual nature, besieged at a woman because of her gender identity.² There are also various forms of harassment such as; Death, rape, forced abortion, forced prostitution sexual harassment, eve-

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¹ Nirmal Gautam, Nirmal Sapakota, Sarala Shrestha and Dipika Regmi, 'Sexual Harassment in Public Transportation among Student in Kathmandu Valley' (2019) 12 Risk Management and Healthcare Policy 105.

² Ahmad Ilderim Tokey and Shefa Arabia Shioma, 'Women Safety in Public Transports' (Fist International Conference on Sustainable Development, Dhaka, Bangladesh February 2017) <https://www.researchgate.net/publication/339443054_Women_Safety_in_Public_Transports#fullTextFileContent> accessed 10 August 2023.

teasing, harassment in the workplace, and so on. There are some general types of harassment in public transport such as irritating behaviour, sneering looks, flashing, staring unpredicted touching of the breast, pinching of the bottoms, pinching of the hips, teasing sexual comments, telling jokes, or touching the private organs of women. Women from both developed and developing countries are involved in education, Jobs, and public life. They work like a man but they are never treated properly.³ Women are harassed in schools and colleges premises, sports enters, offices, municipal transport, shopping malls, and restaurants.⁴ Bangladesh is a densely populated country where around 16 crore people live and the total number of females in the country is 83.35 million which covers 50.50 percent of the total population. In Bangladesh, many women are working outside their homes to support their families and have to use local transport to reach their destinations. But it is a matter of great regret that women in our country are not safe to move freely. They face several problems & uncomfortable situations which can be called harassment.⁵

Violence in contradiction of women is not a surprise in Bangladesh and some form of harassment on women face at least once in their lives.⁶ Harassment in public transport has been a frightening issue.⁷ The use of public transport has become common among women because they cannot afford their own vehicles and it is the cheapest form of transport for their daily purposes.⁸ In Bangladesh, Harassment of women in Dhaka city is increasing day by day. About 63.4% of women in Dhaka city face harassment in public transport.⁹ This is alarming that more than 63 percent of women face various types of harassment when they travel on public transport in Dhaka.¹⁰ Women are harassed sexually, verbally, physically, and psychologically. All the harassment against women breaks down women that affect women's mental health. Physical impacts include headaches, fatigue, disruptions in sleep, and disturbances in eating. It reduces women's movement in public spaces, they feel vulnerable and insecure which reduces women's participation in many spaces of work. whenever they go outside, they face the same problem and face mental, physical, and psychological pressure. It also impacts their daily life and it can belong-lasting.¹¹

³ Nasratul Ferdous and Tahmina Akter Dipu, 'A study of Women Harassment in public transports in Bangladesh' (2019) 3(6) International Journal of Science and Business 215.

⁴ Margareta Friman, Katrin Lättman, Katrin LättmanLars, E OlssonLars and E Olsson, 'Public Transport Quality, Safety, and Perceived Accessibility' (2020) 12(9) Sustainability 1.

⁵ Ferdous and Dipu (n 3).

⁶ '87% Bangladeshi Women Harassed at least once; Public Transport Riskiest: Survey' *The Daily Star* (Dhaka, 26 August 2022).

⁷ Friman and Others (n 4).

⁸ Robert Cervero and Aaron Golub, 'Informal Transport: A Global Perspective' (2007) 14(6) Transport Policy 445.

⁹ *The Daily Star* (n 6).

¹⁰ 'Harassment of Women in Public Transport Unacceptable' *The New Age* (Dhaka 5 June 2022). <<https://www.newagebd.net/article/172400/harassment-of-women-in-public-transports-unacceptable>> accessed 17 June 2023.

