

**A COMPARATIVE RESEARCH OF LEGISLATION FOR COMPRISING A SPECIAL
LAW IN SUPPORT OF SINGLE MOTHERS OF BANGLADESH**

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ABSTRACT: *Bangladesh is an independent country as well as the state has been ratified several international covenants regarding human rights aimed to reflect the conventional substances upon domestic laws. The constitution of Bangladesh is also an ideal source to protect civil rights such as it has guaranteed elimination of gender discrimination from the state by enforcing obligatory legal measures. Despite of having influence of international human rights and affirmative declaration from the constitution the single mothers of Bangladesh are deprived tremendously from enjoying human rights with their children. This phenomenon signifies presence of scarcity of special legislation in support of single mothers in the country. The aim of this paper is to compare the legislation of China and Bangladesh regarding women and children for comprising a contemporary and appropriate law to protect the rights of single mothers of Bangladesh.*

KEYWORDS: Comparative law, single mothers, contemporary, legal system, special law

INTRODUCTION

‘Comparative law is important for lawyers involved in cross border transactions, since they are required to understand the impact of relevant national laws on such transactions and assess the differences with their own legal system.’¹ Comparative law has an indispensable influence to improve and modify the legislation of a state. International exchange of legal culture is one of

¹Pierrick Le Goff, ‘Global Law :A Legal Phenomenon Emerging From the Process of Globalization’(2007) 14(1) IJGLS <<https://muse.jhu.edu/>>(accessed February 15, 2019)

the legitimate sources of adaption of superior law in the state. Thus there is a tendency to accept the precedents and general rules from other common law system countries. 'Comparative Law is gaining importance at present, learning the root of the existing comparative features can assist to comprehend the present interpretations better and therefore the need of this research is essential for the countries.'² Alteration or adaption in the legislation is a regular process of the legislative body of a state however it cannot be done appropriately without comparing the equivalent legal disputes and laws of foreign countries. 'Globalization brings laws and legal cultures into more direct, frequent, intimate, and often complicated and stressed contact. It influences what legal professionals want and need to know about foreign laws, how they transfer, acquire, and process information, and how decisions are being made.'³ Globalization opens many folds to exchange legal cultures along with legal ideas however the question arises that what sort of inclusion or exclusion should be made in the legislation on the basis of comparison of legislation. 'Nevertheless harmonisation recommend that the novel rules should be derived from existing laws rather than invented by the drafters, in tradition what is done is to make utilize of a rule that is general for all or most of the relevant jurisdictions, or a rule particular that represents a minority or still one jurisdiction.'⁴ Therefore in case of insertion in the legislation following the existing law should get the preference by the legislative body. China has exceptionally lucid and contemporary legislations regarding women and children. Implementation and explanation of law in China is very recurrent as well as in the current study it is found that Chinese law is model of the social tranquillity and equal justice. Rule of law has been established firmly in this society. 'China's legal structure has been improved thus thanks to speedy economic development with the strengthening of the state's lawful capacity. A contemporary legal culture made with a set of values based on a social order of rule of law plus a state of rule by law has been built.'⁵ Economic development of China and social harmony reflects the rule of law and transparency of law in China. On the other hand less enforcement of existing laws and absent of explicit legislation a large number of citizens are immensely deprived from enjoying civil rights. In this paper my objective is to compare the legislation of China and Bangladesh regarding children and women to find out the deficiencies in the legislation of Bangladesh. Subsequently I have accomplished different kind of analysis to find out the relevant comparison related to my thesis. For instance legal system of the countries has been presented in the current work to identify the

²Preeti Shikder, 'The Role of Comparative Law in the Making of the Constitution of Peoples' Republic of Bangladesh' (2010) Jahangirnagar University Journal of Law, 17/2017, <https://www.academia.edu/34851611/The_Role_of_Comparative_Law_in_the_Making_of_the_Constitution_of_Peoples_Republic_of_Bangladesh>accessed 18 November 2018

