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Book Review

Human Rights Perspectives and Social Justice

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Editorial Note

The Prime University Journal (PUJ) is an International Journal published half-yearly (January to June and July to December). It is a scholarly peer-reviewed international journal aimed to promote inquiry on education, research and development. PUJ encourages emerging scholars and academicians globally to disseminate their professional knowledge, innovative ideas and research in the fields of life, literature, culture, business, arts, social science, law, technology, and science and engineering related disciplines. The objective of the PUJ is to bridge the research community in humanities, social science and technology developers from academia and industry through submitting/publishing their research-based papers, articles, case studies, reviews on various topics of current concern in different disciplines, and book review in a single platform. The PUJ has an international editorial board consisting of scholars of different disciplines of the eastern and western origins which help to mitigate the cross-cultural issues across the globe.

Eight research articles have been selected in the current volume of PUJ on different disciplines with the inclusion of a book review. The first paper is on the customer attitudes towards the use of mannequins in displaying clothes in Apparel Stores in Dhaka City. The survey-based research concludes that the customer attitude is negative on use of mannequins, possibly due to the fact that Bangladesh is a Muslim majority country and the Islamic tenets go against the using, making, displaying any kind of effigy, statue, mannequins or so. The second paper is on the rule of law and reality in Bangladesh perspective. The author says that although one of the basic principles of the constitution of Bangladesh is the rule of law, in practice, the rule of law is a frustration in the country under the political despotism. The third paper is on the students' attitude towards learning English language in the Bangladesh Context. The authors find that the student's attitude differs in different level of education. The fourth paper is on the role of British colonial painters in the evolution of our 18th and 19th century Bengal painting. Those contributions should be evaluated and analyzed from the then historical perspective, which may reveal the full documentation of Indian life and living style, artistic values with socio-cultural values towards the progression of modern Indian sub continental art. The fifth paper is on learner autonomy and its implication

in the perspective of Bangladesh. The authors opine that learner autonomy does not mean exclusive self instructed and total extrication of teacher's responsibilities; rather it pin-points the role of the student as a more 'active participant' than his/her instructor. The sixth paper is on Rokeya's reverse thoughts on male characters in *Sultana's Dream*. Male characters in *Sultana's Dream* imparts images of men with no human characteristics but as humans believed to be idle, unpunctual, arrogant, conceited, and blindly fanatic to belief, customs and convention. The entire male folk have been terribly avenged in *Sultana's Dream*. The seventh paper is on the trafficking of women and their re-integration in Bangladesh. The eighth paper is on the protection of e-Commerce sites from DDoS attacks. The authors find that due to security threats, there results 30% less orders and revenue. DDoS works as a barrier to e-Commerce revenue gain worldwide.

The book review section happens to cover the human rights perspective (HRP), as depicted in the articles selected in the book titled, 'Human Rights Perspectives and Social Justice' (HRPSJ), edited by Prof Muzafer Assadi (2010), published by Serials Publications, New Delhi.

The editor judiciously collected twenty one articles on human rights applied to various aspects of HRPSJ. Two articles are by Bangladeshi scholars on child labor; the authors presented an intervention model and policies in the context of Islam and Islamic discourse on human rights and on Ethnic and religious minorities in Bangladesh Civil Service. Human rights awareness among tribal and non-tribal higher secondary school students is also focused. Human rights and emergence of Satnami Panthm (SP) in India, related judicial activism, consumer protection act, education and health of girl child, social exclusion and inclusive education, social analysis of migrant laborers etc. are also dealt with in other articles. This volume may be helpful to the students and researchers who are involved in human rights activities among the deprived population groups of Bangladesh and India.

M Abdus Sobhan

Editor

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Customer Attitudes towards the Mannequins Used for Displaying Clothes in Apparel Stores: A Case Study in Dhaka City

Md. Nazrul Islam¹, Md. Shak Forid² and Eman Hossain³

Abstract: Attitude is an enduring organization of motivational, emotional, perceptual and cognitive process that directs the consumers to act positively or negatively. Today's apparel retailers demonstrate significant concern with the central issue of consumers' attitudes for influencing brand/store preferences as well as general purchase behavior. To this end, recently mannequins are being widely used in the apparel stores for displaying clothes and fashion wears across the globe to draw the attention of the consumers. But Bangladesh is a Muslim majority country and Islamic tenets go against the using, making, displaying any kind of effigy, statue, mannequins or so. So, practically what attitudes do the consumers hold about the mannequin display in the apparel stores in Bangladesh is a matter of quest. The purpose of this paper is to provide an understanding of the consumer attitude on use of mannequins in the apparel stores for displaying clothes and fashion wears in Dhaka City. To assess what attitudes customers possess towards the mannequins, 200 randomly selected consumers were approached to collect data from different parts of the Dhaka City and it is found that most of the respondents showed negative attitude towards mannequins. This paper also tries to provide retailers with knowledge on consumer behavior in Bangladeshi-culture context by realizing the customer attitudes towards the mannequins and assesses the impact of mannequins on the consumers to go to the apparel stores that use the mannequins as the store display.

Keywords: Mannequins, attitudes, apparel stores.

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Introduction

The word 'mannequin' originates from the Dutch word *manneken*, literally meaning little man. A mannequin seems to be exact human body used by the retailers to demonstrate their products especially to exhibit the draping of apparel. Mannequins help a retailer in many different ways and when a new fashion trend hits the market, they are the first ones to showcase it. It is through them we come to know about the latest collections of clothing that have arrived at a particular store (Neha Malhotra, 2010).

The main issue for retailers is consumer choice; choice of product as well as choice from where to buy that particular product. In the process of evaluating retail store patronage, consumers consider a variety of factors, often referred to in retailing literature as store-choice evaluative criteria (Rosebloom, 1983). The importance of store attributes varies according to the type of product purchased, for example whether it is apparels, groceries, or services as well as the type of consumer, timing and the place. Consumer choice and evaluation of store attributes can be attributed to many reasons such as, different culture, personality, and lifestyle. Previous studies in the area of culture and formation of consumption (e.g. Shaw & Clarke, 1998) have generally identified cultural values as important factors in determining the consumption behavior of individuals.

There has been considerable research which focused on the influence of culture and more specifically of religion on consumer behavior. However, among this body of research, there seems to exist a gap between the influence of culture, cultural values, and religion on consumer behavior and the use and power of attraction of store traffic to the apparel stores specially in a culture where mannequins are viewed against the tenets of religious values.

Research Objectives

The present study will examine the attitude of Bangladeshi consumers towards the use of mannequins in apparel stores for displaying clothes. The secondary objective is to explore whether mannequins have negative impact on the value system of Bangladesh. And finally offering recommendations for alternative display methods in the apparel stores.

Literature Review

Store Display

Visual merchandising displays are widely used to introduce new products or brand extensions to markets, as well as to embellish a store. This is a deliberate and systematic approach to displaying the products that are in stock in the store. For many reasons visual merchandising displays are used in an apparel retail outlet such as supporting sales, to support the retail strategies, to communicate with consumers and to assist in communicating the fashion retailer's brand image (Levi & Weitz, 2009: 531; Bell & Turnus, 2008: 20-22). Therefore, improving sales and enhancing store image are main intents of retailers to use the window displays in the apparel stores. Visual merchandising displays are visual representations of the information that retailers want consumers to perceive about products, image, and fashion trends. Visual merchandising displays work as a way for retailers to visually present products, store concepts, and the store image to their target consumers (Pegler, 2006). Window displays can also create a fantasy or a dream that allows consumers to mentally soar in a wonderland, which in turn, may induce positive emotional reactions or behavior, and persuade the ultimate outcome, patronage and purchase behavior (Kerfoot, Davies & Ward, 2003). Therefore, the aim of visual merchandising displays is not only to sell merchandise, but to create an image and idea that retailers want consumers to perceive (Pegler, 2006).

Culture

First of all we intend to highlight one of the first scholars who dealt with the identification of culture by providing a classic approach which is widely accepted in the scope of social sciences researchers. According to Tylor (1871) culture is "that complex whole which includes knowledge, belief, art, morals, law, custom, and any other capabilities and habits acquired by man as a member of society". Culture is acquired (Davis, 1999; Hofstede, 1991; Hu, 1990; Jia, 1997; Samovar, Porter, & Stefani, 2000), and social setting and social events shape cultural values of people (Inglehart, 1977). Culture has a significant influence on all aspects of human behavior. Culture has an all-encompassing influence which set off all aspect of social behavior and interaction. It is embodied in the objects used in everyday life and in the way of communication in society. (C. Samuel Craig, Susan P. Douglas. 2006.) According to McCracken [1986], there are two ways by which the phenomenal world is developed by a culture. First, culture is the 'lens' through which the individual views phenomena; as such, it decides how the phenomena will be comprehended and assimilated. Second, culture is the 'blueprint' of human activity, determining the co-ordinates of social action and productive activity, and specifying the behaviours and objects that issue from both. As a lens, culture let somebody see how the world is seen. As a blueprint, it determines how the world will be fashioned by human effort. Simply, culture gives the world a meaning of something to somebody [McCracken, 1986, p.72]. According to Wallace (1965), culture is a comprehensive force that develops personality which is one of the key factors of consumer behaviors. "National culture feeds into business practice and influences marketing" (Kotler & Armstrong, 2001).

Cultural Values

The foundation of a culture is formed by the values (Figure 1) which will direct the people of a particular culture to buy what type of dresses from what shopping environment or

apparel stores. The different echelon of a culture will be the rituals, the heroes and the symbols of the given culture which again would serve as a basis for choice of an apparel store (Hofstede, 1997).

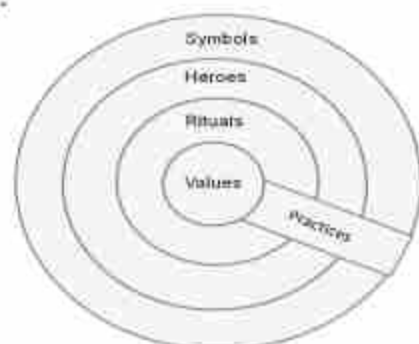


Figure. 1. Manifestation of Culture at Different Levels of Depth (Hofstede, 1997)

There is also empirical evidence supporting the general theory that cultural values do correlate with consumer behavior, and research results indicate that specific cultural dimensions are important predictors of consumer behavior (Bao, Zhou, & Su, 2003). Cultural values have evolved gradually and are embedded in the collective behavior of the people of a particular society; and these values turn out to be a standard of conduct (Ali, Lee, Hsieh, & Krishnan, 2005).

What attitude towards mannequins in the apparel stores in India is placed can be guessed from the public authority's top policy body who has ruled in a debate on vulgarity that apparel stores should not be allowed to display mannequins in lingerie or skimpy clothes outside their shops. Indian Mumbai City's general body approved a resolution barring stores across the city from placing semi-nude dummies in public view because they are "perceived as sex toys" and "embarrass passing women". Shops, however, will be allowed to keep such mannequins inside their premises, provided they are not visible from the road. One of the Mumbai City lawmakers Mitu Tawade argues that, "What is the need to put up partly naked mannequins outside? She added that their clientele are women, who feel embarrassed and humiliated at such portrayal." Moreover, she explained that many men perceive mannequins in skimpy clothes as sex toys and semi-naked

dummies shown publicly provoke perverts to commit crimes against women, (<http://www.cbc.ca/news/world/2013/06/04>). Therefore, cultural value serve as standards or criteria that tell us how to act, what to want, and what attitudes to hold, and they allow us to judge and compare ourselves with others.

Religiosity

Religiosity is a comprehensive concept that encompasses numerous aspects such as beliefs, practice, experiences and consequential effects on daily life of an individual (O'Connell, 1978).

The power of consumer religiosity on the importance of various retail department store attributes was examined for the first time by McDaniel and Burnett (1990).

The results showed that one aspect of religiosity, religious commitment, particularly measured by cognitive religiosity and one aspect of behavioral religiosity play a vital role in predicting the importance individuals place on certain retail evaluative criteria. Mokhlis (2009) noticed the influence of religiosity on one aspect of consumer behavior- shopping orientation. The research aimed to understand the relevancy of religiosity on consumer behavior across different cultural settings, namely Islam, Buddhism, Hinduism and Christianity. In the concerned study the researcher used both religious affiliation and religious commitment to measure religiosity. The results of Mokhlis revealed that the differences between consumer behaviors in general were much more obvious for religiosity than merely for religious affiliation. This means that religiosity may serve as a potentially dominant predictor and determinant of consumer behavior. On the backdrop of the literature the researcher is interested to see whether there exists a gap between the previous findings related to the positives of store display using the mannequin and implication of culture, cultural values, and religiosity.

Methodology

In order to investigate the attitude towards the mannequins, data were collected through a self-administered questionnaire by random sampling from shopping centers of Mirpur-1, Mirpur-10, New Market, Gulshan-1, Uttara in Dhaka city. A total of 200 usable questionnaires were obtained out of 220 distributed. This is equivalent to 91.0 percent response rate.

Questionnaire Design: The research instrument has contained two parts:

Part I: Examined the consumer's demographics. Demographic statements have included: gender, marital status, age, education, religious affiliation, frequency of shopping of clothes and income. **Part II:** Measures respondents' attitudes. The response format has been a 5-point rank scale (ranging from 1 = Strongly Disagree, to 5 = Strongly Agree).

Analysis

Part I: Respondents' Demographic Profile-Age Distribution of the respondents:

Out of 200 respondents 34 respondents (17%) are in below 20 years range, the maximum number of respondents (80) is in the age range of 20 - 29 years which belongs 40 percent, in 30 - 39 years range the number of respondents is 42 (21%), 40 - 49 years belong 25 respondents (12.5%), 50 - 59 years range includes 13 respondents (6.5%), and finally age between 60 years and above got 6 respondents having 3%.

Sex composition: Out of the total 200 respondents 80 respondents (40%) are female and 120 respondents (60%) are male.

Marital Status: Composition of respondents include 109 (54.5%) married and 91(45.5%) unmarried.

Education: Among the 200 respondents, respondents with no formal education is 5%; up to Higher Secondary Certificate is 36.5%; graduate 36% and post graduate 22.5%.

Occupation: Occupation includes Businessman 21%, Service holder 22%, Students 28.5%, Housewives 10.5%, Teacher 6%, Retired 4%, and others 8%.

Religion: Religion includes Muslims 91.5%, Hindus 7%, Buddhist 2% and others 1%.

Family Income: Respondents' monthly income or his/her bread winners' monthly income below Tk.20000 is 30%. 33% respondents told that their family income ranges from Tk. 20000 to 40000, 19.5% have income between Tk. 40000 to 60000, 9% have Tk. 60000 to 80000, and 8.5% respondents told that their family income falls above Tk.80, 000.

Shopping frequency of the respondents: 27.5% respondents go shopping once a month; whereas the highest share of the respondents (47.5%) go shopping for clothes once every few months; 17% respondent go shopping two times a year, and 8% respondents buy clothes once a year.

Part II: Measurement of Respondents' Attitudes:

Table 1 : Displaying clothes by mannequins is an inappropriate idea

Likert Scale	Frequency	Percent
Strongly disagree	47	23.5
Disagree	41	20.5
Neutral	29	14.5
Agree	37	18.5
Strongly Agree	46	23.0
Total	200	100.0

Table 1 shows that 88 respondents (44 %) out of 200 respondents disagreed to the statement 'Displaying clothes by mannequins is an inappropriate idea'. Whereas 83 respondents (41.5%) agreed to the statement. In the statement 29 respondents (14.5 %) showed neither stance on the statement.