¹¹ *ibid.*

Women's safety in public transport is one of the key challenges across the globe. In developing countries like Bangladesh, lots of women are forced to remain at home owing to a lack of safe transportation. When these women use public transport, they always do not get safe travel. In public transport, bus helpers, passengers, or comers treat women like sexual objects. Whenever women travel at night, bus helpers tease the women, putting their hands under the women's armpit and touching the breasts which is uncomfortable for women and puts mental pressure on women. These women cannot concentrate on their work and they feel insecurity around the people that exist. However, due to the sensitive nature of gender-based harassment, many victims are reluctant to share their experiences openly and the sample of the study may not be fully representative of Dhaka city's diverse population, potentially limiting the generalizability of findings. One of the primary motivations for this study is to evaluate the effectiveness of existing legal provisions and enforcement mechanisms in addressing gender-based harassment. research will pinpoint specific locations, routes, and times where gender-based harassment is most prevalent on Dhaka city's public transport system. Policymakers, transport authorities, and civil society organizations can develop targeted awareness campaigns, improved security measures, and other strategies to mitigate and prevent harassment effectively.

Given the context, this study makes an effort to analyze the prime causative factors of women's harassment and its impact on women's lives in Dhaka city.

2. Research Objectives

The core objective of the present study is to find out the overall nature of gender-based violence on women and analyze how influential the violence is in their lives. There are some other specific objectives of the study such as:

1. To examine the major causes of harassment in public transport.
2. To unearth the public reaction towards the harassment.
3. To investigate the impact of assault on women.

3. Gender-based violence

A survey of 384 women found that harassment was a prevalent issue in public transport and the frequency of harassment has already increased than previous years. Their objectives were to ensure a safe and friendly environment for women.¹² Another article highlighted the concerning issue of harassment faced by working women during their travels. Their report showed that 2,500 women between the age of 15-35 from many places, found that 90 percent of women and girls have suffered several types of harassment while on public buses and other transports. The report emphasized the urgent need for government intervention to ensure women's safety. Recommendations included addressing overcrowding, introducing separate buses,

¹² Tokey and Shioma (n 2).

implementing larger buses with strict partitioning, and promoting a women-friendly attitude within the police force to encourage women to report incidents without hesitation.¹³ An author stated that harassment was more prevalent among females, those living alone, and those traveling during the evening, and male passengers were found to be the primary perpetrators. The majority (42%) faced physical harassment, followed by verbal (14%) and non-verbal (43%) harassment. This harassment had detrimental effects on both the physical and mental health of women, potentially hindering their participation in various development programs and sectors.¹⁴ Conducted research that explores actual and witnessed victimization as well as the perception of the risk by a sample of 200 tertiary female students in Lucknow, India. They found that most students faced harassment in their daily traveling.¹⁵ Several authors explained violence against women in public transport in Bangladesh. This study mainly focused on the current scenario of violence occurring against women in public transportation, patterns of such harassment, further reactions, and effects on victims as well as ways to address the issue. About 94% of women have experienced harassment in verbal, physical, and other forms while using public transport for daily activities in our country.¹⁶

It is shown that 46.5 percent of the respondents have suffered sexual harassment, mostly in the form of touch, 15.3 percent bullying, 15.2 percent social discrimination, 14.9 percent gender discrimination, and 8.2 percent body shaming. The survey also highlights the impact of such harassment on the mental health of the victims. A renowned newspaper surveyed over 5,000 women spread across 24 districts of the country has revealed that nearly 87 percent of them have faced some form of harassment. The findings also revealed that 36 percent of women face sexual harassment regularly on public transport including bus, launch, train and at terminals.¹⁷ Another article focused on the study that women are harassed in many places, like educational institutions, public transport and roads, online platforms, and many places where women are faced with uncomfortable situations. About 94% of women traveling on public transport are victims of verbal, physical, and other forms of sexual harassment in Bangladesh.¹⁸ The existing studies and their key findings reveal women are harassed in public transport in different ways but there is less research that focuses on contributory factors, public reactions, and individual impact of transport

¹³ Ferdous and Dipu (n 3).

¹⁴ Gautam, Sapakota, Shrestha and Regmi (n 1).

¹⁵ Kartikeya Tripathi, Herve Borrión and Jyoti Belur, 'Sexual Harassment of Students on Public Transport: An Exploratory Study in Lucknow' (2017) 19 CPCS 240.