³ David J. Gerber, 'Globalization and Legal Knowledge: Implications for Comparative Law' (2001) 1 TLR <<http://tlr.org/article/view/17>>accessed 27 May

⁴David Nelken and Esin Örüci, Comparative Law A Handbook, (Oxford and Portland, 3rd edn, Hart Publication 2007)

⁵ Ming Yang and Juan Chen, 'The Rule of Law in China: If It Has Been Built, Do People Know about It?' (2009) (1) China Review < <https://www.jstor.org/stable/23462182> >accessed 9 March 2019

legal structures of the states. Gradually the analysis will proceed towards investigation of legislations and finally the paper will present the findings and recommendations for the proposed special law under the light of Chinese law.

A brief synopsis on legal system of China

‘The People’s Republic of China (PRC) was founded in 1949 by the Chinese Communist Party. “Reform and Open Door” approach in the late 1970s, which started China’s current fast economic development and started the continuous move to a market economy, which had gigantic suggestions for the country’s legitimate improvement.’⁶ China has a great influence all over the world as it has a strong economy and it has established rule of law in the state. ‘The legal structure of the People’s Republic of China (PRC) is distinct by the government as “socialist legal system.” Regardless of the official definition, China’s legal system is primarily based on the replica of Civil Law. The Constitution of the People’s Republic of China is the uppermost law for China.’⁷ Supreme Court of China can be divided into two parts such as local people’s court and special people’s court. Higher People’s Court, Intermediate People’s Court and Grass root Peoples Court are the three divisions of Local Peoples Court and Military Court, Maritime court, Railway Transportation Court, Forestry Court are under special courts. Resemblance can be observed at this point as the Constitution of Bangladesh is also the supreme law of the country like China.

A short summary of legal structure of Bangladesh

Bangladesh has acquired its sovereignty and freedom on December 16, 1971. The Legal system of Bangladesh is known as mixed legal system where the majority of it has been adopted from British common law and Islamic law. ‘The roots of the Bangladeshi legal system takes back to ancient times on the Indian subcontinent. The system developed gradually, passing through various stages in a continuous historical process. The process of evolution has been partly indigenous and partly foreign. The current legal system emanates from a “mixed” system in which the structure, certain legal principles, and specific concepts are modelled on both Indo-Mughal and English law.’⁸ Constitution is the fundamental law of the country as well as there are civil procedure code which is identified as The Code of Civil Procedure, 1908(Act No.V of 1908) and criminal procedure code that is acknowledged as The Code of Criminal Procedure, 1898(Act No. V of 1898) to control over two different matters. Civil laws of the country are comprised with personal laws such as Muslim and Hindu laws to handle personal matters like social and family matters, marriage and inheritance. However in case of criminal justice application of personal law is not allowed in the country. Statutory law is the supreme in case of criminal justice. ‘The legal system of Bangladesh is being called upon to develop tools to compel the state to abide by the social justice mandate of the constitution and to promote the human rights of the underprivileged section of the society.’⁹ The legal system of Bangladesh is also known as common law system thus it follows the precedents of common law countries. ‘Court of Bangladesh is comprised of the Supreme Court Division and the Subordinate Courts Division. Supreme Court is the highest court of the nation, other courts and tribunals are

⁶Jingjing Liu, ‘Overview of the Chinese Legal

System’(2013)1(1)ELR<<https://elr.info/sites/default/files/chinaupdate>>accessed 15 January 2019

⁷ Legal Research Guide: China, ‘Introduction to China’s Legal System’(Law.gov, 12 July 2016)

<<http://www.loc.gov/law/help/legal-research-guide/china.php>>accessed 13 February 2019

⁸ M. Shah Alam, Comparative Law (SGM 2009)

⁹ Mohammad Monirul Azam, ‘Reforming Legal Education in Bangladesh’ (2005)

subordinate to Supreme Court. The Appellate Court of Supreme Court Division have authority to listen and decide requests from judgments, orders or sentences of the subordinate courts. High Court Division is also a wing of Supreme Court Division with independent power.¹⁰ The special courts of Bangladesh are not separated from the others courts like special courts of China. For instance Railway and Transportation court are separate in People's Court of China but such structure cannot be observed in Bangladesh.