Table 2: Consumers would likely feel embarrassed to see this display

Likert Scale	Frequency	Percent
Strongly disagree	1	.5
Disagree	16	8.0
Neutral	18	9.0
Agree	72	36.0
Strongly Agree	93	46.5
Total	200	100.0

Table 2 reveals that a lion's share of respondents (165) making massive percentage of respondents (82.5%) either agreed or strongly agreed to the statement 'Consumers would likely feel embarrassed to see this display'. Where only 18 respondents (9%) opted neither attitude on the statement. On the other hand only a meager 8.5 percent respondents (17 persons) told that consumers would not feel embarrassed to see that kind of display in the apparel stores.

Table 3: The store display using indecent Mannequins is unethical and immoral

Likert Scale	Frequency	Percent
Strongly disagree	17	8.5
Disagree	32	16
Neutral	42	21
Agree	55	27.5
Strongly Agree	54	27
Total	200	100

Table 3 reveals that 109 respondents (54.5 %) out of 200 respondents either agree or strongly agree to the statement 'The store display using indecent Mannequins is unethical and immoral'. Whereas, 42 respondents (21 %) were neutral at the statement. On the other hand, only 25 percent respondents

(49 persons) told that the store display using indecent mannequins is not unethical and immoral.

Table 4: Most of the consumers would likely find this display nasty and uncomely

Likert Scale	Frequency	Percent
Strongly disagree	15	7.5
Disagree	40	20
Neutral	39	19.5
Agree	64	32
Strongly Agree	42	21
Total	200	100

This table depicts that 55 (27.5%) respondents disagreed that displaying mannequins in the store is not nasty and uncomely. Where 53 percent respondents consisting 106 persons indicated that displaying mannequins in the store is nasty and uncomely. And 19.5 percent (39) respondents showed their neutral stance on the statement.

Table 5: For indecent dress up of the female mannequins, consumers would feel very embarrassed while shopping with their mother, father, brother, sister, or any other relatives

Likert Scale	Frequency	Percent
Strongly disagree	24	12.0
Disagree	13	6.5
Neutral	13	6.5
Agree	46	23.0
Strongly Agree	104	52.0
Total	200	100.0

In the statement “for indecent dress up of the female mannequins, consumers would feel very embarrassed while shopping with their mother, father, brother, sister, or any other relatives” a significant number of respondents 150 (75%) expressed positive notion that it is really embarrassing while shopping in the stores where female mannequins were indecently dressed and the respondents also stressed that in the country like Bangladesh, a culturally conservative in dress up unlike the western countries, the apparel stores should curtail such tendency to use almost vulgar and nude display using female mannequins in particular. Whereas only 18.5% respondents disagreed or strongly disagreed.

Table 6: Indecent mannequin display is eroding our religious beliefs, values and culture

Likert Scale	Frequency	Percent
Strongly disagree	3	1.5
Disagree	17	8.5
Neutral	30	15.0
Agree	43	21.5
Strongly Agree	107	53.5
Total	200	100.0

Table 6 outlines that a massive 107 (53.5%) respondents are in the opinion that they strongly agree with the statement “Indecent mannequin display is eroding our religious beliefs, values and culture” while 43 (21.5%) respondents agreed on the statement i.e., 75% respondents think that indecent mannequin display is going against the religious value of the people here in Bangladesh. Whereas only a meager percentage of respondents 20 (10%) thinks it is not making any problem in terms of culture and religious values.

Table 7: Store displaying by mannequins create a bad image to the customers about retailers

Likert Scale	Frequency	Percent
Strongly disagree	34	17
Disagree	38	19
Neutral	40	20
Agree	57	28.5
Strongly Agree	31	15.5
Total	200	100

On the statement (table 7) “store displaying by mannequins create a bad image to the customers about the retailer” 72 (36%) respondents thought that mannequins do not create bad image to the customers about the retailer. Whereas 88 (44%) respondents replied positively. On the other hand, 40 (20%) respondents showed their neutral stance on the statement.

Table 8: In the future, I do not intend to shop at retail stores that use indecent mannequin displays

Likert Scale	Frequency	Percent
Strongly disagree	44	22
Disagree	35	17.5
Neutral	60	30
Agree	35	17.5
Strongly Agree	26	13
Total	200	100

From the table 8 it is seen that 79 respondents (39.5%) disagreed at the statement “In the future, I do not intend to shop at retail stores that use indecent mannequin displays” it is due to the fact that the customers feel that mannequins are

not good option for apparel display in Muslim majority country like Bangladesh and it is evident from the table 1 to table 7 that the people do not like this sort of display. Whereas 61 respondents (30.5%) either agreed or strongly agreed on the statement that they will not go to the retail stores that display indecent mannequins the stores. And 30% (60 respondents) did not tell whether they are positive to the statement or negative.

Discussion on Findings

From the analysis section it could be seen that (Table 1) 41.5% respondents agreed and 44 % respondents disagreed to the statement 'Displaying clothes by mannequins is an inappropriate idea'. Obviously 41.5% respondents' agreement with the statement is the reflection of their cultural value and religious influence to form their attitudes. However, it can be further justified by the results obtained on the statement-2 to statement-7.

In table 2, it is found that 82.5% respondents either agreed or strongly agreed to the statement-2 'Consumers would likely feel embarrassed to see this display'; 54.5 % respondents (table 3) were either agreed or strongly agreed to the statement-3 'The store display using indecent Mannequins is unethical and immoral'; 53% respondents (table 4) were agreed to the statement about mannequins' unseemliness; 75% respondents (table 5) expressed positive notion that it is really embarrassing while shopping in the stores where female mannequins were indecently dressed; and 75% (table 6) respondents believed that indecent mannequin display is going against the religious and cultural values of the people here in Bangladesh.

Therefore, it can be concluded that the respondents who disagreed (44%, table 1) with the statement 'Displaying clothes by mannequins is an inappropriate idea', there are some very respondents among that of 44% who were in positive opinion on the next statements otherwise it would not make it 75% (table 5) to express the positive notion that

indecent mannequins is really embarrassing while shopping with their mother, father, brother, sister, or any other relatives in the stores where female mannequins were indecently dressed and would not also make it 75% (table 6) to think that indecent mannequin display is going against the religious value and culture in Bangladesh.

As for store image, 36% respondents disagreed that mannequins create negative image about the store, but 44% respondents said that mannequins create negative and bad image about the store. So, it is obvious that the use of mannequins destroys the store's good will in the religious and cultural context of Bangladesh.

As to the intention (Table-8) of the customers whether they would go to those stores it is found that 30.5% respondents thought that due to mannequins they would not think of going to that particular store in the future if they get alternative apparel stores that do not use the mannequins in their stores. The customers cannot now avoid shopping there in that stores that displays apparels by mannequins due to the fact that the customers dislike those stores-evident from the statement 2 to 7; but they have very few alternatives to go for shopping to the store without mannequin-display.

Therefore apparel shoppers in Bangladesh should feel the pulse of the people's cultural norms and religious values to attract the customers to the apparel stores in acceptable way that will not adversely affect customer's attitudes resulting low turnout of customers to the apparel stores.

Recommendations

It is evident from the result that the Bangladeshi customers feel embracing at the retail stores which use indecent dress up of mannequins at the stores although the mannequins found to be excellent in creating store look festive and attractive. Window displays can also create a fantasy or a dream that enables consumers to mentally soar in a wonderland, which in

turn, may evoke positive emotional reactions or behavior, and reinforce the ultimate outcome, patronage and purchase behavior (Kerfoot, Davies & Ward, 2003). Therefore, the main purpose of window displays is not only to sell merchandise, but to create an image and idea that retailers want consumers to perceive (Pegler, 2006). Although according to the literature review it has many positives, the apparel retailers should strive to use such display methods that have no negative impact, and people from all walks of life may think acceptable.

But if it is to use mannequins for apparel display in Bangladesh, it should be used in a way so that the customers do not feel embarrassed to come to the store due to indecent dressing up. Because in the survey it is found that about 65% respondent thought that the way the mannequins displayed in the apparel stores are embarrassing for them and it is all the more embarrassing while shopping with their mother, father, brother, sister, or any other relatives. Besides the apparel stores can use some alternative display modes to evade the problem the paper is concerned:

- i. Hanger: Hanger is one of the traditional and mostly used modes of apparel display. From cultural and religions point of view it has no negative impact to the customers from the countries like Muslim majority countries where people view mannequins as anti-Islamic and consequently possess negative attitudes towards the stores using them.
- ii. Torso Forms: The body excluding the head and neck and limbs. It is less negative because it does not resemble full human body and is less embarrassing to the customers. However, it takes less space and is less costly than full mannequins.
- iii. Mannequins and Alternatives: The retailers should strive to find out alternative display methods that do not have any customer reaction but has power to increase store traffic.

- iv. Paper Mache Forms: A form for displaying clothing designed to be worn on the upper portion of the human body, and having a torso-shaped section mounted on a stand and provided with removable arm sections.
- v. Slack Forms: A sculpted dimensional form of a pair of legs and hips that end at the waist or slightly above. If the legs are crossed, one leg will be removable. To facilitate standing, the form usually comes with a foot spike that holds the form erect without affecting the fit of the garment. This type of mannequins can also be used that are not embarrassing.

Therefore to increase customer traffic to apparel stores and so that the customers do not feel embarrassing to come to the stores the retailers should use such store displays which are not embarrassing. And if it is to use the mannequins especially female ones, the dressing should be decent and acceptable from the cultural and religious point of view.

Conclusion

Retailers want their stores to attract consumers by assisting them to find the merchandise they desire and to motivate them to make planned, unplanned and impulse purchases, and to ultimately provide them with enjoyable shopping experiences (Levi & Weitz, 2009: 509). If the visual merchandising displays do not have this desired effect on consumers or if the consumers feel embarrassed at the display, the question whether it has any value for retailers to spend time and money on these visual displays arises. No doubt that Mannequins have influence on attracting the consumers to the store but it may not be true in the cultures where mannequins seem to be indecent and irreligious in the Muslim countries like Bangladesh. Therefore, the retailers can use the alternative display methods or can use the mannequins in the apparel stores decently taking-care of the attitude of the customers' cultural and religious orientations.

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Appendix:

Respondents' Demographic Profile

Category		Frequency	Percent	Cumulative Percent
Age	Below 20 years	34	17	17
	20 - 29 years	80	40	57
	30 - 39 years	42	21	78
	40 - 49 years	25	12.5	90.5
	50 - 59 years	13	6.5	97
	60 years and above	6	3	100
Marital Status	Married	109	54.5	54.5
	Unmarried	91	45.5	100
Education	No Formal Education	10	5	5
	Up to Class Five	11	5.5	10.5
	Up to SSC	12	6	16.5
	Up to HSC	50	25	41.5
	Graduation	72	36	77.5
	Post Graduation	45	22.5	100
occupation	Businessman	42	21	21
	Service holder	44	22	43
	Students	57	28.5	71.5
	Housewife	21	10.5	82

Category		Frequency	Percent	Cumulative Percent
	Retired	8	4	86
	Teacher	12	6	92
	Others	16	8	100
Religion	Islam	183	91.5	91.5
	Hindus	14	7	98.5
	Buddhist	2	1	99.5
	Others	1	0.5	100
Family Income	Below Tk 20000	60	30	30
	Between Tk 20000 – 40000	66	33	63
	Between Tk 40000 – 60000	39	19.5	82.5
	Between Tk 60000 – 80000	18	9	91.5
	Between Tk 80000 – 100000	10	5	96.5
	Above Tk 100000	7	3.5	100
Shopping Frequencies	Once a month	55	27.5	27.5
	Once every few months	95	47.5	75
	Twice a year	34	17	92
	Once a year	16	8	100

Source: Field Survey

প্রশ্নমালা (Questionnaire)

কাপড়ের দোকান বা Apparel Store গুলোতে পোশাক প্রদর্শনের জন্য ব্যবহৃত মূর্তি/পুতুল (Mannequins) কতটা কার্যকর তা যাচাইয়ের জন্য একটি গবেষণা প্রকল্পে আপনার মূল্যবান মতামত খুবই গুরুত্বপূর্ণ। তাই নিচের প্রশ্নগুলোর উত্তর প্রদানের জন্য অনুরোধ করছি।

(This is a research project being conducted by a researcher for evaluating the mannequin as a retail

display in the Apparel Stores. Your co-operation in completing this questionnaire would be greatly appreciated. Would you take a moment to answer the following questions?)

- ১। আপনার বয়স নিচের কোনটির মধ্যে পড়ে? (What age group are you in?)
- ২০ বছর এর নীচে (Below 20 years) ২০ থেকে ২৯বছর (20–29 Years)
- ৩০ থেকে ৩৯বছর (30–39 Years) ৪০ থেকে ৪৯বছর (40–49 Years)
- ৫০ থেকে ৫৯বছর (50–59 Years) ৬০ বছর এর উপর (60 Years or above)
- ২। আপনি কী পুরুষনামহিলা? (Which gender do you belong to?)
- পুরুষ(Male) মহিলা (Female)
- ৩। আপনি কী বিবাহিত না অবিবাহিত? (Are you married or unmarried?)
- বিবাহিত/ বিবাহিতা(Married)
- অবিবাহিত/ অবিবাহিতা (Unmarried)
- ৪। আপনার শিক্ষাগত যোগ্যতা নির্দেশ করুন। (What is your level of Education?)
- কোন প্রাতিষ্ঠানিক শিক্ষা নেই (No formal Education) দ্বাদশ শ্রেণী পর্যন্ত (Up to HSC)
- পঞ্চম শ্রেণীপর্যন্ত (Up to Class 5) স্নাতকডিগ্রী (Graduation)
- দশম শ্রেণীপর্যন্ত (Up to SSC) স্নাতকোত্তরডিগ্রী (Post Graduation)
- ৫। আপনার বর্তমান পেশা কী? (What is your current occupation?)
- ব্যবসায়ী (Businessman) চাকুরিজীবী (Service holder)
- ছাত্র/ছাত্রী (Student) গৃহিনী (Housewife)
- চাকুরী হতে অবসরপ্রাপ্ত (Retired) শিক্ষক (Teacher)
- অন্যান্য (Other)
- ৬। আপনি কোন ধর্মের অনুসারী? (What is your religious affiliation?)
- ইসলাম (Islam) বৌদ্ধ (Buddhist)
- হিন্দু (Hindus) খ্রিস্টান (Christian)
- অন্যান্য (Other)
- ৭। আপনি কতটা ঘনঘন পোশাক কেনাকাটা করেন? (How often do you shop for clothing?)
- মাসে একবার (Once a month) বছরে দুইবার (Twice a year)
- কয়েক মাসে একবার (Once vevry few month) বছরে একবার (Once a year)

৮। আপনার পারিবারিক মাসিক আয় (Income) কত? (What is your monthly family income?)

- ২০০০০ টাকার নিচে (Income below Tk.20, 000)
- ২০০০০ টাকা হতে ৪০০০০ টাকা পর্যন্ত (Income between Tk.20,000-40,000)
- ৪০০০০ টাকা হতে ৬০০০০ টাকা পর্যন্ত (Income between Tk.40,000-60,000)
- ৬০০০০ টাকা হতে ৮০০০০ টাকা পর্যন্ত (Income between Tk.60,000-80,000)
- ৮০০০০ টাকা হতে ১০০০০০ টাকা পর্যন্ত (Income between Tk.80,000-100,00)
- ১০০০০০ টাকার উপর (Income above Tk.100,000)

নিচের বিবৃতিগুলো হতে আপনি যেসব Number-এর সাথে একমত সেগুলোতে
টিক চিহ্ন দিন

(Please mark the number that best indicates your level of agreement with the following statements.)