¹⁶ Josinta Zinia, Eshra Faruky and Maria Sultana, 'Addressing Sexual Violence and Harassing Women's Mobility in Public Transport System in Dhaka City: The Ways to Address the Issue from Sociological Perspective' (2021) 9(1) GSJ 550.

¹⁷ The Daily Star (n 6).

¹⁸ Mahabub-Ul-Alam Khan and Gita Debi Halder, 'Sexual Harassment in Bangladesh: A Note on Legal Perspective' (2022) 4(1) Society and Sustainability 107.

violence. Hence, considering this research gap, researchers emphasize the relevant studies as well.

4. Research Methodology

The present study used a triangulation approach (both quantitative and qualitative) to analyze the research issue as it gives the researchers several key benefits that enhance the quality, validity, and reliability of research findings. Researchers selected South City Corporation as their study area and the area was selected purposively because of the availability of workforce, a highly populated area, most of the women use public transport in this area and they are easily accessible. For the present study, resources have been composed from both primary and secondary sources. Researchers followed a survey research plan for data collection which included a semi-structured interview schedule containing both open and close-ended items. A total of 90 respondents were chosen using a purposive sampling procedure and the participants for this study were identified based on the criteria a) respondents aged over 15 and b) they use public transport very often for their daily purposes. Afterward, researchers pre-tested the interview schedule on 10 respondents as a pilot survey and corrected the interview schedule again to remove anomalies. The data were later collected through formal and informal face-to-face interviews with the respondents in 2022. Moreover, 5 case studies, 3 key Informant Interviews (KII), and 3 Focus Group Discussions (FGD) were conducted for qualitative data collection purposes. After the fieldwork, the collected data were re-checked and variables were classified and re-coded for data input in SPSS (Statistical Packages for Social Science) and Microsoft Excel, and the gathered qualitative data was analyzed following thematic analysis. Descriptive statistics and other graphical presentation techniques were used to present data.

5. Theoretical and conceptual framework

The routine activity theory is a criminological theory developed by two writers Marcus Felson and Lawrence E. Cohen in 1979. This theory explains the occurrence of crime. How individuals commit crimes and their criminal activities are motivated by several factors like personal gain, and revenge. According to this theory, for a crime to occur, three elements like motivation, targets, and capacity combined work together in time and space. When three elements are together offenders motivate and criminal behaviors arise but if these elements are minimized, the criminal offenses decrease.¹⁹ One prominent theory on sexual harassment is the sex role spillover theory, which shows that traditional gender roles and power imbalance in society help to arise sexual

¹⁹ Lawrence Cohen and Marcus Felson, 'Social Change and Crime Rate Trends: A Routine Activity Approach' (1979) 44(4) *American Sociological Review* 588.

harassment. Traditional gender roles and positions make males dominant in society and women are treated as vulnerable.²⁰

Radical feminist Kate Millett describes patriarchy or the gender system as responsible for women's oppression in our society. In *Sexual Politics* (1970), Millet makes an argument that sex is basically political due to men and women's relationship is the paradigm for all power relations. She also highlights patriarchal ideology exaggerates biological differences between males and females, and this ideology also certain that men are always in upper positions, they have roles more than females and women always have subordinate positions in society.²¹ Like Millet, Shulamith Firestone, another radical-libertarian feminist, claimed the material basis for the sexual ideology of female submission and male domination was rooted in the reproductive roles of men and women. For solving female submission and male domination, Firestone claimed artificial reproduction would have to replace natural.²² French, another radical feminist, claimed men's oppression of women leads logically to other systems of human domination. If it is possible to justify men's domination of women, it is possible to justify all forms of domination. French believed sexism is the model for all other isms, including racism and classism, she sought to explain the ideology of "power-over" that sustains it and the liberating ideology of "pleasure with" that could undo it.²³

Talcott Parsons' sex-role theory goals to explain sex gaps in offending and victimization through the socialization process of self-development, which is rooted in cultural norms and expectations of behavior. According to the Sex Role Theory, one explanation for gender differences in levels of criminality is that men and women are simply different. Whether one takes a sociobiological approach and considers genetic differences between the sexes, or prefers to emphasize gender socialization, the suggestion is that "normal" masculinity is far more open to criminality than "normal" femininity.²⁴ These theories could be applied in the present study to explain the contributory factors of harassment and how women feel or react after being harassed and also explain what can be influenced when women are publicly harassed. Moreover, gender-based harassment can be conceptualized in a different way, which is very related to the present research study.