Evaluation of the legislations

'Comparison of law between two countries or comparing and contrasting between laws is an essential part of comprising new laws in the state.'¹¹ Exchange of legal culture is essential for the development of the country. States have their different culture and social system along with legal culture and legislations. However comparing and contrasting of legislation does not denote that all particulars from developed country should be adopted rather taking the suggestions from the superior existing law is the prime concern. In this part of thesis I have initiated to compare Chinese legislation with legislation of Bangladesh and my special focus will be on laws of women and children with marriage law.

(a) Comparative discussion between legislation of China and Bangladesh (women and marriage law)

Conserving women's right is one of the big challenges for Bangladesh since in the constitution of Bangladesh equal rights for women has pronounced strongly. Beside this protection of children and women from different types of abuse and to get equal right as human being constitution of the country has declared in the Article 28(4) special provisions can be made for the advancement of the children and women. The government of Bangladesh is trying to minimize the issue of violence against women by setting up different laws regarding children and women. For example Dowry Prohibition Act, 1980(Act No. XXXV of 1980), Women and Children Repression Act of 2000. To prevent hostility against women after marriage in demand of dowry from spouse's side government has established a particular law for women which is named as The Dowry Prohibition Act, 1980. Formation of these laws are the sign of proceeding with the proclamation of the constitution of the country. In section 5 of The Dowry Prohibition Act, 1980 it is stated that any contract for receiving or paying dowry shall be void and by section 7 of the same act it has been affirmed that transaction of dowry will be considered as a criminal offence and it will be cognizable under The Code of Criminal Procedure 1898,(Act V of 1898). In addition, The Women and Children Repression Prevention Bill, 2000 is another important bill for upholding rights of women and children. 'The Women and Children Repression Prevention Bill 2000, which strengthens the Women and Children and applies in cases concerning and prove aggression with acid or other corrosive material, rape with rape related deaths, murder for dowry, kidnapping and trafficking of women and children, demanding of money or ransom after kidnapping, sexual molestation, disfigurement of children for purposes of begging, and exposing a victim or survivor's identity in the media.'¹² 'The law applies to all Bangladeshi national and people residing in Bangladesh, and it is being enforced by the system of law. Sentences given to persons convicted based on the types and form with degree of the offence, but it is stated that

¹⁰Omar Sial, 'A Research Guide to the Legal System of the Peoples of Republic of

Bangladesh'(2008)2(1)Globalex<<http://www.nyulawglobal.org/globalex/Bangladesh>>13 June 201

¹¹ Justice Amin, Comparative law and Improvement of Legislation,(1 st supp,2ndedn, Sage Publication2003)