১। দৃঢ়ভাবে অসমর্থন করছি, ২। অসমর্থন করছি, ৩। নিরপেক্ষ
৪। সমর্থন করছি ৫। দৃঢ়ভাবে সমর্থন করছি।

(1= strongly disagree, 2=Disagree,
3=Neutral, 4=Agree, 5= strongly agree)

১	মুর্তি/পুতুল (Mannequin) দ্বারা দোকান সাজানো (Store Display) একটা ভাল ধারণা নয়। (Displaying clothes by mannequins is an inappropriate idea)	১	২	৩	৪	৫
২	অনেক ক্রেতা আছেন যারা এই ধরনের পোশাক প্রদর্শনীতে বিব্রতবোধ করেন। (Consumers would likely feel embarrassed to see this display)	১	২	৩	৪	৫
৩	কাপড়ের দোকানগুলোতে অমার্জিতভাবে পুতুল (Mannequin) দ্বারা দোকান সাজানো অশ্লীল ও অনৈতিক? (The store display using indecent Mannequins is unethical and immoral)	১	২	৩	৪	৫
৪	অধিকাংশ ক্রেতারাই এই ধরনের পোশাক প্রদর্শনীকে অশ্লীলতা মনে করবে। (Most of the consumers would likely find this display nasty and uncomely)	১	২	৩	৪	৫
৫	মহিলা Mannequin দ্বারা অমার্জিতভাবে পোশাক প্রদর্শনী হয় এমন দোকানে বা Apparel Store-এ মা, বাবা, ভাই, বোন, অথবা অন্য কোন আত্মীয়ের সাথে	১	২	৩	৪	৫

<p>কেনাকাটা করা খুবই বিব্রতকর। (For indecent dress up of the female mannequins, consumers feel very embarrassed while shopping with their mother, father, brother, sister, or any other relatives.)</p>						
<p>৓ অশ্লীল Mannequin-এর ব্যবহার আমাদের কৃষ্টি-কালচার, ধর্মীয় মূল্যবোধের অবক্ষয় ঘটানোচ্ছে। (Indecent mannequin display is eroding our religious beliefs, values and culture.)</p>	১	২	৩	৪	৫	
<p>৭ কাপড়ের দোকানগুলোতে মূর্তি, পুতুল দ্বারা দোকান সাজানো ক্রেতাদের কাছে দোকান সম্বন্ধে ঋ-ধারণা (Negative Image) তৈরি করে। (Store displaying by mannequins create a negative image to the customers about the retailer)</p>	১	২	৩	৪	৫	
<p>৮ যেসব দোকানে বা Apparel Store-এ এই ধরনের অমার্জিতভাবে পোশাক প্রদর্শন করা হয়, ভবিষ্যতে সেসব দোকানে আমার কেনাকাটা করতে যাওয়ার সম্ভাবনা নাই। (In the future, I do not intend to shop at retail stores that use indecent mannequin displays.)</p>	১	২	৩	৪	৫	

“ধন্যবাদ” (Thanks)

Rule of Law and Reality: Bangladesh Perspective

Md. Mostafijur Rahman¹

Abstract: One of the basic principles of the Constitution of Bangladesh is the rule of law. It is the most frequently used term in academic texts, civil society, seminars, and politics or in every field of the country citing provisions of the Constitution that rule of law prevails in Bangladesh. But in practice, rule of law is a frustration. The most interesting aspect of rule of law is that it affects lives of almost all subjects of the country irrespective of whether they are poor or rich or high-up or lower. There remains no doubt 'rule of law' is a pre-requisite for a healthy democratic society and considered an integral part of good governance, but the current state of rule of law in Bangladesh 'under the cover of the design of political despotism' favors influential and powerful more than protecting the rights of the common people. It appears that the whole nation faces virus of injustice and arbitrariness which affects all aspects of public life very miserably. The article mainly deals with the inherent meaning the rule of law possesses as well as the real scenario of rule of law prevalent in Bangladesh.

Keywords: Rule of law, reality, legislature, judiciary, right to life, Bangladesh.

Introduction

The primary meaning of rule of law is that the ruler and ruled must be bound by the same law. In the contemporary global politics the issue of rule of law is being considered for solving many problems in the developing countries. Developed countries and donor agencies always instruct the developing countries for sustainable development and good governance. Several International Organizations like WB, UNDP, IMF and a good number of NGOs have started emphasizing on good governance as a pre-condition of delivery of their services and funds (Miazi and Islam, 2012).

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But proper application of rule of law is a must for better democracy, sustainable development and good governance. Dhiraj Kumar Nath (2004) has identified 8 major parameters of good governance in his work 'Guide lines for Good Governance' among which most importantly 'the rule of law' is one of them. A survey conducted by two researchers (Miazi and Islam, 2012) hinted that 76.67% of the respondents viewed that "rule of law" is very much essential for the establishment of good governance in Bangladesh. But Bangladesh is being failed to ensure the very need and has been marked by the failure of promoting constitutional guarantees. For these, rule of law deems 'to be the elusive golden deer that the nation doggedly sought but could not found' (Khan, 2002). In these circumstances, it is time to know how far rule of law in Bangladesh is being maintained and what are the obstacles behind it? The article aims to critical analyze the current state of rule of law and to make some recommendations.

Objectives of the Study

The aim of the article is to assess how far rule of law in Bangladesh is being maintained and to initiate a country survey of the condition of rule of law and its progress. Such an assessment can serve a number of purposes:

1. To develop an understanding on perspectives, issues and concerns connected with rule of law.
2. To analyze the current state of rule of law in Bangladesh mainly focusing on its weak sides and to diagnose the major obstacles and difficulties for ensuring rule of law in Bangladesh
4. To discuss the provisions of the constitution of Bangladesh and the provisions contrary to the real meaning of rule of law.
5. To suggest some policies and measures to be undertaken in an effort to improve rule of law in Bangladesh.

Methodology

In this study both primary and secondary data have been collected from concerned law books, journals, daily news

papers and other materials. This study has depicted the current state of rule of law and difficulties of ensuring rule of law in Bangladesh measuring some methods such as: when rule of law arises, what liabilities it creates on State, whether the Bangladeshis are really governed by it or not etc. The main goal of this paper is to arrive at the procedural minimum that can be considered as main aspects for ensuring rule of law. For this, we have to see what it looks when the rule of law measured on the scale of normative standards using a procedural indicator of the three areas of rule of law: Legislative approach, judicial approach and approach to citizens' rights. Because these three areas are minimally necessary for measuring how far rule of law prevails in Bangladesh. Considering these three areas it has been tried to explore and evaluate the real condition of rule of law in Bangladesh. Of course, these three layers are not exhaustive in the measurement of degree of rule of law, but these together constitute the minimal procedural indicators of rule of law. The study argues that without the progress of these three areas, the rule of law to the large extent would remain meaningless and dysfunctional.

Evaluation of the Minimum Necessary of Three Areas to Measure Rule of Law

The elected body or the parliament is minimally necessary to the procedure of ensuring rule of law. The legislature recognizes the rights of individuals. The primary political objective of electing a parliament is to allow the representatives to legislate. From this point of view, rule of law does not mean any government under any law. It means the rule by a democratic law-a law which is passed in a democratic elected parliament after adequate debate and discussion (Halim 1998, p.351). According to the modern concept of rule of law developed by the *International Commission of Jurists in New Delhi* known as *the Declaration of Delhi, 1959*.

The function of the legislature in a free society under the rule of law is to create and maintain the conditions which will uphold the dignity of man as an individual. The dignity requires not only recognition of his civil and political rights but also establishment of the social, economic, educational and cultural conditions which are essential to the development of his personality.

Another important condition for ensuring rule of law in a country is the independence of judiciary. An independent judiciary and a free legal profession are indispensable for a free society under the rule of law. (Bari, quoted from Halim, 1998, p. 353). However, "The rule of law requires that any abuse of power by public functionaries should be subject to the control of courts" (*Punjab V. Khan Chand*, (1974). For this, the Judiciary should be made independent and efficient in real sense, by removing all sorts of challenges.

The final criterion relates to rights. Fundamental rights are yardstick for judging the reality of rule of law. Modern democratic government is a party government. The party winning majority in the election form the government. But coming into power the government may turn itself into a dictatorial one violating the basic rights of people and oppressing the opposition. The aim of having a declaration of fundamental rights in the constitution is to prevent such a possible danger (Halim, 1998, p.87). There are various proxy measures for how rights are protected under a democratic government but the minimal indicator must concern the first and foremost fundamental rights of a man- 'right to life'. As proxy indicator of protection of rights, therefore, the article considers variation in the number of citizens killed extra judicially by government agents. According to researcher Jalal Alamgir (2007) this is a particularly powerful indicator because of three factors. First, it concerns the right to life. "No right can compare with the right to life without which all other rights are meaningless and rule of law can play its most significant role in this respect" (Islam, 2012, p.84). Second, it points to violation by those (i.e., an elected govt.) entrusted to

protect it. Third, it also provides a measure for the violation of due legal procedure.

Concept of Rule of Law

The term 'rule of law' is derived from the French phrase *la Principe de legalite* (the principle of legality) which refers to a government based on principles of law and not of men. In this sense the concept of *la Principe de legalite* was opposed to arbitrary powers (Massey, 2005, p.21). Historically, Aristotle expressed the view that "the rule of law is preferable to that of any individual" in his book 'Politics' (Vol. III, p.16). Later in England, The Magna Charta (1215) was the foundation of rule of law by which after long struggle people get recognition of their inherent rights and privileges against arbitrary power. The famous article 39 of it says: "No freeman might be arrested, imprisoned, dispossessed, outlawed, or exiled or harassed in any other way save by lawful judgment of his peers or of the land" (quoted by Halim, 2009, p. 277). In 17th century L.C.J Edward Coke said that, the King must be under God and Law and thus vindicated the supremacy of law over the pretensions of the executives (Massey, 2005). Later Professor A.V. Dicey elaborated the conception in his classic book 'The Law of the Constitution' (1885) which included three things:

- 1) The supremacy of regular laws as opposed to the influence of arbitrary power and the persons in authority do not enjoy wide, arbitrary or discretionary power.
- 2) Equality before law, that is, everyman, whatever his rank or position, is subject to ordinary laws and the jurisdiction of ordinary courts.
- 3) Individual liberties legally protected not through any bill of rights but through the development of common law.

Though Dicey's thesis has been criticized from many angles but his main theme was 'wherever there is discretion there is room for arbitrations' (Dicey, 1885, p.198, quoted from Massey, 2005, p.21).

Modern Views of Rule of Law in True Sense

Since the end of the second World War the principle of rule of law had been a matter of universal discussion especially after the adoption of various international covenants on human rights. Now the concept of rule of law has come to be identified with the concept of rights of man. (Halim, 1998, p.352). The modern concept of rule of law has been developed by the *International Commission of Jurists in New Delhi* known as the *Declaration of Delhi*, 1959 which was later confirmed at *Lagos Conference* in 1961 saying that-

"The rule of law is a dynamic concept which should be employed to safeguard and advance the will of the people and the political rights of the individual and to establish social, economic, educational and cultural conditions under which the individual may achieve his dignity and realize his legitimate aspirations in all countries, whether dependent or independent" (Islam, 2012, p. 84).

So, finally it may correctly be said rule of law does not mean any government under any law. Likewise, Sir Ivor Jennings says- "In proper sense rule of law implies a democratic system, a constitutional government where criticism of the government is not only permissible but also a positive merit and where parties based on competing politics or interests are not only allowed but also encouraged, where this exists the other consequences of rule of law must follow" (Jennings, 1976).

Meaning of Rule of Law:

The rule of law is defined by the *World Justice Project* (2014) as a system in which the following four universal principles are upheld:

1. The government and its officials and agents as well as individuals and private entities are accountable under the law.
2. The laws are clear, publicized, stable, and just; are applied evenly; and protect fundamental rights, including the security of persons and property.
3. The process by which the laws are enacted, administered and enforced, is accessible, fair, and efficient.
4. Justice is delivered timely by competent, ethical, and independent representatives and neutrals that are of sufficient number, have adequate resources, and reflect the makeup of the communities they serve.

Rule of Law as Reflected in the Constitution of Bangladesh:

The rule of law is a basic feature of the Constitution of Bangladesh”(*Anwar Hossain Chowdhury v. Bangladesh*, 1989). The meaning of the ‘rule of law’ as envisaged in the Constitution of Bangladesh can be seen from the Preamble- “it shall be a fundamental aim of the state to realize through the democratic process a 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.” If the relevant paragraph of the preamble is read as a whole in its proper context, there remains no doubt that the framers of the constitution intended to achieve ‘rule of law’ (Islam, 2012, p. 84). In accordance with the pledge some positive provisions for rule of law, 18 fundamental rights and also their better protection have been incorporated in the constitution.

Article 7 provides that the powers in the republic belong to the people and their exercise on behalf of them is regulated by and

under the authority of the constitution. Article 7 and 26 impose limitation on the legislature that no law which is inconsistent with any provision of the constitution can be passed. Article 27 guarantees that all citizens are equal before law and are entitled to equal protection of law. To enjoy the protection of the law, and to be treated in accordance with law, and only in accordance with law, is the inalienable right of every citizen, whatever he may be, and of every other person for the time being within Bangladesh, and in particular no action detrimental to the life, liberty, body, reputation or property of any person shall be taken except in accordance with law (Article 31). According to Article 32 no person shall be deprived of life or personal liberty. Safeguards as to arrest and detention have been ensured in the constitution also by the Article 33. The constitution further guarantees certain rights including freedom of movement, freedom of assembly, freedom of association, freedom of thought and conscience, freedom of speech and religion etc. in the Article 36, 37, 38, 39, and 41 to ensure respect for the supreme value of human dignity. Right to be governed by a representative body answerable to the people has been ensured under Article 7(1), 11, 55, 56, 57 and 65 (2) of the constitution (Halim, 1998, p.355). Enforcement of fundamental rights has been ensured in Article 44 and 102 of the constitution. The constitution has made provision for judicial review to the Supreme Court under article 7, 26 and 102. In the famous case- *Anwar Hossain Chowdhury vs. Bangladesh* (1989) the Appellate Division declared the power of judicial review as a basic feature of the constitution. Thus all these provisions are effective for ensuring rule of law in Bangladesh. But the real scenario of rule of law in Bangladesh tells a different story.

Current State of Rule of Law in Bangladesh

Table 1: Governance score of Bangladesh among 213 countries

Rule of Law (Governance Indicator)	
Year	Governance Score (-2.5 to +2.5)
2010	-0.77
2006	-0.89
1996	-0.96

Source: Kaufman, D, Kraay, A and Mastruzzi, M (2010), *the Worldwide Governance Indicators: Methodology and Analytical Issues*.