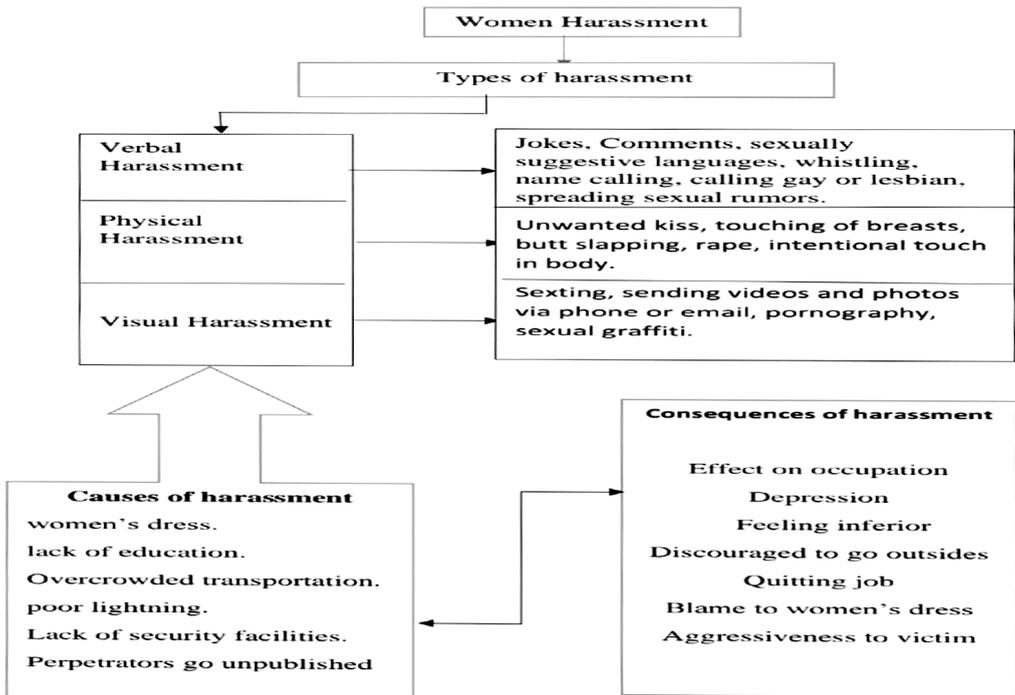
²⁰ Carol Gilligan, *In A Different Voice: Psychological Theory and Women's Development* (1st edn, Harvard University Press 1982).

²¹ Pamela Abbott, Melissa Tyler, and Claire Wallace, *An Introduction to Sociology Feminist Perspectives* (Third edn, Routledge 2005).

²² *ibid.*

²³ *ibid.*

²⁴ Katherine Ray, 'Sex-Role Theory, Offending, and Victimization' (2019) *The Encyclopedia of Women and Crime* 1.



Source: compiled by the authors

6. Findings and discussion

6.1. Socio-demographic profile:

The socio-demographic profile is a mirror to know about someone. This information makes one different from another. Researchers gather this information to identify which categories of people are more applicable to any study. In this study, the researchers arranged age, occupation, educational status, and monthly household income in socio-demographic profiles.

In this study, the women with diversified backgrounds including age, occupation, educational status, and monthly household income have been discussed in the socio-demographic profile. At the age structure, it is found that most of the respondents (43.3%) were young aged women who usually use public transport for their daily travel. The other two age categories women (17-21) and (27-31) represented the same proportion (17.8%). While the percentage of other category women was significantly low. Around half of the respondent's occupations (43.3%) were students and all other occupations percentages were around the same as the students while these young women completed their intermediate (34.4%) and graduate (31.1%) degrees as their educational status. Most of the respondents reported that their monthly income was 20000 BDT (Bangladeshi Taka) and above and around one-fourth (24.4%) of the respondents said their monthly income was from 15001 to 20000. (Table 1)

Table 1: Respondent’s socio-demographic profile.