¹² The Women and Children Repression Prevention Bill,2000.s12

range from two years rigorous imprisonment up to the death penalty for convicted.’¹³ This act is also known as The Prevention of Women and Children Repression Act, 2003 after an amendment in 2013. In order to defend women from violence and cruelty by the society and family there are numbers of laws available in Bangladesh however impact of these acts are dreadfully sluggish which can be seen from recent reports. ‘Two thirds of women in Bangladesh, around 66%, have been victims of domestic violence and 72.7% of them have never disclosed their experience to others.’¹⁴ The government of Bangladesh has fair intention to stand against the violence on the women. However due to less enforcement of law and corruption in the government sector women are not getting the significance of the laws for their interest. ‘According to human rights organization Bangladesh Mahila Parishad (BMP), 5,616 cases of hostility against women were recorded in 2012, most of them are rapes (904) followed by murders (900), nuisance and death as a result of stalking (662), murders for dowry (558), with suicide (435).’¹⁵ Conversely, China has a socialist system of law supported by mainly on the Civil Law form. ‘China has one of the greatest financial positions around the countries with advanced economies, exceeding the United States. (China’s Gini coefficient, a measure of income allocation, is .53, compared to .45 in the US and .34 in India).’¹⁶ Chinese rules and regulation are extremely clear, specific and assembled with contemporary thoughts and interpretation that I have perceived during the analysis of comparative study of this thesis. Marriage Law of the People’s Republic of China, 2001 is a flaming example of an admirable law. It has divided into different chapters as well as each chapter has been defined precisely with significant details of the conditions and circumstances arise by marriage and divorce. Legal rights of property, legal responsibilities of parents, guardians and children, divorce along with remarriage everything is clearly stated in the law which generates the equal rights for the women in the country. In the chapter III of the law article 13 has been proclaimed the equal status of wife which is absent in the marriage law of Bangladesh as it is regulated by personal law. For example Muslim Family Law and Ordinance, 1961 and The Christian Marriage Act, 1872. Article 16 of marriage law of China is about birth control policy for the spouse which is also absent in the laws of Bangladesh however it is an over populated country and Article 17 of the marriage law of China has an extraordinary impact on the family which constitute the family into a legal obligation for achieving equal economic rights for the spouse. Chapter IV of the law is similarly significant for upholding individual’s rights and liberty. For example, after divorce the distribution or disposal of property is well mentioned in this part which is completely missing in the law of Bangladesh. A contemporary law is a key to maintain tranquillity and proper justice in the society which is observed in China remarkably. ‘Now that the people have obtained freedom of marriage and the domestic relations have improved, families in China as basic social units have become more and more healthy and consolidated, with the result that the number of divorce cases is gradually diminishing.’¹⁷ To establish and ensure universal right of the citizen the first priority is declaration of the rights by the state. Protection of Women's Rights and Interests Law of the People's Republic of China which has been amended in August 28, 2005 and come into effect from December of the same year. In my point of view this is not only a law rather it is a piece of evidence of valuing person’s rights as well as accept women as human being. Each and every articles of this law has stated extremely significant, pragmatic, and sensible issues to support the interest of the women along with their children. In this observation I would like to

¹³ ibid12.s13

¹⁴ Department of Women Development, ‘Legal Aid for poor Women’(White Paper,Cm3452,2011)ch3

¹⁵ Janie, ‘Violence Against Women and Present Condition’ *The Daily Star*(Dhaka,3 september2016)2

¹⁶ Ama Tanu, ‘Present China and Development’ *The Daily News* (Dhaka,14July2018)9

¹⁷Minara Sen ‘Loss and gain of the legislation’(2010)1(1)IJU<<http://indian.ijl.org.aticle/view>>accessed June22017

start with Article 2 of the Protection of Women's Rights and Interests Law of the People's Republic of China where equal right as men is declared for women. While Article 4 of the aforementioned law has affirmed that state and society is responsible to take care for the development and welfare of the women similarly by Article 5 the duties and responsibilities has given for self improvement, personality evolution and making self identity upon women. Therefore this indicates the equilibrium of responsibilities. More elaborately it can be held that caring for women is not only the state responsibility or duty of the society but also it is the commitment of women to themselves to qualify self for improved life. If the law imposes the duties and responsibilities only to the society and to the state then the women could turn into the burden for the society. In order to construct self esteem and a well impartial form of society the aforementioned section has a significant role. Chapter IV of the law is for right and interest for the women in case of work and social security. Article 29 of the same law is exceptionally pertinent with my thesis idea as it talks about social safety measures and insurance for the mothers in order to maintain their children and child bearing aid for destitute mothers. It is the symbol of concern by the state for future generation of the nation by systematizing difficulties of mothers under law. The remarkable superiority of this law is collective basic rights are conferred in the same statute as well as tremendous clarity of the articles which are not present in the laws of Bangladesh. For example only in Article 28(2) of the Constitution of Bangladesh equal rights for women has proclaimed. Hence it can be observed that despite of having good intention and plans by the state women are not enjoying their basic human rights in Bangladesh due to lack of lucidity and transparency of the laws. Another excellence of Protection of Women's Rights and Interests Law of the People's Republic of China is Article 45 and Article 48 of Chapter VIII as these articles have provided provisions for the mothers along with their children which will protect them legally from exposure and helplessness after divorce. Likewise provisions are not available in the law of Bangladesh. However in the section 7(5) Muslim Family Law Ordinance 1961 it is provided that if the wife is pregnant at the time of divorce it shall not be effective until the child birth. Nevertheless this section is not clear enough for the interest of the divorced mothers as well as this provision is given only in the Muslim personal law. Presence of likewise specification are absent in the other personal laws of Bangladesh. Consequently to preserve proper and equal justice for single mothers of the country comprising a special law by state is extremely indispensable.