Rule of Law Index, 2014

Bangladesh

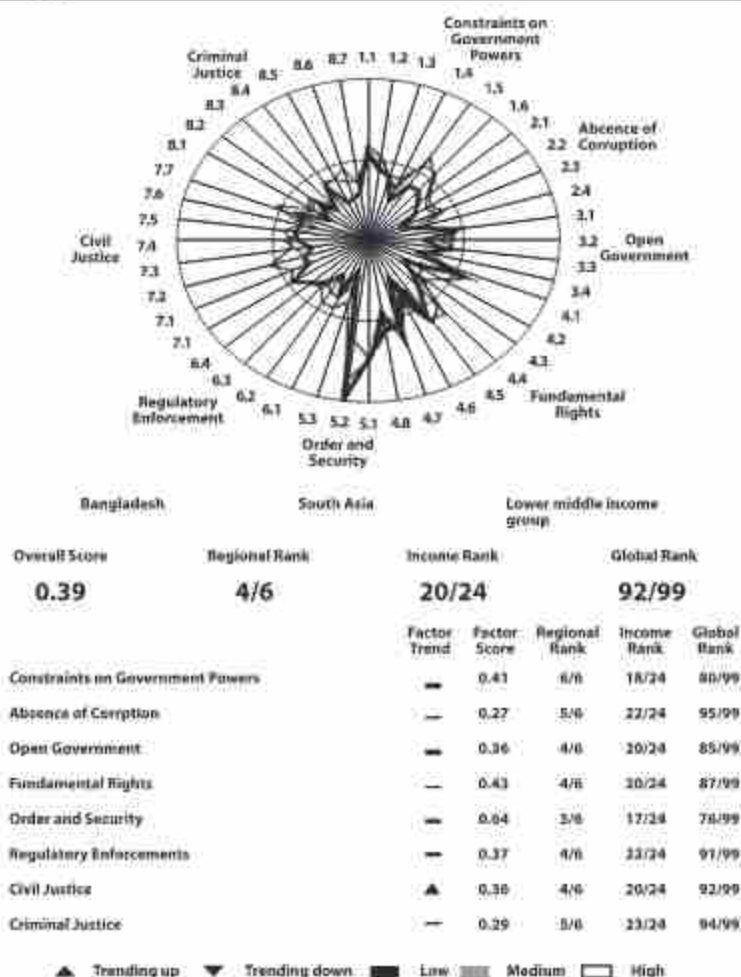


Figure 1: Rule of law index, 2004

Source: WJP Rule of Law Index, 2014 (available at <http://data.worldjusticeproject.org/#/index/BGD>)

According to the index, Bangladesh holds 92nd position in civil justice, 94th in criminal justice, 95th in absence of corruption, 80th in constraints on government powers, 85th in open government, 87th in fundamental rights, 76th in order and security, 91st in regulatory enforcement.

Procedural Indicators of Rule of Law

Though the Constitution contains provisions to ensure rule of law, the actual governance has nullified rule of law in the country (Islam, 2012, p. 84). There are some black provisions inserted in the constitution which act as a threat towards rule of law. The real scenario of the rule of law prevalent in Bangladesh is shown by the following ways and depending on that it has been tried to explore and evaluate the real condition of rule of law.

Table 2 : Procedural indicators of rule of law

Indicators	Procedural Methods	Proxy Measures
The Primacy of elected legislature (Legislative Procedure)	The process of legislation through election	*Whether laws are made according to legislative norms? *Do parliamentary committees scrutinize bills? *Provisions of Ordinance making power *Ineffectiveness of parliament *Is legislature affected by corruption? *Access to law etc.

Indicators	Procedural Methods	Proxy Measures
Independence of Judiciary (Judicial Procedure)	Court system and the process of adjudicating	<ul style="list-style-type: none"> * How far an independent judiciary is essential for ensuring rule of law * How far the judiciary is independent from the executive? * Are there interference in the country's justice system? * Is judiciary affected by corruption? * Have the powers of the court been curtailed? * Access to justice system etc.
Respect for Individual rights	Due process in respecting fundamental rights	<ul style="list-style-type: none"> * Do extra judicial killings of citizens take place? * Are there any abnormal measures to impose upon the personal liberty? * Whether human rights in Bangladesh are being violated? * Whether people are being arrested illegally or detained arbitrarily or murdered extra judicially?

Legislative Process

The primary political objective of electing a parliament is to allow the representatives to legislate, because the parliament recognizes the rights of individual. From this point of view, rule of law does not mean any government under any law. It means the rule by a democratic law-a law which is passed in a democratic elected parliament after adequate debate and discussion. So, for a democratic law which shall have a

legislative approach to the rule of law in Bangladesh must be passed by following methods:

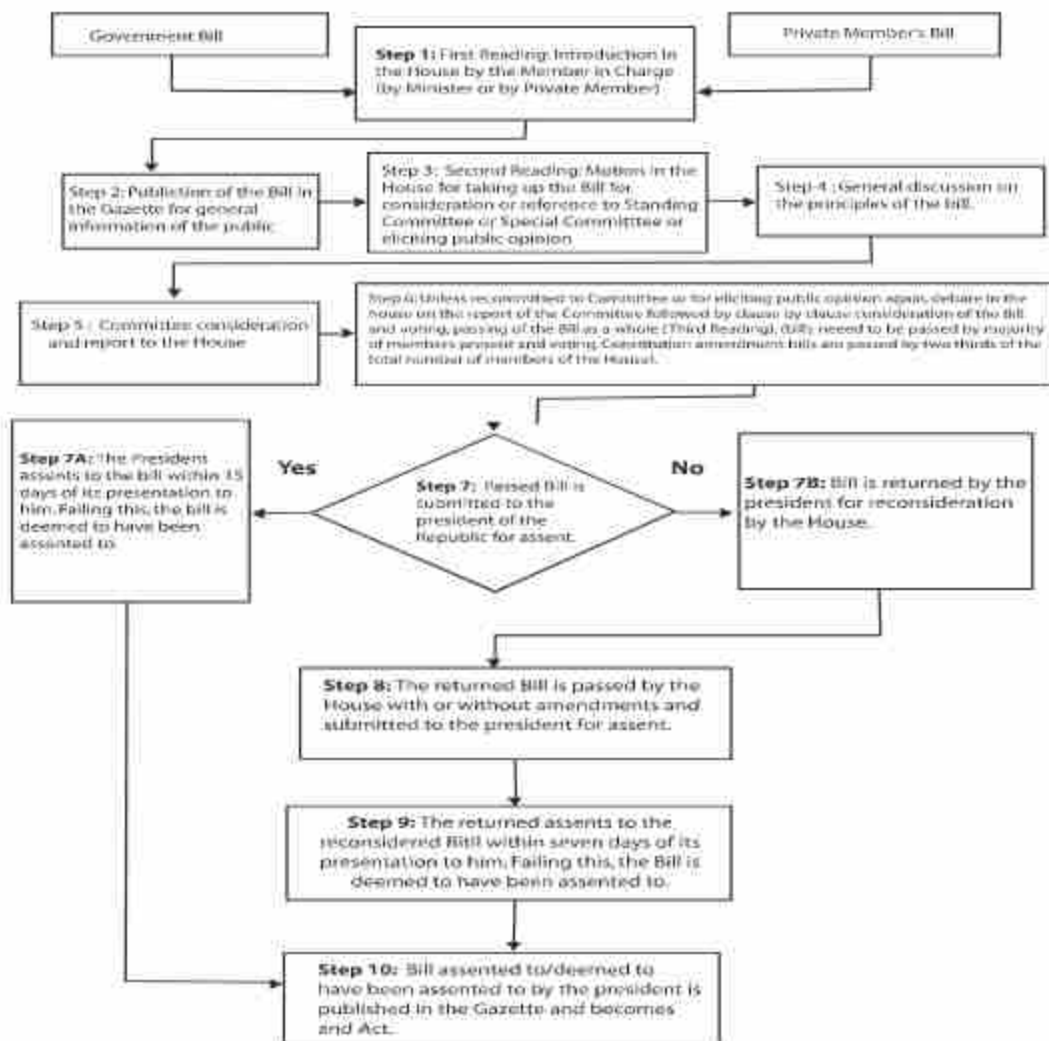


Figure 2 : Legislative process in Bangladesh Parliament

(Source-Internet) available at: www.parliament.gov.bd/index.php/en/parliamentary-business/businessofthehouse/bill-and-legislation/legislative-procedure

Proxy Measures of Legislative Procedure:

Whether 'laws' are made according to basic legislative norms or not:

During 1991 and 1996, more than one-third of the bills were enacted through executive ordinance rather than the legislative process. Despite opposition demands, bills were not submitted to bipartisan parliamentary committees; in fact, committees scrutinized only 7 out of the 173 bills passed during this time. (Ahmed, 2003). After the 8th parliamentary election parliament went into centralization of decision making power. According to a news letter the government submitted none of the 54 laws passed by the 8th parliament for scrutiny by relevant parliamentary committees. In 2001, The Daily Star reported that most of the younger members of the treasury bench had stopped coming to the parliament (Daily Star, 2 Dec. 2001). In 2004, another analysis noted that for the first time in history, parliamentary proceedings had to be canceled; due to a lack of quorum (Mondol, 2004). By 2005 the quorum crisis had become 'chronic'-according to a report by TIB (2006:2). By this time, the opposition party had resigned to the fact that the parliament had been handicapped deliberately, and they thus began to boycott the parliament (Alamgir, 2007). The tendency to boycott or desert the parliament led the govt. to promulgate laws easily. The AL that assumed office in 2014 by 10th one-sided parliamentary election will face no strong opposition in the parliament. In Parliament, the handmaiden main opposition Jatiya Party is unable to hold the govt. accountable for its activities. (Daily Star, Sep.27, 2014).

Table 3 : Opposition presence and boycott of parliament

Parliament						Opposition
Under study	Tenure	sessions	At work(days)	Boycott (days)	Presence (days)	Absnteeism (%)
5 th ('91-'95)	4y 8m	22	400	300	100	75.00
7 th ('96-'00)	5y	18	382	156	126	40.83
8 th ('01-'06)	5y	23	373	223	150	59.78
Total			1159	679	376	58.78

Source: (Moniruzzaman, M. (2009), Parliamentary Democracy in Bangladesh: An Evaluation of the Parliament During 1991-2006, *Commonwealth and Comparative Politics*, Vol. 47, No. 1, 100-126, Feb-2009)

The Provisions of Ordinance Making

Though the supreme power to make laws belongs to parliament, the constitution of Bangladesh provides ordinance making provisions under Article 93 which are not passed in a democratically elected parliament after adequate deliberation and discussion or following normative legislative norms. See the following figure:

Table 4 : Statistics of law and ordinance passed by parliament

Parliament	Total Law Passed by Parliament	Number of Bills Passed which have been initiated from ordinances	Total Ordinances Promulgated between two Sessions
The First Parliament (7 Apr,1973-17 July, 1975)	154	90	94
The Second Parliament (2Apr,1979-2 Mar,1982)	65	15	295
The Thrd Parliament (10,July,1986-13 July,1987)	39	14	323
The Fourth Parliament (25Apr,1988-25Aug,1990)	142	89	92
The Fifth Parliament (5Apr,1991-18Nov,1995)	173	70	102
The Sixth Parliament (19Mar,1996-25Mar,1996)	01	0	19
The Seventh Parliament (14July,1996-13July,2001)	190	20	21
The Eighth Parliament (28Oct,2001-27Oct,2006)	184	06	06
Ordinances by Armed Backed Caretaker Govt.(28Oct,2006-Dec2007)	Year	Number of Ordinances	
	2006	06	
	2007	42	
	2008	74	
Ninth 2009-present(Jan, 2009)	Ordinances turned Bills	Total Ordinances Issued	
	65	122	

Source: Compiled and calculated by the author based on Halim, M. A (2014), *Constitution, Constitutional Law and Politics: Bangladesh Perspective*, 6th ed., June, World Bank 2010: 80

The statistic shows that from 1973 to 1996, 940 ordinances in total were promulgated whereas the number of laws passed by

parliament in this period was 594 in total out of which 293 originated from ordinances. Excluding Martial law period 49.3% of the total laws in the country have originated through ordinances and the average number of ordinances promulgated in every recess of parliament is more 7. BNP government during 1991-95 passed most of its 172 laws enacted by promulgation. Only 4.0 percent of the total bills were scrutinized by the relevant committees, and an impressive 34.7 percent of the bills were originally ordinances. The most important of the 185 bills that the then BNP government passed, such as the speedy Trial Tribulation Act, 2002, during the 8th Parliament were by promulgation. During the 5th and 8th JS, bills scrutinized by concern committees were negligible. (Moniruzzaman, 2009)

One of the important ways to measure the nature of activism of a legislature is to calculate the volume of laws passed by it over a period of time. For this, a table of a comparative account of legislative outputs of different parliaments elected since independence mentioned below:

Table 5: Nature of activism of the legislature

Parliament	Tenure(Month)	No. of Sessions held	No.of bills passed	Bills passed per session	Bills Passed per Year
First	28	8	154	19.25	66
Second	35	8	65	8.12	22
Third	17	4	38	9.50	27
Fourth	31	7	142	20.30	55
Fifth	56	22	173	7.80	37
Sixth	0.4(12days)	1	1	....	....
Seventh	60	23	189	8.21	37
Eighth	60	23	185	8.04	37
Ninth	24(upto 2010)	7	130	18.57	65

Source: Ahmed, N. (2002). *The Parliament of Bangladesh*. Aldershot: Ashgate. Rounaq Jahan and Inge Amundsen (2012). *The Parliament of Bangladesh: representation and Accountability*. CPD-CMI Working Paper 2, April-2012

The table shows that in terms of producing legislative outputs, the 9th parliament has performed nearly to the level of the 1st parliament. This shows that although the parliament is the supreme law making institution in Bangladesh, the law

making authority is shared with the executive (Jahan and Amundsen, 2012). Sometimes ordinance is made 4 or 5 days before the starts of parliament session and sometimes a parliament session only approves ordinances and no other legislative function is done at all. This trend is, as the Indian Court says, nothing but a 'subversion of the democratic processes and colorable exercise of powers which amounts to a fraud on the constitution. (*D.C. Wadhwa v. State of Bihar* 1987). The ordinances issued by president may, therefore, be called as 'Cabinet-made law' (Brohi, 1958). These laws are contrary to the concept of rule of law.

The Provision of Article 70

The Provision of Article 70 frustrat all positive devices in the constitution for ensuring rule of law. Because The provision of collective responsibility (Article 55) has been a soundless vessel because of Article 70 as the cabinet is always sure that it is not going to be defeated by motion of no-confidence, because no member of the majority party has right to vote against his own party (Chowdhury, 1997). Under the anti defection law there is none from the government to protest or vote against. So, the government can pass any unethical bill which can be detrimental to the country. For example, 2nd session of the 4th JS, 5th, 13th 19th session of 5th JS. This tendency "shows an attitude of complete disregard for the parliamentary culture and reluctance for building political institutions" (ibid). So Article 70 has turned a responsible government into an elected dictatorial government and rule of law into the rule of man or party (Halim, 1998, p. 176). Thus the sweeping power of Article 70 has been a great hindrance for ensuring rule of law in Bangladesh.

Many laws have been made arbitrarily without public consent

Since independence of Bangladesh many laws have been made arbitrarily without public knowledge and consent. For

example, the Special Powers Act, 1974, the Information and Communication Technology Act, 2006, the Anti-Terrorism Act, 2009 and the Mobile Court Act, 2009 etc. are among other draconian laws created without public knowledge. The Fourth and the Fifteenth Amendment to the Constitution of Bangladesh was passed in the National Parliament in less than 15 minutes. The people of the country were in the dark regarding these Amendments (Ashrafuzzaman, 2014). The 16th Amendment, 2014 recently passed by the Parliament without public consent by which the power to remove a judge will be vested in the Member of the Parliament.