Age		Occupation		Educational status		Monthly Household Income (in BDT)	
Criteria	Percent	Criteria	Percent	Criteria	Percent	Criteria	Percent
17-21	17.8	Student	43.3	Illiterate	6.7	Below 10000	15.6
22-26	43.3	Teacher	8.9	Primary	8.9	10001-15000	15.6
27-31	17.8	Housewife	16.7	High school	11.1	15001-20000	24.4
32-36	11.1	Businessman	4.4	Intermediate	34.4	20000 & above	44.4
37-41	5.6	Job holder	14.4	Graduated	31.1	-	-
42-above	4.4	Laborer	11.1	Post graduated & above	7.8	-	-
-	-	Others	1.2	-	-	-	-
Total	100	Total	100	Total	100	Total	100

Source: Field survey, 2022

6.2. Major causes of harassment:

People use public transport in different ways because of their daily activities. Women also use many kinds of transport for their traveling. Such as buses, microbus, CNG, motorcycles, rickshaws, trains, and other transports. In these kinds of public transport, women are harassed for one or more reasons. It can vary from country to country or from society to society. Respondents of this study acclaimed that overcrowded transportation and lack of security facilities were the main two reasons behind the harassment.

Table 2: Major causes of harassment in public transport

Kinds of transportation		Facing Harassment (Multiple answers)		Sexual harasser (Multiple answers)		Reasons of harassment (Multiple answers)	
Criteria	Percent	Criteria	Percent	Criteria	Percent	Criteria	Percent
Bus	81.1	Unwanted kiss	1.11	Driver	1.11	women’s dress	1.11
Microbus	1.1	Touching of breasts	20	Conductor	27.78	lack of education.	31.11
CNG	5.6	Butt slapping	3.17	Co-male passenger (same seat)	47.78	Overcrowded transportation.	65.56
Motorcycle	1.1	Rape	0	Other passengers	62.22	Poor lightning.	26.67
Rickshaw	6.7	Intentional touch in the body	75.56	Bus hawkers	8.89	Lack of security facilities.	58.89
Others	4.4	Requests for sexual favors	25.56	Others(specify)	3.33	No implementation of the law against indecent behavior and harassment	24.44
-	-	Sexually suggestive gestures	15.56	-	-	Perpetrators go unpublished	16.67
		Others	2.22	-	-	Others	1.11
Total	100	Total	143.18	Total	142.22	Total	225.56

Source: Field survey, 2022

In the survey, researchers explored that, out of 90 respondents, the majority of women (81.1%) stated that they used buses for their transportation whereas around 20% of women together said they use other transport like Microbus, CNG, Motorcycle, Rickshaw and others. When these women use their transport, they are intentionally touched in their bodies (75.56%) and sometimes they are requested for sexual favors (25.56%) and 15.56% of women reported that they are sexually gestured when they use public transport. Women who travel face many sexual offenses or harassment by others. And in this case, the highest number of women (62.22%) specified that they are harassed by other passengers and in most cases, by co-male passengers (47.78%) and 27.78% by conductor. Women specified overcrowded transport (65.56%) and lack of security facilities (58.89%) as the most vital reasons for their harassment in public transport. When I asked a respondent about the reasons for sexual harassment, she stated that *"I use the public bus every day and I start my journey in the morning to go to my workplace and I have to stay in the public bus for around one hour and when the bus is overcrowded, females are then sexually harassed by the nearest people. women keep silent sometimes as the bus is very crowd (Female,30, Worker in shopping mall)*. Though 31.11% of women reported that lack of proper education, they harass women in public transport (Table 2).