(b) A comparative symposium between legislation of China and Bangladesh (Children's law)

The Children Act 2013 is officially known as 'Shishu Ain 2013' rescinding the Children Act 1974 and with the attempt to implement the provisions of United Nations Conventions on the Rights of the Children. 'Bangladesh has enacted novel law for the interest of its estimated 70 million children. Which repeals the Children Act of 1974. This is officially known as "Shishu Ain, 2013", states that it has been endorse for the function of implementing the United Nations Convention on the Rights of the Child.'¹⁸ It was a great challenge for the government of Bangladesh since after independence of the country as no substantial changes can be made for benefit of the children. A numerous vital issues on children have been dealt with this legislation. The crucial significance of this law is ensuring the legal age of a person as a child has been

¹⁸ Justice Muhammad Ali 'A justice for children'(BD Law,1 May2015) <<https://www.google.bd.law/law.articl/children.act/2015>> accessed 24July2017

declared according to Convention on the Rights of the Child, 1989. Previously a person who exceeds the age sixteen cannot be considered as a child as per law however it has been extended up to eighteen by the new law. In the Chapter two and Chapter three the law has been stated about appointment of probationary officers and responsibilities of the officers. Formation of children court and responsibilities of law enforcements agencies are discussed in the chapter five and six. In section 84 which is located in Chapter X of the same act there is a stipulation for the children as alternative care which can act as safeguard of disadvantaged children. However lack of precision and entirety of section 89 (1) benefit of this section is getting vague impression for the children of single mothers. Since in section 89(1) (a) has been stated about the children who are entitled to get the advantage of this section. According to this section whose one of both parents or both parents have been died in addition in the clause (b) of the same section it can be found that abandoned children are mentioned for reaching under benefit of this section. In case of the children who born out of wed lock relation or by any other unwanted incidents for these peer of children no such provision has been created particularly in this law. However this legislation has been created for the assistance of all children of Bangladesh as a particular peer of children are deprived from the benefit of this law thus it can be said that it is a curtailed law for the benefit of the children. It is also factual that this law regarding children of Bangladesh has numerous good provision that could be perform as safeguard for the children such as form and degree of detention of a children and atmosphere of police custody is well enough in favour of children. As my thesis concern is about finding the benefits for single mothers and their children thus I have focused particularly on this issue during investigation of this legislation. In my study I have found that in this law there is no such provisions for the interest and welfare of the children of single mother headed family. For instance the sections of the law has been created for the children after coming under surveillance of law or for the any other children who descend directly under any clause of section 89(1). But there is no such sections or subsections in this act for distressed children of a single mother headed family by pecuniary subsidising, grant or any other government subsidiary to provide a children a sound family life under care and concern of mother to enjoy a family life rather than living in an alternative care. Again this act has not been imposed any legal responsibilities on the parents to up bring their children until they attain their majority. Beside this act existence of few laws can be seen in the country such as Women and Children Repression Act, 2003 is for prevention of the cruelty on the children by rape or murder by rape or abduction or other kind of torture. Most of legislations of Bangladesh regarding children are talking about the proceedings after infringements of legal rights. On the other hand legislation of China is presenting every inalienable rights for the children in the Law of People's Republic of China on protection of Minors. Such as each Chapters of this legislation has imposed responsibilities for the different institutions of the society for securing children. Family,