Whether all persons are under the same laws or not

According to the Constitution of Bangladesh "All citizens are equal before law and are entitled to equal protection of law," but in practice there is a different scenario. The President of the Bangladesh enjoys constitutional privileges from criminal and civil proceedings during his time in office. The member of the Parliament shall not be subject to the jurisdiction of any court during their tenure. A law titled 'Joint Drive Indemnity Act, 2003' protects officers of the armed forces and the other paramilitary forces from prosecution if they were to commit a large scale violation of human rights (Cheesman, 2006). In many cases, public officials are out of accountability for doing official mis-activities, even though high profile politicians are above the law and the criminal justice system. (Asrafuzzaman, 2014)

Proxy Measures of Judicial Procedure

Rule of law requires that any power-abused by public functionaries should be subjected to the control of courts (*Punjab V. Khan Chand*, 1974). The rule of law is an ideal of constitutional legality, involving open, stable, clear and general rules, even-handed enforcement of those laws, independence of the judiciary, and judicial review of administrative action" (Hogg and Zwibel, 2005). This is why the most important condition for ensuring rule of law in a

country like Bangladesh is the independence of judiciary. But facts on the ground tell a different story:

The powers of the Courts have been curtailed in certain laws

In a country where the rule of law exists, all the laws should be administered in the courts of law. In Bangladesh, the powers of the Courts have been curtailed in certain laws. For example: The Speedy Trial Tribunal Act, 2002, The Mobile Court Act, 2009 and The Administrative Tribunal Act, 1980. By the Speedy Trial Tribunal Act, 2002 the government is authorized to select and for holding quicker trials for five specific offences: murder, rape, and the possession of illegal firearms, explosives, or narcotics. The law has thereby allowed executive authorities to arbitrarily pick and choose cases for trial under this law. The executive authorities rather than the judiciary usually decide the fate of these cases (Ashrafuzzaman, 2014).

The Mobile Court Act, 2009 by its Section 5 authorizes the government to assign an 'Executive Magistrate' or 'District Magistrate' to conduct trial of offences under this law. Sections 6 and 11 empower the 'Executive Magistrates' and 'District Magistrates'—both being administrative officers of the Executive branch of the state to punish with a maximum imprisonment of two years (Sec. 8) and monetary penalties. This law has mostly been used to punish opposition activists (ibid).

The constitution of Bangladesh provides the provision of Administrative Tribunal in order to provide quick relief and avoid lengthy proceedings of litigation. Despite this the Tribunal has been kept outside the writ and supervisory jurisdiction of the High Court Division under Article 102(5). Neither in Pakistan constitution (Art. 212) nor in Indian constitution (Art. 323A) administrative tribunal is exempted from the power of judicial review by the Supreme Court (Halim, 1998, p. 45). Magistrates are performing dual functions of both executive and judiciary. But conferring of

judicial power of the executive magistrates, though in a small degree, is against the principle set out in Article 22 of the constitution (Islam, 2012, p. 89). The Deputy Commissioner who is the Chief Executive in the district can arrest and prosecute a person. He also acts as a judge and trials criminal cases. This practice is not in accordance with independence of the judiciary. Mahmudul Islam (2012) correctly said, it may be noted that the 15th amendment restored many of the original provisions of the 1972 constitution, but the restoration process was not extended to Articles 115 and 116.

Independence of Judiciary

Rule of law is not possible unless there is an impartial and independent judiciary. The Appellate Division of Bangladesh Supreme Court in *Secretary, Ministry of Finance V. Masder Hossain*, (2000) said that- 'Independence of the judiciary is the sine-qua non of modern democracy and so long as judiciary remains truly distinct from legislature and executive, the general power of the people will never be endangered.' A survey recently conducted by two researchers (Miazi, and Islam, 2012) showed that 38.33% of the respondents believe that the rule of law can be ensured in the country through the independence of judiciary. But in Bangladesh the judiciary at all its levels entertains the instructions of the executive. (Asian Legal Resource Centre's Statement, 2014/789). To know how far the judiciary in Bangladesh is independent we have to evaluate our judiciary system by the following ways:

Independence of Higher Judiciary

1. According to Art. 95 (2)(C), the Rules given by the High Court in 6 June, 2010 and recommendation given by the Law Commission in 2012 the government will make law to appoint the judges of the Apex Court. But no govt. has yet made such law. As a result the judges are appointing in the Supreme Court on free style political consideration. (Malik, 2014). Under Article 65 the absolute law making power belongs to the parliament.

Article 55(2) says that the executive power belongs to the Prime Minister. So it is clear that the absolute power of the two organs in the hands of Prime Minister and that is why the power of control, appointment, promotion, posting and removal of the judges has vested in the Prime Minister. Recently the 16th amendment of the constitution has passed to remove the judges of the Supreme Court by the members of the Parliament.

2. After the 10th amendment of the Constitution the President of Bangladesh became titular one. The President Compulsorily appoints the judges on advice of the Prime Minister. The present provision for the appointments is that the Chief Justice and other judges shall be appointed by the President (Art.95). In the matter of appointment of the Chief justice the President is not required to act on the advice of the Prime Minister or cabinet, but the President is to act on the advice of the prime Minister in the matter of puissant judges. Thus the appointment depends on the sole wish of the executive which may create personal favoritism and political bias in the appointments. (Halim, 1998, p. 308). The Chief Justice also happens to be appointed on political considerations. (AHRC, 2010)
3. There is a rule to appoint the judges on seniority basis, but in practice now and then junior judges get promotion as the judges of the Appellate Division of the Supreme Court due to personal favoritism of the government and political biasness. Sometimes some judges remains in the High Court for totally government's biasness.
4. According to Article 98, the President can appoint any person as an additional judge on advice of Prime Minister and can appoint additional judge as permanent judge and remove him from his (judges) post at his own will. Under Article 99 a retired or removed judge may be appointed by the President in judicial or quasi-judicial

offices and may also be appointed as Minister, Deputy Minister or President which are not regarded as profitable posts under Article (66). For example, then Chief Justice Khairul Islam is now the Chairman of the Law Commission. But according to The International Law Commission Report where there is any chance for the judges to be appointed in honorable post after their retirement or removal, impartial judgment may not be expected from them especially where the government itself is a party to a suit. (Halim, 1998, p. 309). This scenario has seriously affected the independence of the judiciary in Bangladesh. But 'the success of judicial decisions depends as much upon a well-drafted constitution as upon the caliber of the judges themselves' (Wheare, 1966, p. 120).

Independence of Lower Judiciary

The lower judiciary is the foundation of the judiciary because, the larger portion of the population is directly connected with the litigation in this court. However for the establishment of rule of law the subordinate judiciary must be independent and impartial. Most probably for these very reason in *Secretary, Ministry of Finance V. Masder Hossain*, (2000) it has been observed that '....their independence should be placed beyond question'. But until recently, nothing had been done to give effect to article 22 of the constitution (Islam , 2012, p.87). There are some shortcomings regarding lower judiciary which are as follows-

115. Appointments of persons to offices in the judicial service or as magistrates exercising judicial functions shall be made by the President in accordance with rules made by him in that behalf.

116. The control (including the power of posting, promotion and grant of leave) and discipline of persons employed in the

judicial service and magistrates exercising judicial functions shall vest in the President and shall be exercised by him in consultation with the Supreme Court.

116A. Subject to provisions of the Constitution, all persons employed in the judicial service and all magistrates shall be independent in the exercise of their judicial functions.

So it is clear that the executive is the absolute maker of the judges and judicial officers in the subordinate judiciary as well as in the magistracy (Halim, 2014 p.361) as stated in the article 115. Though there is provision for consultation with the Supreme Court (Article 116), the reality is little different. Because it is frequently heard that in many cases all acts of posting, promotion, grant of leaves etc. are done by the Ministry of Law, Justice, and Parliamentary Affairs and sometimes they do it without any approval of the Supreme Court (ibid, p.371). According to one researcher the Ministry deals with the process of appointment, promotion, and dismissal in a whimsical fashion, prompted by the wishes of the incumbent political regime (Ashrafuzzaman, 2014). As a result, the judiciary, at all its levels, entertains the instructions of the executive and persons close to the rulers (ALRC, 2014/789). This creates public distrust in a rule of law system.

Interference by the Government and Political Pressures on Courts

The World Justice Project, 2014 said the administrative agencies and courts in Bangladesh are inefficient and affected by corruption and political interference. Since the birth of Bangladesh and up to October 2007, the Magistrate's Court was directly under the Ministry of Home Affairs. Executive officers of the state used to sit in the Courts to adjudicate criminal cases. All adjudications used to depend on administrative and political interference. (Ashrafuzzaman, 2014)

Access to Justice

Access to justice, in Bangladesh is reserved for the privileged. But rule of law is meaningless unless there is access to justice for the common people. The courts must be accessible to all if rights are to be enforced. The cost of having recourse to the courts must be such that there is real access to the courts. The rich and the powerful can always have their way; it is poor and the weak that need the support of the law. The cost of litigation in Bangladesh is high. Most people cannot afford to seek remedies in courts. It is absolutely necessary to undertake a meaningful '*legal aid scheme*' to ensure access to justice without which it is idle to talk about rule of law (Islam, 2012). Today, disputes cannot be resolved without intervention and support from locally influential persons belonging to the ruling party. In absence of any kind of 'witness protection' mechanism the people face multiple challenges. Those who dare contest cases against the law-enforcement personnel, influential persons associated with the ruling parties, and economically powerful persons, face dire threat to their lives, liberty, and property (Ashrafuzzaman, 2014).

Delays and Backlogs of Cases

Delays and backlogs in disposing the criminal and civil cases contribute to public frustration about the judiciary's competence in administering justice. Where a civil suit should take 1 to 2 years for the disposal but it continues for 10 to 15 years. According to a statement in 2000 by the Chief Justice above nine lacks of cases are pending in different courts in the country and among them more than in the Appellate Division. (Daily Star and Daily Jugantor, 20 May, 2000). Recently a daily newspaper (Bangladesh Pratidin, 13 Sep. 2014) reported that 356847 cases are pending in both the HCD and AD of the SC of Bangladesh. The following table shows the current state of backlogs of cases in the Apex Court of Bangladesh:

Table 6 : Baacklogs of cases in Bangladesh supreme court

Name of Courts	Year	Number of suits pending	Number of files	To be settled
High Court Division	2009(up to December)	325571	53155	21485
	2010	313735	57470	69306
	2011	279436	45084	68912
	2012	279436	56732	38444
	2013	297722	50010	24286
	2014(up to July)	342839(increased-17268)	4403	
Appellate Division	2009(up to 31 Dec.)	5260	4403	6035
	2010	9141	5464	1583
	2011	12441	4749	1449
	2012	12441	3036	2092
	2013	13385	5989	5036
	2014(up to June)	14008 (increased-8748)		

Source: Bangladesh Pratidin, 13 September, 2014 (www.bd-pratidin.com)

Such the increased number of backlogs creates the lengthy duration in executing the cases and thus the main purpose of rule of law is hampering- said Advocate Khondokar Mahbub Uddin, President of Supreme Court Lawyers Association. (Bangladesh Pratidin, 13 Sep. 2014)

Shortage of Judges

There are 400 more posts of judges are vacant in the Courts of the different Districts while about 28,00000 cases are pending in the courts of the whole country. This situation creates more backlogs of the cases and delays accordingly. See the following figure:

Table 7 : Number of vacancies

Name of District	Total Number of courts	Number of Vacant Post	Number of Pending suits
Chuadanga	09	07 (among 09)	10,000
Sherpur	21	08 (among 21)	15,000 (about 1,100 cases are pending in Nari O Shishu Nirjaton Domon Tribunal-newly established(3 months ago)
Chittagong		13	1,70000 (about)

Source: Compiled and calculated by author based on Bangladesh Pratidin, 17 Nov. 2014

The vacancy has been created due to procrastination in the appointment and promotion of the judges. See the following Table:

Table 8 : Reasons for vacancy

Name of the Post	Total Number of Vacancy
Asstt. Judge & Sr. Judicial Magistrate	240
Joint District Judge	130
Chief Judicial Magistrate	16
District Judge	25

Source: Compiled and calculated by author based on Bangladesh Pratidin 17 Nov. 2014)

Corruption in Justice System

Corruption is inseparable from every stage of a criminal case (Islam, 2010). In Bangladesh, 'there is extensive corruption and abuse of court process concerning bail, such practices contrary to the judicial independence' (New Nation, 31 March, 1989). A survey in 2007 had found 47.7% corruption in the judiciary. The TIB report also said that corruption in the country's judiciary system had increased by the last three years. (Deccan Herald, 04 September, 2014)

Recently TIB exposed the corruption of the lawmakers which has shown below:

Table 9 : Corruption in the judiciary of Bangladesh

Footing	Case Number	Bribe Providers	Whom was given		
			Court servant	Lawyers	Others
Rural Area	198	63.6%	70.8	16.7	12.5
City	21	57.1%	77.8	11.1	11.1
Total	219	63.0%	71.3	16.3	12.4

Source: Rahman, M, Z (2005), Separation of Judiciary from the Executive, Monthly Current Affairs, January, 2005, Dhaka: Professors Publication Ltd. Or accessible to: www.assignmentpoint.com/arts/law/report-on-judiciary-system-of-bangladesh.html

The statistics shows that more than three-fifths (63%) of the households involved in court cases to bribe the court officials.

The proportion of rural households is 63.6% compared to that of 57.1% of urban households. Cash for bribe is paid to the court employees by 73.1% of households, followed by 16.3% of households to opponent lawyers. Majority of households (53.3%) made payments for bribe directly, i.e., in prison, and 28.1% of households through the lawyers. The survey revealed that almost 9 out of every 10 households (88.5%) agreed or completely agreed that it is almost impossible to get fair judgement from the court without money or influence (Source-Internet)

Prosecution and Investigation in Justice System

In the context of Bangladesh the investigation system maintained by the police is notorious. Torture is common in investigation in Bangladesh. Confessional statements' extracted through torturing an accused or a witness is a key technique of criminal investigation (Asian Human Rights Commission, 2013). Bangladesh has never had an independent and competent prosecution system. Every regime appoints a group of lawyers of their choice to act as prosecutors or state attorneys. These lawyers get this opportunity because of their political loyalty—not professional skills—and often by corrupt means. (Ashrafuzzaman, 2014). The government covers up cases of fundamental human rights violations through so-called inquiries by Executive Magistrates (administrative officers). Not a single incident involving such crimes has led to prosecution since the RAB was created in 2004. The denial of access to the complaint mechanism closes all doors for seeking justice; forget about credible investigation or prosecution regarding the matter (AHRC, Asia Report, 2013)

Respect for Individual Rights

According to Article 32 of the Constitution of Bangladesh, "Everyone has the right to life, liberty and personal security." Right of life is protected in Article 31 also. But in Bangladesh, numerous people have been murdered extra judicially, illegally

arrested and arbitrarily detained mostly in fabricated cases. Now we will see how adequately the right to life of the citizens of Bangladesh is being protected.

Extra Judicial Killing and Torture

The occurrence of 'extra judicial killing' is an old story in Bangladesh. In 1972, the paramilitary Jatiyo Rakkhi Bahini came into force and it was accused of extra judicial killing. Now, since the formation of the Rapid Action Battalion (RAB) in 2004, such killings are again on the rise in the name of 'cross fire', 'shoot out', 'gun fight', 'encounter' and so on has seriously dented the operation of rule of law so much that appears 'the rule of law' for the common people in the country exists only in the pages of the constitution.'(Islam, 2012, p. 84).

In "Operation Clean Heart", begun in late 2002, recovered some arms, but resulted in more than 40 deaths due to use of excessive force (Jahan 2004). Extrajudicial killings by the police jumped to over 147 in 2004 and over 300 in 2005 (Amnesty International, 2005). As per the report of BHRC, at least 54 people in 2011, 289 peoples were killed in July 2013, 427 peoples in March and 289 peoples in July, 2014 were killed. In March more than 14 people were killed average in every day (Source-Internet). The Human Rights Watch said the RAB has been responsible for numerous acts of torture and other ill-treatment, arbitrary arrest, and approximately 800 killings over the last 10 years (Daily Star, 22 July, 2014). Three officers of the elite force allegedly involved with the murder of seven people in Narayangonj in April, 2014. 'The Narayangonj case is a litmus test for Bangladesh's legal system' said Abbas Faiz, Amnesty International's Bangladesh Researcher (Daily Star, 3 Sep. 2014).