This research finding is very relevant to some other research on public transport and women's harassment. Several studies have investigated the prime concern about gender-based harassment in public transport. Gautam and others conducted a study on physical harassment involving 280 female students. The conducted research highlighted those female students who travel alone can be harassed by others and in the evening female students are more susceptible to harassment.²⁵ Other research was also highlighted by Tokey and Shioma who examined primary causes of harassment and emphasized safe and women-friendly travel in public transportation. Some better recommendations have been mentioned for the safe travel of women.²⁶

6.3. Public reaction

These days, public reaction is a very common scenario in Dhaka city. People react differently when they travel by bus at their office time. In this study, the researchers have tried to find out the public reaction after the incident of women's harassment. Here, they make efforts to identify respondents' own reactions, as well as respondents' family members and overall public reactions to the transport.

²⁵ Nirmal Gautam, Nirmal Sapakota, Sarala Shrestha and Dipika Regmi, 'Sexual Harassment in Public Transportation among Female Student in Kathmandu Valley' (2019) 12 Risk Manag Healthc Policy 105.

²⁶ Tokey and Shioma (n 2).

Table 3: The public reaction toward the harassment

Respondents reaction (multiple answers)		Family member reaction (multiple answers)		Public reaction (multiple answers)		Getting help after harassment	
Criteria	Percent	Criteria	Percent	Criteria	Percent	Criteria	Percent
Shout	48.89	Restriction to go outside	15.56	Aggressiveness to victim	10.0	Driver	0.0
Slap	25.56	Left job	3.33	Aggressiveness to criminal	51.11	Passenger	62.22
Want help from others	21.11	Banned public transport use	13.33	People's silence	42.22	Conductor	12.22
No reaction	11.11	Supply guardian to travel	10.0	Blame for women's dress	17.77	Traffic police	25.56
Others	2.22	Others	14.44	Call for legal support	20.0	Others	0.0
-	-	-	-	Others	1.22	-	-
Total	108.89	Total	56.66	Total	142.32	Total	100

Source: Field survey, 2022

The findings indicate that when women are sexually harassed on public transport they shout (48.89%) for unwanted sexual touch and 25.56% of female respondents stated that they cannot bear such unusual touch from other persons and they sometimes slap the sexual offender in front of other people. When respondents were asked about their reaction, one of the respondents stated that *“Last two days ago, I could vividly remember when I was going to my college and then I was sexually harassed on a public bus, I shut in front of all passengers and slapped his cheek and I also recorded the whole situation to teach him a lesson (Female 22, student, Dhaka City College)”*. Besides, (21.11%) of respondents want help from others when they are in a vulnerable situation. The very last, (11.11%) of respondents select the no-reaction option like the former as they do not bother by other incidents on the bus. When women go home, their family members react and sometimes they are restricted to go outside (15.56%) for their jobs or other purposes. When a sexual incident occurs on the bus, the public instantly reacts to the sexual offender and they threaten the offender and behave aggressively toward the criminals. In the incident of sexual harassment, women feel helpless and, in most cases, they are helped by other passengers (62.22%). Besides, women in the most vulnerable situations, take the help of the nearest traffic police (25.56%) officers (Table 3). This writing reveals findings that are very relevant to many findings. In this case, the findings of Tokey and Shioma focused on many causes of sexual harassment, and along with this, they tried to explain the reaction of the female who is more vulnerable in

public transport and what incidents usually occur in public transport.²⁷ Other research findings by Maran and others revealed that women who commute by public transport in Bangladesh experienced sexual harassment in several forms. Specific forms of harassment are faced by women and mostly by male harassers. Women keep themselves silent and they have no reactions in public settings.²⁸

6.4. Impacts of harassment on women

Women's harassment in public transport, is obviously, a problem in society. So, it creates many negative impacts on women. To identify the impacts and their nature, the researchers compiled some questions here. The findings are mentioned below.