school, society, judicial protection and finally state responsibilities are defined finely. Article 4 of this law is very unique as it has stated the almost every right of the minors such as mental and physical health, respecting the personal dignity of the minors as well as protecting the lawful rights of the minors. Article 8 of Chapter II is imposing full responsibility on the parents or guardian to up bring the children. In Article 10 of same chapter the law has imposed responsibility on family to built sound ideology of the children. Family is the first institution for the children for building nature and to be nurtured. In my point of view the significance of this law is counting the responsibilities for protecting the rights of children as a common responsibility of each wing of the state such as family, school, and society as well as state. However Chinese law on protection of minors has not mentioned about single mother's children but by the clear and specific articles the rights of children has been supported completely. Such as creating sound domestic environment for children is mandatory by the family. On the other hand, in Bangladesh specially the broken family children who are living with single mothers are deprived from enjoying such rights due to lack of proper law. In single mother headed family, poverty, vulnerability and infringement of human rights are moving in cyclic order. Such as a family needs financial resources, emotional attachments, sharing and caring as well other social security. Elimination of a parental relationship affected children mostly like the mothers as it makes all resources limited. When resources become lesser daily human requirements gradually become burden. Children of distressed mothers are the dormant victim of shocking domestic environment in Bangladesh. Firstly these children lose their identity as human being in the society as soon as they are discarded or neglected by the fathers. They become burden to the society as most of the times the resources for living become extremely limited for them. 'In spite of getting parents love and care they experience harsh, brutal and offensive behaviour from the elders of the domestic atmosphere. Gradually these children go out of the path due to hidden anguish and unhappy life as there is nobody to hear their emotions and problems.'¹⁹ In my point of view, a law regarding single mother's support and care for their children could be minimized the exertions.

FINDINGS AND RECOMMENDATION OF THE COMPARATIVE RESEARCH

Adequate law and its proper implementation can make a society developed and peaceful. Contemporary China and Chinese law regarding women interest and Marriage and family law and the law for the protection of minor are the intense example of ideal law. Women and children are the essential part of the state for enlargement of civilization. China has become a leading country among the world which specifies that rights of men and women is not only a concept for the law of this country rather it is a philosophy of the law. Without maintaining

¹⁹ J.K Albert 'Vulnerability of Single Parent Children'(2011)124 IJLR 57

equality and justice for women education, economy, children welfare development of the society is not possible. If the mother's become helpless the future of the children turns into obscure and difficult.