Trends in Extra Judicial Deaths (1991--2014):

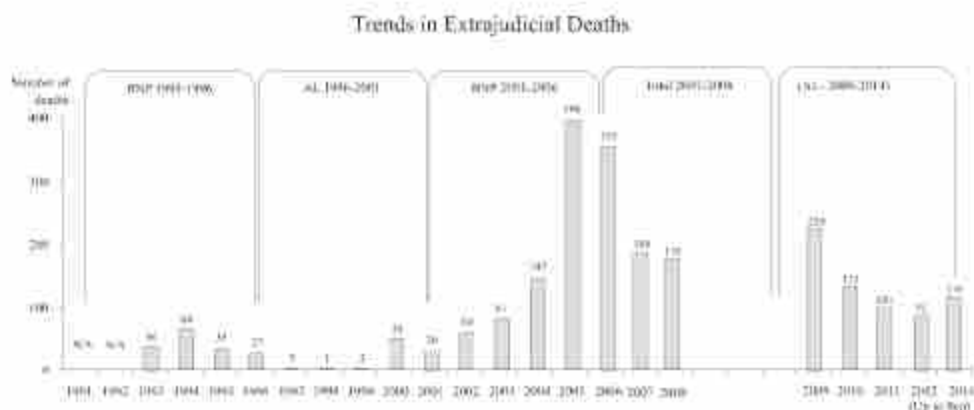


Figure 3: Trends in extra judicial deaths

Source: The figure (1991-2006) partly compiled and calculated by Jalal Alomgir (2007): 'Democratic Performance in Bangladesh, 1991-2006: A Political Measurement, Journal of Bangladesh Studies, Vol. 9, no. 2 (2007):1-12 and partly by the author based on Bangladesh Protidin, 19 September, 2014

The statistics shows that, on average, government agents killed almost 41 people extra judicially from 1993-1996. From 1996-2001 almost 18 people on average, from 2001-2006 on average 207 people, from 2006-2008 (during Care-taker Govt.) on average 177 people and from 2008-2014 (up to Sep.) almost 134 people were killed by the law enforcement agencies.

Table 10 : Trends in crossfire/gunfight etc. (2001-2013)

Cross Fire/ Gunfight from 2001-2013																
Year	RA	Police	SA	Joint	Cher	Ar	B	Pub	RAB	RAB	Gun	D	For	Pol	A	Tot
	B		A	Pub	Cola	m	G	lic	Coast	Patrol	Y	B.	at	ice	ss	al
									Guard	Guard	Guard	Patrol	Guard	Guard		
2013 (Jan - Aug)	22	20	0	0	0	0	0									42
2012	40	7	2						4							43
2011	42	15	4						4							65
2010	65	21	0						3	3						101
2009	30	63	7			2										129
2008	65	50	1	1			1				4					150
2007	90	38	3	1							1					150

Cross Fire/ Gunfight from 2001-2013																
Year	RA B	Police	RA B - Police	Joint Police	Cherch Code A	Ar my	B G B	Police BB B	RAA- Const Guard	RAA- Police Const Guard	Const Guard	D B Police	Free of Gun fire	Police Const Guard	A s s e s s e d	Total
2006	101	96	1								1	4	1	15		200
2008	107	212			4							2				340
2009	63	91		7		1	1	3								166
2005		26		4		1						1			1	33
2002		2														2
2001	0	0	0	0		0	0	0	0	0	0	0	0	0	0	0
Total	713	646	2	11	4	2	2	3	11	3	12	7	1	15	1	149

Source: Bangladesh Human Rights Report of January 2013; Odhikar, Monday, February 04, 2013 (www.odhikar.org)

Table 11 : Trends in torture to death (2001-2013)

Torture to death by Law enforcement Agency (From 2001-2013)													
Year	RA A B	Police	RA B- Police	Joint Force	Ar my	B G B	Co ast Gu ard	DB Police	Jail Authorities /Police	Na vy	Drug s and Narc otics	Grand Total	
2013 Jan- August	1	7										8	
2012	0	5				1			1			7	
2011	1	14						2				17	
2010	2	20										22	
2009	3	11				5	1	1				21	
2008	3	8				1						12	
2007	2	14		3	5			1		3	2	30	
2006	4	23										27	
2005	4	20						2				26	
2004	11	28		7								46	
2003		16		1	1			2	4	1		25	
2002		14			33	1			2			50	
2001		8										8	
Total	31	188	0	11	39	8	1	4	11	4	2	299	

Source: Bangladesh Human Rights Report, January 2013 and Odhikar, February 04, 2013 (www.odhikar.org)

Preventive Detention

The rule of law demands that power is to be exercised in a manner which is just, fair and reasonable and not in an unreasonable, capricious or arbitrary manner leaving room for discrimination (*Delhi Transport Corporation v. D.T.C. Mazdoor Congress*, 1991). But Bangladesh has another scenario. In Bangladesh “Preventive detention is an abnormal measure whereby the executive is authorized to impose restraints upon the liberty of a man...” (Brohi, 1958, p. 424). For example, during the first 3 years of AL (1996) 7,618, during the 5 years of BNP 18000 and during the 9 years of JP (1981-90) 27000 persons were detained (Daily Jugantar, May 30, 2000). In recent years police filed more than 500 cases only in Dhaka district against around 24,000 BNP leaders and activists (2013). The AL leaders themselves had faced same under the Speedy Trial Act 2002 when BNP was the main opposition during 2001-2006. When AL-led government having assumed office in 2009 the party men freed from all charges by withdrawing more than 7000 cases filed against them. Now the AL-led government is using the Speedy Trial Act in a similar fashion against BNP leaders and activists. The thing in common is that both governments for their political purposes have abused the police force. (Daily Star, Sep. 27, 2014) The following statistics will give an idea that the governments have done the most abuse of this law.

Table 12 : Year basis number of detunes under the Special Powers Act, 1974

Year	Total Number of Detenus	Number of Released Persons Through writ of Habeas Corpus
1974	513	13
1975	1114	31
1976	1498	46
1977	1057	25
1978	753	30
1979	960	31
1980	710	41
1981	1759	29
1982	1548	54
1983	872	44
1984	643	36

Year	Total Number of Detenus	Number of Released Persons Through writ of Habeas Corpus
1985	882	48
1986	2194	94
1987	4585	327
1988	4907	741
1989	4482	871
1990	4615	1099
1991	5302	1710
1992	6497	1594
1993	3 669	1066
1994	2968	630
1995	4173	1705
1996	5413	3376
1997 upto July	2539	1393
Within 5 days before 12 March, 2012 and before 24 hours of 12 March, 2012*	2800+300	

Source: Compiled and calculated partially by Halim, 1998 and partially by author based on Doinik Prothom Alo, 12 March, 2012

The report shows that, without following the legal rules or principles of natural justice or due process of law a numerous number of people are being arrested every year. The power of the police to arrest under section 54 of the Cr. PC in the view of the HCD is to a large extent inconsistent with the provisions of the Part III of the Constitution (*Blast v. Bangladesh*, (2003). So the provisions allowing preventive detention in peace time as provided for in art 33 are against the concept of rule of law.

Conclusion

On the basis of the discussion we can tune with Abdul Halim (1998, p. 357) that though there are some positive provisions for ensuring rule of law in Bangladesh Constitution, they are being outweighed by the negative provisions. With all, it would not be wrong to say that the eternal struggle for ensuring rule of law in Bangladesh is an ongoing process. The article makes it clear that now-a-days the rule of law means a government of laws not of men i.e., the powers of the

government shall be controlled by laws framed by people's representatives and the citizens shall not be subject to the arbitrary will of the ruler i.e., the citizens and the government are equal before the law. For this very reason the separated state powers will be co-ordinated among the executive, legislative and judiciary with emphasis on citizen's rights and where a parliament will recognize the rights of individuals and an independent judiciary shall have the right of judicial control over executive acts. Thus rule of law includes a variety of factors which are inter-related to each other. The above factors are dominantly important behind the process of rule of law. In conclusion, it might be remarked that the current state of rule of law of Bangladesh is poor. On the basis of the study, the following measures have been recommended to be undertaken on urgent basis in an effort to overcome these massive challenges and thereby to ensure rule of law in Bangladesh.

Recommendations

- 1.** Laws of the country should be made by following normative legislative process. The parliament has to be made effective with the participation of all political parties and really a decision making forum in which the opposition should be given due opportunity to utter their voice on decision making process. Except in an emergency any ordinance passed under the article 93 of the Constitution, must go through the scrutiny of the relevant standing committee and obtain its approval before its promulgation.
- 2.** The Judiciary should be made independent from all kinds of interferences of the executive. The control (including the power of posting, promotion and grant of leave) and discipline of persons employed in the judicial service and magistrates exercising judicial functions should be vested in the Supreme Court. To make the judiciary efficient and functional by removing all sorts of challenges followings can be undertaken on an urgent basis:

- a. Backlogs of long pending cases should be off-loaded by effective measurements and strategies should be taken regarding this situation for redeeming the confidence of the countrymen on the subordinate judiciary. To get rid of backlog of cases, it should be stopped unnecessary adjournment of hearing of cases.
 - b. Only the lawyers would be appointed as judges who are not the man of ruling party or who are not likely to favor the government and who are men of keen intellectual, high legal acumen and integrity.
 - c. It should be emphasized on creating awareness for reaching the government's cost-free legal aid services to the poor, who are unable to avail legal services for financial constraints to enable them in getting justice through appointing lawyers on behalf of them.
 - d. The judicial review powers of the apex court should be strengthened so that, as a guardian of the constitution it can ensure the rights of citizens declaring illegal or unconstitutional any violation by the state agencies.
3. As the political parties are considered to be the key to development of democracy and rule of law, hereditary nature of leadership in our country should be abolished and democratic practice within the parties must be gradually strengthened first.
4. A department of Ombudsman for transparency and democratic accountability should immediately be created which will work as watchdogs against misadministration.
5. The National Human Rights Commission should be made able to carry out its functions independently and effectively. Protection and promotion of human rights by enabling the functioning of independent and impartial Human Rights Monitoring Organizations should be ensured.
6. Accountability and transparency should be ensured at all levels of the country by applying the institutional mechanism.
7. Corruption at all levels should be minimized within the society. The Anti-Corruption Commission and other law enforcing agencies should be strengthened. The law enforcing agencies and court yards should be kept out of corruption and all sorts of political influence.

8. The ruling party should refrain from exercising unconstitutional, undemocratic and repressive activities against opposition. The government should also refrain from imposing section 144 of the Cr.P.C. in a whimsical fashion. The government must take effective action to stop all forms of criminalization in the name of politics.

9. The Government should bring all involved in extrajudicial killings and enforced disappearances before justice. The Government should accede to the International Convention for the Protection of All Persons from Enforced Disappearances, which was adopted by the UN General Assembly on December 20, 2006.

10. Civil Society of Bangladesh can create public awareness conducting debates and seminars for the implementation of the rule of law and can pressure the government to remove the defects constantly that remain on the path of the rule of law.

It is true that, the recommendations only mentioned above cannot ensure 100% rule of law for the countrymen and cannot remove all sorts of challenges that still remained in this path. The recommendations just minimally can reduce the rate of the problems prevalent in the path of ensuring rule of law in Bangladesh.

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Students' Attitudes towards Learning English: The Bangladesh Context

Fahmida Quasem¹

Abstract : English, not only as a language but also as a subject, is the most sought after among the humanities subjects in post-colonial Bangladesh. Numerous studies have investigated students' attitudes towards English (both language and literature) at the primary level to find out their interest or disinterest towards learning a foreign/second language and its literature. However, very few research studies (Al-Quaderi, 2010) focus on the Bangladeshi students' concern about the neo-cultural hegemony permeating through English and prevailing over the developing nations. This study aims to identify students' attitudes towards English in two stages - at the initial stage, where attitudes are shaped by students' desire to achieve proficiency and skill. And at the secondary and more serious stage, where their attitudes of evaluating English language and literary texts are formed without any critical awareness of the cultural hegemony. This qualitative-quantitative study gathered information on students' background and their perceptions of the source cultures of the texts they study. The Participants were students of both under graduate and graduate levels. The instruments used were student questionnaires and interviews. The findings suggest that students' primary attitudes are connected with and shaped by their proficiency level and the practical benefits of English language, but in the secondary level, there is a possibility of cultural alienation and ideological and moral mimicry among students learning English (both language and literature) in Bangladesh.

Keywords: Students' attitudes, Bangladesh context, students' critical awareness, cultural hegemony, cultural neo-colonialism.

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Introduction

English is now considered to be the global medium for communication and business, and so has become the most dominant language in the world. Most of the people from diverse language backgrounds want to learn English. Learning English becomes challenging to those for whom it is a foreign/second language. English was introduced to the Indo-Pak sub-continent by the British colonial reign. The reason was overtly clear - to make the native able to understand the British colonizers' orders properly. English, the tool of oppression for the British became the key to the door of the hidden world of knowledge for the people of the sub-continent. The education system planned and provided by the British Raj taught English to the Indians, and the education consequently made the natives aware of their rights and also created the nationalistic feelings among them. The study of English literature in Bangladesh (the erstwhile East Pakistan, the East Bengal of Eastern Bengal and Assam province [1905 - 1911]) properly began with the establishment of the fully fledged Department of English at the first public university of this region, the University of Dhaka, in 1921. When the British decolonized the South Asian subcontinent in 1947, leaving behind India and Pakistan, today's Bangladesh was born as East Pakistan. English remained the de facto official language of both India and Pakistan. Being regardless of the fact that the entire East Pakistani people spoke Bangla, Urdu was fixed as the state language for both the East and West Pakistan. This decision of the West Pakistani rulers and many other socio-political and economic discrimination and oppression done by them caused Bengali nationalist agitations from 1948 to 1956. As a result the Language Movement occurred in 1952, the East Pakistan won the right of speaking her mother tongue Bangla. English literature continued to be studied at public universities and colleges as in the days of British Raj, without any post-colonial angst worth notice in East Pakistan. The subject was not considered hegemonic in

contrast to African thinkers like Thiongo (Ashcroft, Griffiths, & Tiffin, 2003); rather many Bengali nationalists considered English as a tool for enriching the Bengalis culturally. When Bangladesh emerged in 1971 as a nation-state, English was devalued, because of the nationalistic myth of one language, one people and one culture. Despite this attitude, English literature at public universities was offered to teach with not very visible question marks. In the 1990s with free market economy/globalization, private universities entered the scene and gradually opened English, basically, literature departments. Thus English literature has been taught in both the public and private universities.

The issue of students' attitudes towards studying English language and literature rises from two related issues of two levels, **firstly** or in the primary stage, the reasons behind their choice of studying English literature and the challenges they face in course of their studying it (English literature) in the universities. **Secondly**, their unawareness of being culturally neo-colonized by the dominant western culture permeating them through the literature they study. The hurdles they face are posed for their low proficiency in English earned during their primary, secondary and higher secondary level of education life. Language and literature are inexplicably connected with each other. Language is the vessel and medium by which literature is exposed, while literature is that element which makes language humane and richly colourful. Hence, for students whose first language is other than English – cannot study English literature without learning English language. This factor is applicable for the Bangladeshi students too. In our country, English is taught as the second language. It is unfortunate that after our liberation from the Pakistani reign, we mistakenly attached an anti nationalistic image with English. Standing on the wrong platform, we devalued English language and thus ceased the flow of gradual and systematic development of skill in a foreign language. This weakness caused lack of proficiency or

low proficiency in English and eventually, negative attitudes towards English have been generated among the learners.