Table 4: Impacts of harassment on women

Degree of suffering		Effects on occupation		Effects in life	
Criteria	Percent	Criteria	Percent	Criteria	Percent
Extreme	21.1	Feel inferior or powerless	83.33	Body shaming	5.56
High	17.8	Discouraged to go out	14.45	Traumatization	55.56
Moderate	30.0	Quitting job	2.22	Fear about using public transports	13.33
Low	31.1	-	-	Suicidal thought	2.22
				Thought of self-harm	6.66
				Hopelessness	16.67
Total	100	Total	100	Total	100

Source: Field survey, 2022

The data table represents that (83.33%) of respondents felt inferior or powerless when being sexually harassed in public transport (14.45%) of female respondents felt discouraged to go out and rest (2.22%) quit their job as effects on occupation. In this context, here (21.10%) of respondents responded to extreme suffering for their harassment and (17.80%) of respondents opined to high suffering level. On the other hand, moderate and low suffering levels were (30.0%) and (31.1%) respondents serially. Besides those, the researchers found other effects of harassment. Among them, (5.56%) of respondents acclaimed body shaming, (13.33%) opined fear about using public transport, (2.22%) deemed suicidal thoughts, (6.66%) mentioned thoughts of self-harm and (16.67%) hinted at hopelessness. After all, the majority of the respondents (55.56%) raised their voices about traumatization as the effects on their later life (See Table 4). When I asked a girl about the post-harassment effect in their life, she specified that "I

²⁷ Tokey and Shioma (n 2).

²⁸ Daniela Acquadro Maran, Antonella Varetto, and Cristina Civilotti, 'Sexual Harassment in the Workplace: Consequences and Perceived Self-Efficacy in Women and Men Witnesses and Non-Witnesses' (2022) 12(9) Behavioral Sciences.

studied at a national university and I used public transport for my journey. Once an individual touched my body sitting beside me. Firstly, I didn't mind but later I realized intentionally I was harassed and I quarreled with him. That individual came to my residential area following me and my family members feared that situation and I was forced to marry someone and my life track totally changed for that incident"

Several studies have explored the impact of sexual harassment on personal and social life. Ferdous and Dipu explained in their research article that around 90% of females and girls face sexual harassment when they used public transport and their research work also highlighted the negative impact of sexual harassment and made a comment to change policy related to women's harassment.²⁹ While Tripathi and Borrión focused on victimization experiences and risk perceptions among 200 tertiary female students in India. Moreover, the study focused on the global nature and its extreme influence on women.³⁰

7. Women Harassment in Public Transport and Legally Mandated Protection under the Law in Bangladesh

Although women's harassment on public transportation is a terrible crime in Bangladesh, government involvement in minimizing it doesn't appear to be enough.³¹ It is terribly regrettable that there is no explicit rule against harassing women in public transportation in Bangladesh.³² Fewer portions of the Penal Code of 1860 deal with specific instances of sexual harassment.³³ As stated in Section 354 of the Penal Code, any individual who assaults or uses illegal force on a woman with the intent to offend or knowing that doing so will likely offend her modesty is deemed to be engaging in sexual harassment and that person faces a maximum sentence of two years in prison, a fine, or both.³⁴ Section 509 states that people who make women feel uneasy with their gestures, words, or sounds, or who offend women's modesty, are guilty of evening teasing, and the convicted will get a sentence of no more than one year in prison, a fine, or both.³⁵

In the Dhaka Metropolitan Police Ordinance of 1976, sexual harassment is described as upsetting and bothering a woman in public by using impolite language and gestures. The same regulation specified that such infractions might result in up to a year in prison, a fine of 2,000 Taka, or both as a punishment.³⁶ Sexual harassment is also

²⁹ Ferdous and Dipu (n 3).

³⁰ Kartikeya Tripathi, Harve Borrión and Jyoti Belur, 'Sexual Harassment of Students on Public Transport: An Exploratory Study in Lucknow, India' (2017) 19 Crime Prevention and Community Safety 240.

³¹ Md. Akramul Islam and Tahnim Amin, 'Eve Teasing in Bangladesh: An Overview' (2016) 21(11) Journal of Humanities and Social Science 1.

³² Md. Mahabub UlAlam Khan and Gita Debi Halder, 'Sexual Harassment in Bangladesh: A Note on Legal Perspective' (2022) 4(1) Society and Sustainability 107.