China is maintaining equilibrium of right between men and women thus this country has become an immensely powerful in the world. On the other hand, in Bangladesh stability of women's right is incredibly unsatisfactory. Since concern of my thesis is upholding single mother's right that means mother and children both are essential aspect of this analysis. Single mothers are also vital part of women community as well as they have vital roles in the society. Since law for women interest is absent and the term 'Single Mother' is still defiled in Bangladesh therefore the single mothers are always unseen victim in the society. It has become norm and custom in the society that single mothers have to suffer with their children due to lack of resources however this concept and custom can be stopped by making a law for them following the Chinese law. The most significant components of marriage and family law and law of women welfare and interest is the evaluating a women as a human being before and after their marriage. As a result a human being deserves the rights to survive peacefully all are mentioned care and concern in the Chinese legislation. Abandonment, cruelty, gender discrimination, desertion from the property, force labour and various kinds of violence against women is regular observation in Bangladesh. A large number of these victims are single mothers. According to 'Odhikar' a non government organization for human rights 'Number of single headed family is increasing enormously in Bangladesh and their children are the main sufferer due to limitation of resources.'²⁰ Developing self esteem, self reliance, and self protective and self respect should be mentioned in the proposed special law. Moreover property right, social security system, aid for needy mothers should be keep in concern thus the single mothers and children need not to suffer for limitation of resources and they will be protected by law. Again in the children's law of Bangladesh absence of children rights can be observed. The rights of a minor should be declared clearly by legislation. For illustration, section 13(1),(2),(3) of Nari-o-Shishu Nirjatan Daman Ain, 2000 discuss about maintenance and custody about children who are born in consequence of rape. In the section it is provided that the rapist has to bear the maintenance of the child. In this point my argument is if the offender is poor, insolvent or vagabond then who will take responsibility of the new born as there is no such provision mentioned for the pecuniary assistance by the state for the children. In this circumstances the distressed single mothers are becoming immensely helpless and discarded the children to get rid of the social stigma and burden of an unwanted infant. Moreover according to the subsection (2) of section 13 of the same act the tribunal will settle the custody of the children. I strongly oppose this section as it violates single mother's children's fundamental right to decide their guardian according to their will based on love, care and attention. The general rule of law is to solicit children in the court about their will in case of parental separation or divorce. Considering the age of children who born in consequence of rape if the court decides the guardianship in that case there must be clear provision for the children that after a certain age they can choose their guardian according to their will or they can meet with father or mother or other family members as their wish. Since it is a basic right of a children thus it should be mentioned in the law however no such provision for children has been stated in the law to protect children's right. In addition in the proposed law there must be provisions for financial grants for distressed single mothers and employment opportunity must be created by law for the single mothers thus they can provide the basic needs to their children. Moreover clear definition and scope of the proposed law must be transparent for effective implementation of the law. Each right for the children must be clarified by the

²⁰Odhikar, Distress women of the country and future of their Children, (Cmd 9280,2014) para 48

legislation then implementation of law will be easier. Reservation of the rights in the legislation denotes the partial enforcement of law as citizens are legally bound to uphold the rights. Since legislation of Bangladesh is not transparent and unique thus the violation of human rights of single mothers and their children can be protected by comprising a special legislation under the light of Chinese law.

CONCLUSION OF THE STUDY

Advancement of state is impossible without sound children and wellbeing of children is unfeasible without protected life of mother as mother is the first and utmost trusted shelter for the children. Single mother headed family has to suffer not only in financial basis rather in emotional issues also. Impact of such situations highly affects to the children. Therefore, legislature of Bangladesh should take necessary initiatives to make a compact and clear law to make an end for violation of human rights of single mothers. China and Bangladesh has a very friendly relationship from past and China has a great influence in the world because of its economic development and strict legal system along with lucid legislations. Making a law with the influence of China can make drastic changes in the society and economy of Bangladesh. Because if the equal rights among the human is not maintained a state cannot stand properly. Women and children both are vital part of the society thus the government of Bangladesh has fine intention to stop violence against these community. Previously the government of Bangladesh has emerged special laws for the protection of women such as Acid Control Act, 2000. Thus it is the prime time to make a change of the society by comprising a law for welfare of single mothers and their children under the light of Chinese law. There might be question that with having different legal system whether it is feasible for Bangladesh to follow the laws of China. In this point my judgment is that my proposal is to take the ideas from Chinese law not to bring changes in the legal system of the country. Therefore we can follow in what extent China is describing about right of the citizen in the law and another important thing is to making the laws contemporary. Most of the law regarding children and women has amended recently where in Bangladesh Muslim Marriage and Family law is still following the same act created in 1961, Hindu personal law for inheritance has been created in 1929. In the current society various types of disputes are arising which cannot be controlled by old acts. For example the idea of single mother is absent in the current laws however this is incredibly curtail subject in the contemporary society. To make change in the current situation it is very important to make contemporary special law for single mothers adapting the ideas from Chinese laws .

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