Another reality is, culture is one of those concepts that are important in the pedagogy of English/western literature. "In the unequal and unjust world order of today, culture is denied, appropriated, annulled, modified, destabilized and made to serve the purposes of the late capitalistic world disorder" (Al Quaderi, 2010). The teaching and learning of English literature is especially problematic as the teachers and students from the third world countries teach and learn the English / western literature following the ways of interpretation used and ushered by the dominant west. This phenomenon leads to the cultural dislocation of the underdeveloped or developing countries and nations. Arun P. Mukherjee points out, there is "a planned policy of advanced nations to maintain their influence in developing countries, but it is also simply a continuation of past practices..." (Ashcroft, Griffiths, & Tiffin, 2003:452). Culture is one of those sites through which neo-colonial powers try to perpetuate hegemony as Freire points out: "Cultural invasion is on the one hand an instrument of domination and on the other the result of domination" (qtd. in Jenks, 1993: 97).

Attitude has cognitive, affective, and conative components; it involves beliefs, emotional reactions, and behavioural tendencies related to the object of the attitudes (McGroarty, 1996). It has evaluative aspect, a disposition and tendency to react positively or negatively to something. It is in short, the way someone thinks or behaves. However, attitudes are not fixed and can be changed by identifying the sources of negative attitudes and correcting them.

Students' attitudes towards the target language, its speakers and the context of learning may all play some part in explaining their success in learning a language (Candlin & Mercer, 2001). Many research studies have been conducted

on the role of attitude in second language acquisition, probably inspired by the knowledge that negative attitudes can be changed. Factors like better teaching strategies, well equipped classroom, and encouraging social environment can significantly reduce negative attitudes of the learners (Choy, 2002). In second/foreign language learning contexts, factors like age, gender, language background, type of school attended, and peer influences are some of the variables that influence language acquisition and attitudes (Merisou- Strom, 2007).

Attitudes related to the motives of studying a language can be divided into two main categories; integrative and instrumental motives. Gardner (as cited in Baker, 1993) suggests that integrative motives refer to situations where a person learns a second language in order to participate in the target language group's cultural activities. Instrumental motives refer to practical purposes of learning a language such as in order to get a better job or to pass examinations. In Bangladesh, majority of the students who have been learning English have this instrumental motive of ensuring economic solvency.

Attitudes are often shaped by the social context, "develop early in childhood and are the result of parents and peers' attitudes" (Brown, 2000 p.180) as well as contact with others from different cultures. Attitudes towards a language and its literature often begin at home. Social context also determines provision and practice for second or foreign language (as well as literature composed in that language) learning at home. Families that have positive attitudes towards English for example, might provide reading materials and practice in an informal learning context.

Students with positive attitudes will spend more effort to learn the language and literature by using strategies such as asking questions, volunteering information answering questions (Baker, 1993). Attitudes therefore affect the rate of development and the final proficiency achieved in

the target language and literature. Fortunately, attitudes do not remain static; they can be changed through the learning process such as by using appropriate materials and teaching techniques. Attitudes also improve when learners taste success in their course of learning. Students' attitudes towards second/foreign language learning can be explained by Spolsky's framework (Brown, 2000) shown in figure 1.

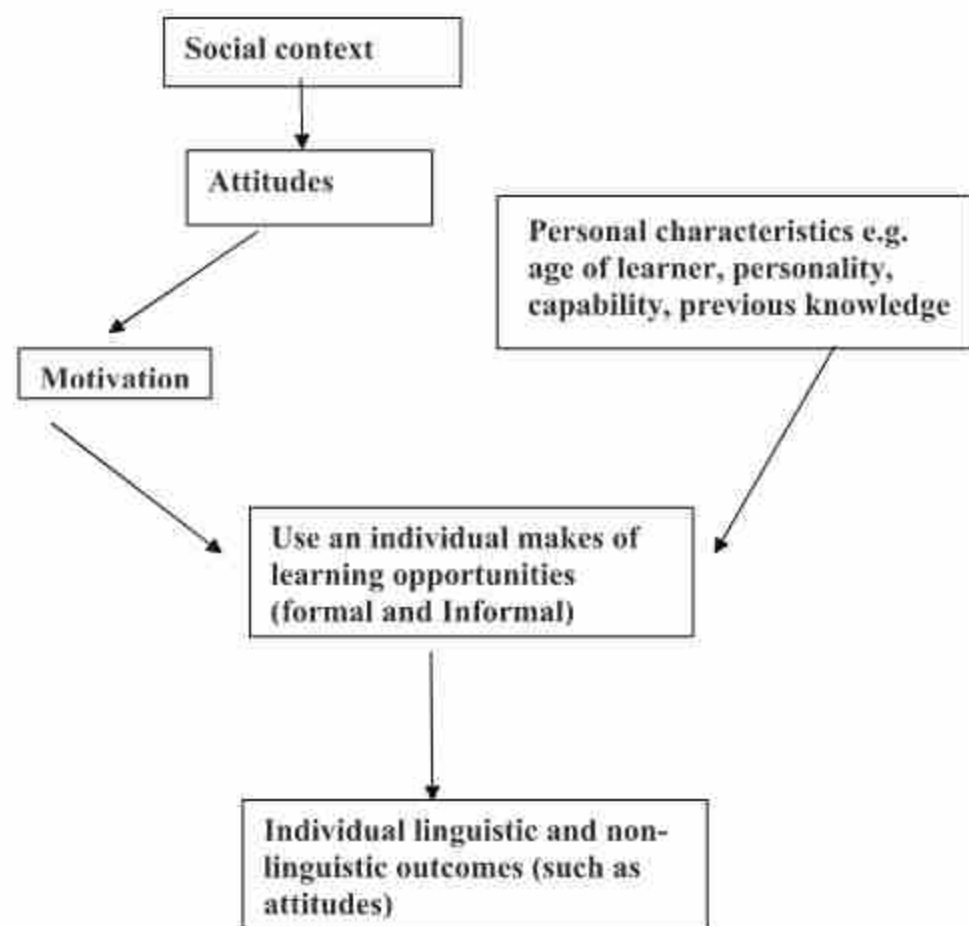


Figure 1: Spolsky's model

According to this framework, attitudes are shaped and influenced by the social context such as an individual's home and community. Attitudes in turn, determine the type and amount of learners' motivation. Both motivation and personal characteristics influence how an individual makes use of the learning opportunities in formal and informal contexts. The final outcomes are the linguistic proficiency of a learner and also non-linguistic outcomes such as attitudes which might change after going through the learning process.

Learning English Language in Bangladesh and the limitations:

Bangladesh is one of the most densely populated countries in the world, with more than 160 million people living in 0.145 million square kilometres. It is a developing country of the third world. It has an overall illiteracy rate of 42.3% (The Human Development Index 2014 UNDP, cited in Basher, 2014). These figures represent the huge challenges involved in simply continuing to provide basic education in this country. Bangladesh is basically a monolingual country. However its education policy and curriculum make English as a compulsory second language as it is a global language (Ministry of Education, Bangladesh, 2010). Learning English as a second language is very appropriate for a range of purposes of passing school examinations, going on to further study, learning about world literature, increasing employment opportunities, communicating with foreigners, using Internet and e-mails and travelling foreign countries. This view is supported by Nesa (2004) who states, "English [is] the *lingua franca* of business, commerce, science, arts, literature of the whole world" (p. 8). Teachers and parents also put the highest emphasis on learning English in order to obtain better opportunities.

The education system in Bangladesh is not uniform, rather it is divided into three basic streams -a) Bangla medium schools, b) English medium schools and c) 'Madrasa's , which are basically Arabic medium that chiefly focus on Islamic religious education. Each of these three categories has four stages of schooling - primary, secondary, higher secondary, and higher education. Thus for students who study at least to graduation level, English is taught as an essential subject for more than fourteen years of their education life. For nearly two decades, the Communicative Language Teaching (CLT) approach has been used to teach and learn English in Bangladesh. CLT is one of the more recent developments for teaching and learning second languages in the mainstream classroom where English is not the mother tongue (TQI-SEP, 2006). CLT is based on theoretical concept of communicative competence, which focuses not only on accuracy, but also on fluency in communication (Savignon, 2003;TQI-SEP, 2006). CLT emphasises the learners 'communicative competence with a focus on linguistic form, social context, interpretation and function of the language in diverse situations, (Savignon, 2003). Language use is therefore more important than mere knowledge of the language.

CLT has the reputation of being one of the best approaches for second or foreign language learning (Savignon, 2003; TQI-SEP, 2006). However, in general public examination results indicate that Bangladeshi students especially, the Bangla medium and 'Madrasa' students, fail to achieve success in learning English, with a high failure rate compared to other subjects. Hasan & Akand (2009) articulate that lack of classroom instructions and insufficient resources may result in CLT being a non-effective approach in the Bangladeshi context. Nesa (2004) argues that very limited teaching / learning materials and implementation strategies create hindrances in the implementation of CLT in Bangladesh. A study of four schools (40 students, 12 parents and 8 teacher participants) also indicated that the lack of English practice environments and resources, shortage of

time, a vast syllabus, lack of awareness in parents and teachers about the importance of practising English, the examination system, an attitude of aiming only to pass, the lack of proper motivation for students to use English practically and class load are some of the factors that have been affecting the English learning in Bangladesh. Though the Ministry of Education of Bangladesh has already taken actions to enhance continuous teacher training and provide more resources for ESL classrooms, the outcome is not yet satisfactory. This is reflected in the public examination results (TQI-SEP, 2006; MoE, 2010).

Savignon (2003) argues that in spite of the learning in CLT being contextualised, sometimes it is undermined in practice by focusing excessively on the achievements in learners' communicative competence. She states that in most of the cases this is not due to CLT itself as an approach, but it is the implementation and evaluation procedures that make it seem unsuccessful. To overcome these challenges, Japan has a reformed curriculum, Hong Kong and Costa Rica changed public examination systems and curriculum, Taiwan shifted into a bilingual environment with all road signs in English as well as Chinese and the European Union shifted its focus on learner autonomy in language education (Hiep, 2007; Howard & Millar, 2009; Nishimura, 2000; Sakura, 2001; Sato & Kliensasser, 1999; Savignon, 2003; Zhang, 1997). So, it can be said that although CLT is used widely in learning English as a second language, some modifications may be needed to accommodate the background of the learners in different contexts and to make it more learner centred.

Though CLT has been used for many years in Bangladesh for teaching and learning English language, it still has not been adequately used to develop critical thinking. Our students need not only to improve communication strategies but also strategies to examine and critique received ideas in order to live and negotiate one's own position in terms of international

influences and to understand, and balance, power status in this age of internationalism. CLT could be utilized using appropriate themes in classrooms to facilitate students thinking about others and evaluating positions in this world. Bangladeshi curriculum needs to add critical literary topics in the textbooks and in classrooms, student responsive pedagogy and a positive attitudinal change towards learning English as a language. Such change could extend language learning into developing critical awareness about global needs, possibilities and limitations. Criticality is needed to prevent hegemony in society and in the world. Hegemony deals with power relationship. If we consider the word *equality* in the broadest sense, we are equal in belonging to the large group called human beings. Gramsci coined the term 'ideological hegemony' to describe the influence of ruling class over knowledge. He argued that counter hegemony can be developed to break the hegemony of the ruling class. In a simple way, education can make citizens conscious about each other. Battiste (2008) discusses the struggles between Eurocentric Knowledge (EK) and Indigenous Knowledge (IK). He explains that Indigenous Knowledge is often presented to students as an inferior kind of knowledge and Eurocentric Knowledge is always shown as the higher one. Altbach (2008) also exclaims that "the products of knowledge are distributed unequally" (p. 55). The third world countries are not critically conscious enough to address this very important issue. They are short of technical facilities and lack indigenous writers to research and write on subjects of national and international concern. So they become 'book hungry'. However, most of the books are imported from the west and often such books do not increase the sense of proper evaluation of one's own country and culture. Altbach (2008) states that, "developed nations have manipulated third world publishing solely for their own national interest and economic gain" (p. 56). It is also seen through the charity images on the TV channels and magazines; they (West) are trying to keep this elitism. They are selecting a particular image of a particular country, because this is the way they want to see the country. So,

generally people accept it without thinking or asking questions, as it is not usual to question the 'legend' (Pike, 2008). The 'benevolence' of the West and the 'naturalization' of the creation of an 'inferior' other confront us with different version of truths. Pike (2008) says that the legend should be reconstructed, and global educators have a vital role to play to reshape the legend, even make a new legend.

Studying English Literature and Students' Attitudes Towards it in Bangladesh:

Bangladeshi students study English literature only in their tertiary level, as there is no English Literature component at the SSC or HSC level. Despite this lack in the curriculum, many students want to study English literature at the universities. There are several factors that work in them to make their choice of studying English literature. These students get the opportunity of studying English literature in public universities only by passing the admission test, whereas in the private universities (except a few exceptions) the students can get themselves admitted by paying off the admission fees. Students of public universities face less difficulty in comprehending the literary texts as they come through selection tests that ensure minimum required skill in language to study literature. On the other hand most of the students of private universities do not fulfil this requirement. So they face severe problems to comprehend literature in their syllabus.

One of the main challenges in learning literature is caused by the text itself, such as the language of the text, especially when there is a mismatch between the texts selected and students' language skill. Struggling readers share the same problems which are weak comprehension, lack of interest, and confidence (Arvidson & Blanco, 2004). They spend a lot of time looking up or guessing meanings of words which might result in regressive eye movement, losing sight of the plot or

the bigger picture by the time they reach the bottom of the page or end of the story. While facing with unfamiliar or difficult words, phrases or sentences, students use their lower-level reading skills where they look at a sentence or phrase for clues instead of using higher level skills such as inference or relying on the context to guess a word's meaning (Kaur & Thiyagrajah, 1999). Carlo August, McLaughlin, Snow, Dressler, Lippman, Lively, & White, (2004) affirm that vocabulary is one key determinant of poor reading comprehension for ESL learners. They also assert, "Knowing a word" involves learning many things of a word- its literal meaning, its various connotations, the sorts of syntactic constructions, into which it enters, the morphological options it offers, and a rich array of semantic associates, including synonyms, hyponyms, and words with closely related yet contrasting meanings as well as its capacity for polysemy (p. 192)

Literary style and structure pose a problem for students in trying to comprehend literary texts (Davis, Kline, Gorell, & Hsieh, 1992). If the writer is from a different background, students need to be aware of the cultural norms in the author's world to be able to identify language deviances and their significance, especially in poetry. Students also need a good grasp of the target language to appreciate choices and deviances in the text. Poems are generally disliked due to the abundance of figurative language and images which students fail to interpret (Wan Kamariah, 2009). Linguistic structure in poems can be especially confusing such as the irregular punctuation, capital letters and organization. Besides linguistic skills, students also need background knowledge to fully comprehend literary texts (Horowitz, 2002), which are written by authors who assume their readers share the same background knowledge, similar values and norms. When students encounter unfamiliar cultural aspects, they tend to interpret the meaning based on their own culture, which might result in inappropriate cultural representation.

Besides cultural values, the topic of the texts can be remote to the students, not only in terms of experience but also historically, geographically or socially. Students feel more motivated to read literature if they are given a choice or allowed to negotiate the texts that are to be included in literature classes (Davis, Kline, Gorell, & Hsieh, 1992).