³³ Penal Code 1860, s 354, 509.

³⁴ PC 1860, s 354.

³⁵ PC 1860, s 509.

³⁶ Dhaka Metropolitan Police Ordinance 1976, s 76.

described as “jounonipiron” in the Women and Children Repression Prevention Act, of 2000, which made it illegal for someone to touch a woman, or a child, or infringe upon her modesty in order to illicitly satisfy their sexual urges.³⁷

By revising the Bangladesh Labour Rules 2015 in 2022, Bangladesh Labor Laws added a specific clause about the prohibition of sexual harassment in the workplace for women, which became operative in 2022. Bangladesh Labor Rules implemented Rule 361 KA under Bangladesh Labour Rules, 2015, which covers inappropriate sexual behavior, sexually suggestive language, pornographic display, and other sexually suggestive gestures.³⁸

Therefore, after carefully examining the legislation pertaining to women’s harassment in Bangladesh, it can be concluded that there are no specific regulations pertaining to women’s harassment in public transportation. However, because the Penal Code of 1860’s prohibitions on harassment of women do not specifically state where the offense is committed, they also apply to women who are harassed while traveling on public transportation. As there are no specific laws relating to women’s harassment in public transportation, it is a timely opportunity for the government of Bangladesh to take appropriate steps to create laws addressing the harassment of women in public transportation.

8. Conclusion and Recommendations

This study reveals that harassment in public transport is very common in Dhaka city and the women who use transport every day face such unbearable harassment by other people. The analysis identified that a major factor that leads to harassment is local buses. Most of the harassment occurs on public buses. The availability of public transportation is increasing day by day and the harassment of women is also rising. In addition, most of the harassment was done by the co-male or other passengers. It also found that for such assaults women face many difficulties in their personal lives. The researcher found that women’s harassment in public transport is a great hamper for women’s education. Of this problem, women fall into complexities in education, jobs, and overall free movement. When women are a contributor to building society, harassment stops them from their pathways. In this context, sexual harassment in public transport is a very burning issue nowadays and many people are so worried about this. In our legal system of law, there is not enough legal application to discontinue the worse situation of women’s sexual harassment in public transport. So, some recommendations can be highlighted to be aware of this issue.

- a) Need to change of stereotypical mentality of general people about women and their role in society.

³⁷ Women and Children Repression Prevention Act 2000, s 10.

³⁸ Bangladesh Labour Rules 2015, r 361 KA.

- b) Public Awareness campaigns should be launched to challenge the present and prevailing social norms and attitudes that stimulate gender-based harassment.
- c) It is very urgent to train the drivers, staff, conductors, and station personnel addressing gender-based violence and they should be provided information about the negative consequences of this issue. Staff members should be equipped with the knowledge and skills to respond effectively to harassment cases and support victims.
- d) Surveillance and monitoring system should be implemented on transport and vehicles to enhance and ensure public safety. This system may create a sense of responsibility among potential offenders.
- e) Gender-sensitive policies should be developed within the public transport system this may include clear protocols for reporting harassment incidents and ensuring privacy and confidentiality for victimized women.
- f) Safe spaces within public transport should be created for vehicles and stations where passengers can seek assistance or report harassment discreetly. Additionally, establishing dedicated helplines for victims to seek assistance and support can be crucial in addressing incidents promptly.
- g) Reserved spaces for women should be maintained and if possible separate women bus should be introduced.
- h) Good lighting in all aspects of the transportation system, including buses, trains, bus stops, platforms, and streets should be available to ensure the safety of women.
- i) There is a necessity for clear government procedures for assigning specific areas of duty for confirming passenger security, especially women's safety on public transport.
- j) Most vulnerable locations should be monitored with the support of CCTV cameras which will increase security in society.
- k) Strong laws should be enacted and implemented against harassment of women and higher authorities should give exemplary penalties to those who create harassment against women in public transport and confirm a safe road trip for all women.
- l) Women hesitate to go to police stations due to unfriendly attitude of the police officers. So, the overall environment of the police stations must be made women friendly.