

**EQUALITY BEFORE LAW AND HIDDEN WOUNDS IN THE
CONSTITUTION: AN ANALYSIS ON PLURALIST CULTURAL
FABRIC OF BANGLADESH**

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ABSTRACT

The Constitution of Bangladesh upholds equal rights for men and women. The Article 7(2), 13, 19(1), 19(2), 26, 27, 28(2), and 29(1) of the Constitution of Republic is crystal clear when it says: "...the state shall not discriminate against any citizen on grounds of religion, caste, sex, or place of birth." Article Fifteen of the CEDAW Convention is very much reflected in the third Para of the Preamble of the Constitution "it shall be a fundamental aim of the State to realize through the democratic process to socialist society, free from exploitation- a society in which the rule of law, fundamental human rights and freedom, equality and justice, political, economic and social, will be secured for all citizens." Unfortunately, that is only a part of the legal fabric of Bangladesh. Since the time of our colonial masters, the British and the Pakistanis, we have had different sets of family laws for different religious groups. Diverse cultural factors support and encourage the accentuating of sex differences and discrimination. These lead to women facing highly discrimination in family matters related to marriage, divorce, maintenance, dowry, custody, guardianship and inheritance which are based on religion and traditional customary practices. This article seeks to examine the constitutional wounds in relation to CEDAW and how far those customary laws are affecting women in pluralist cultural fabric of Bangladesh.

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