The problem of understanding literary texts is something which can be overcome by developing language skill, but the hindrances towards interpreting English literature are not easy to surmount. Because of the free market economic policies adopted blindly by successive Bangladeshi governments, and the influence of western media and globalization, our notion of the west is full of awe and reverence. Most teachers in our universities view English literature as a vessel for imparting aesthetic sense and moral values of the western culture. Teaching and studying English Literary texts from the neo-colonial dimension (set by the west) in Bangladesh causes long lasting cultural bruise that dislocate the Bangladeshi culture and produce neo-colonized high-breed citizens who unconsciously carry on the neo colonizers' manifesto. This is an alarming issue, as that influences the destiny of Bangladeshi elites in business, civil service, the NGO sector, education as well as politics. According to Kwame Nkrumah, as quoted by Adeyinka, the networks of neo-colonialism "are much more subtle and varied [than the colonial power structure], operating not only in the economic realm but also in that of politics, religion, ideology, and culture" (Hawley, 2004:328).

Learners' background that affects learning English

Learners' background stimulates interest and affects outputs of the learners. Davis, Kline, Gorell, & Hsieh (1992) conducted a survey of undergraduates' attitudes towards the study of foreign literature. The survey used Likert scaled questionnaires which were distributed to 175 undergraduates

studying French and Spanish in three colleges in the United States. The survey aimed to identify the potential impact of seven variables on students' attitudes towards literature as shown in **figure 2**.

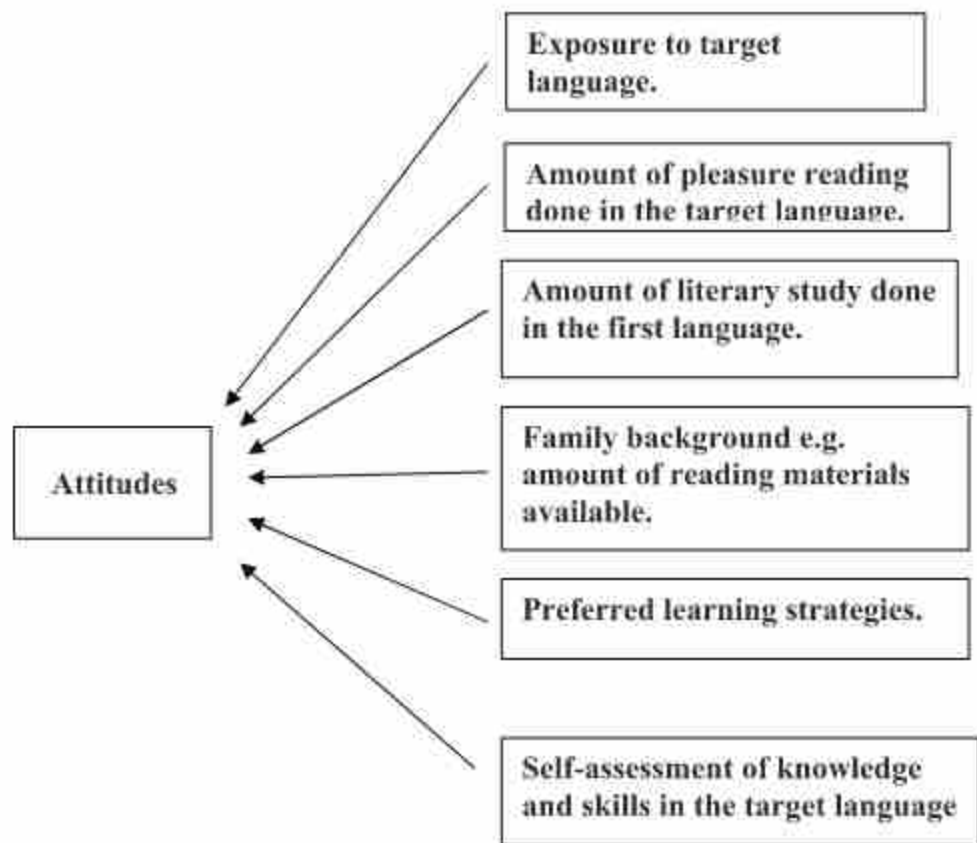


Figure 2: Motivating factors behind undergraduates' attitudes towards foreign literature

The study found that the amount of pleasure reading done in the target language showed a significant relationship with students' attitudes towards literature in a foreign language. Students who spend more time reading in the target language expressed better attitudes towards literature. Family background also contributes to students' attitudes

concerning literary study. Results suggested students whose parents read more, who spent more time listening to literary texts in the target language and who had access to more variety of books, had better attitudes towards literary study. The other variables, exposure to the target language, exposure to literary study in the students' first language and teaching methods, did not show significant correlations to students' attitudes towards learning English Literature.

A survey conducted by Kaur and Thiyagarajah (1999) suggested that even first year university students majoring in English Language and Literature found reading literary texts problematic. A total of 48.6% of the participants agreed that they are not efficient enough to read literary texts.

The location of schools might also have an impact on students' attitudes towards English. Students in urban areas tend to have a higher proficiency level of English compared to students studying in rural areas. For example, looking at PSC and JSC results the majority of students in urban areas obtained good grades while the majority in rural schools obtained credits and pass grades due to insufficient exposure to the language and the lack of practice. Lower proficiency levels, in turn, lead to frustration and lack of motivation among students, especially those from remote rural areas who cannot see the relevance of English in their daily lives. Many students especially in the rural areas are facing difficulties in learning literature due to the language and cultural barrier (Hill, 1986). Due to their inability to comprehend texts, they are not able to proceed to more cognitively challenging activities. They become passive listeners as they expect teachers to be the active provider of input during the learning process. In the consequence, this leads them to frustration and having negative attitude towards literature, while the process of learning itself will be demotivating (Hill, 1986).

Research Objectives

This study has three main objectives:

- a. To find out students' attitudes towards learning English language and studying English literature.
- b. To examine the relationship between students' background variables and their attitudes towards studying English literature.
- c. To track down students' evaluation of English (both of the language and the literature) that is affected and demarcated by the western cultural hegemony.

Methodology

The study is non-experimental. It was designed on the conceptual framework of mentalist point of view. In the research of language attitude, two theoretical approaches are used – 'behaviourist view' and 'mentalist view' (Fasold, 1984). According to behaviourist view, attitudes are dependable variables which must be studied by observing users' responses to certain languages, i.e. their use in actual interactions whereas according to mentalist view, attitudes are internal mental state which cannot be observed directly but have to be inferred from users' behaviour or their self reported data. Two separate structured questionnaires were prepared for students; the first one focused on respondents' demographic profile such as their educational backgrounds, parental backgrounds and socio- economic status. The second one focuses on their attitudes towards learning English (both the language and literature). The subjects are a total of 110 students (60 male and 50 female), who are from all semesters of both undergraduate and graduate programmes in one public university and three private universities all of which are situated in Dhaka. The informants had already received English language instructions for at least 13 years (from class I to class XII). The results were collated, tables made of the results, results analysed and the conclusion was drawn from the whole process using a neo-Marxist inflected post-colonial

theoretical framework. The author used the qualitative method suitable for cultural studies, rather than quantitative method and statistical analyses which “ultimately belongs more to social sciences than to cultural studies” (During, 2005: 23).

Findings & Discussion

Based on the objectives, the research questions are made. The survey results are discussed below according to the order of the questions in the questionnaires, answered by 110 students of 4 universities. The answers to the first question about the higher secondary educational background of the students suggest that while the majority are from Bangla medium, the rest, a poor second, are from English medium background. The absence of any students from the Madrasa medium HSC suggests that probably they were not eligible for admission.

Table 1: Students' educational background

Educational Background(Higher Secondary Level)	Percentage (%)
English	11.62
Bangla	88.38
Madrasa	0

The answers to the second question about the students' economic background suggest that almost two thirds belong to the middle class, followed closely by the upper middle class. Coming from the petite bourgeois and bourgeois classes these students have connections with the mainstream Bengali language/ literature/culture. Most students probably study English literature without any family history of studying the subject, as the class and educational background (cf. answer to question number two), suggest that they are from newly emergent rich / semi-rich families. The absence of any strong nationalist discourse in today's Bangladesh leads us to conclude that most students will not/cannot think of culture in

the manner of Amilcar Cabral in “National Liberation and Culture”:

At any moment, depending on internal and external factors determining the evolution of the society in question, cultural resistance (indestructible) may take on new forms (political, economic, armed) in order fully to contest foreign domination (Cabral, 1994; 53)

Table 2: Students’ family background

Family Background	Percentage (%)
Upper class	1.94
Upper-middle class	33
Middle class	59.22
Lower middle class	5.84

The answers to the third question suggest that most students’ parents (one or both) had completed Masters, followed by those who had completed graduation. There was a kind of history of “western” education in the family of most students, though not a long one as the number of graduates rose only in the post-1971 eras.

Table 3: Educational background of the parents

Parent’s/Guardian’s Educational Background	Percentage (%)
Ph.D.	2.9
Masters	45.63
Graduate	36.89
Higher-secondary/A-level	6.79
Secondary/O-level	7.79
Others	0

The answers to the fourth question about the reason for studying English literature suggest that most students liked English literature [an opaque answer], followed by the fact that English is “an international language”, and then the

market value of a degree in English/English literature. The results suggest that despite the lack of the English literature component in the HSC level, many students seem to like English literature enough to choose to study it at universities. This interest is perhaps because of the global spread of English. My personal experience tells me that very often the students express their fascination with English literature without proper thought or from a colonial hangover, transmitted from their parents and relatives. This assertion is supported by the reason of choice securing the second highest position in number: the global nature of English. The acknowledgement of the monetary factor by the third highest is quite predictable and speaks of a kind of mercantilist attitude among some students. The answers to these questions (1-5) lead me to infer that the class, educational and familial background of the students perhaps condition these students in such a way that the question of the cultural and national identity in the neo-colonial context will not trouble most of them.

Table 4: Students' choices and reasons

Question	Reasons for Choice	Percentage (%)
Why have you decided to study English literature?	English is an international language	19
	Great demand of English graduates in the job market	17
	I like English literature	40.05
	My family values English as a subject	12.65
	I am interested in Western culture	2.91
	Others	8.39

The answer of the fifth question about the method most often used by students to interpret a literary text suggest that most

try to connect the text with its social, political and cultural context, followed by following the teachers and trying to consider the text as an interconnected whole [the new critical method]. The students seem to be unclear about the concepts of text and context, pragmatically considered. The response about the awareness of the social, political and cultural context should be looked at critically. The satellite channels, teachers, English books, newspapers, and periodicals could be possible sources for students' knowledge of cultural, social and historical contexts of the texts. However, the representation of English/western culture in these mediums is educational/hegemonic creating, in Gramsci's terms, "domination by consent" (Ashcroft, Griffiths, Tiffin, 1998: 425).

Table 5: Students attitudes towards interpretation

Question	Answer	Percentage (%)
How do you interpret a literary text most often?	Try to interpret it in the ways shown by the teachers	27.25
	Try to interpret it as an interconnected whole	15.77
	Try to interpret it by connecting it with its context (social, political, cultural)	43
	Try to interpret it by applying contemporary literary theories	4.46
	Try to interpret it by making a comparison between the text and Bengali literary texts	3.68
	Others	0.97
	More than one	4.87

The sixth question about the source-culture of the literary texts extracted interesting answers. The majority opined that there were points of contact between the source-culture of the texts and Bengali/Bangladeshi culture. The second highest number of students thought that the source culture of those texts was clearly opposite to Bengali/Bangladeshi culture. The third highest number of students thought that the source-culture of the English literary texts was superior to Bengali/Bangladeshi culture. The answers suggest that many students were clearly essentialist in their conceptualisation of Bengali/Bangladeshi culture. However, this does not mean that these students were theoretically aware of the phenomena of cultural imperialism or theoretically equipped to map the functional borders of different cultures, whether mediated by literary texts or not. The majority choosing for the "points of contact" option proves this.

Table 6: Views of the societies depicted in literary texts

Question	Choice	Percentage (%)
What is your view of the societies whose literary texts you read?	In most cases they are opposite to Bangladeshi culture	29.12
	There are points of contact between that culture and Bangladeshi culture	41.74
	There are no points of contact between that culture and Bangladeshi culture	6.79
	The original culture of those literary texts is superior to Bangladeshi culture	12.62
	The original culture of those literary texts is inferior to Bangladeshi culture	4.85
	Others	2.94
	More than one	1.94

The seventh question was about students' principal aim in studying texts. The highest opting for the generic "To improve English" suggests that the desire for improving English language proficiency is of utmost importance and the students consider English literature a tool for this purpose. The second highest option selected is "For pleasure", suggests that to some students the texts are a source of pleasure. The third highest numbers of students think of success in examinations and the fourth highest numbers of students think in a similar manner of the monetary value of English language. Perhaps the cultural associations of the texts are familiar to the fifth highest number of students, who read the texts for learning about western culture. The overall attitude is utilitarian-hedonistic and this explains the inchoate nature of the mentality of most of the students. Thus there is a danger of these students becoming assimilated by the neo-colonial US/European cultural hegemony.

Table 7: Reasons of choice

Question	Choice	Percentage (%)
Why do you read English literary texts on your syllabus?	To do well in the examinations	16.50
	For pleasure	18.44
	My family has a tradition of reading English books	0.97
	To improve English	45.66
	Society values English as a language	8.73
	I want to acquaint myself with Western culture	6.79
	More than one	2.97

The eighth question about developing a new identity by studying English literature is answered in such a way that

clearly indicates students' ignorance of the neo-colonial hypnosis that they have been passing through. Most students thought that studying English literature made them different. The second highest number of students thought [only] "To a certain degree". The small minority, who answers a clear "No", are clearly unaware of the fact of neo-colonial cultural hegemony.

Table 8: Students' attitudes and unconsciousness of neo-colonial hegemony

Question	Choice	Percentage (%)
Do you think studying English literature makes you different from others?	Yes	68
	No	04
	To a certain extent	28

The ninth question about how studying English literature made the students' different was framed to further probe who has answered yes. The highest percentage is secured by those students who thought that studying English literature made them more cosmopolitan. The second highest opted for the elitist option that they are becoming more knowledgeable than others. The third highest opted for the inchoate and essentialist option that they considered them different from others. All these answers lead us to the conclusion that the students feel in general that they are different from other Bengalis/Bangladeshis as they are getting exposed to English/western literature/culture.

Table 9: The effects of studying English literature on students

Question	Choice	Percentage (%)
How does studying English literature affect you?	I consider myself to be more cosmopolitan than others	31
	I consider myself to be different from others	25.28
	I consider myself to be smarter than others	8.72
	I consider myself to be more knowledgeable than others	28
	Others	6.78
	More than one	0.22

The answers to the tenth question tell us that most private university English departments have non-Western [post-colonial] English literary texts written in English in their syllabus. To the best of our knowledge no private university English department has on its syllabus any non-western English texts which do not fit in the framework of post-colonial theory and the number of these texts is minimal compared with the canonical English/British/American literary texts in many of these English departments indicates a kind of neo-colonial cultural hegemony.

Table 10: The Percentage of non-western English texts in syllabus

Question	Choice	Percentage (%)
Do you have any non-western texts, written in English in your syllabus?	Yes	63.11
	No	36.89

The eleventh question relates to question number ten and was designed to supplement it and to further gauge the students'

attitudes towards post-colonial literature. Most students thought of themselves as representatives of non-western culture(s). The second highest number of students thought that the post colonial writers in English are more involved in the west than in the countries of their origin. The third highest number of students thought that these writers had abandoned their native cultures. These answers suggest that there are extreme nativists as well as believers in inevitable hybridization among students. However the arguments become fruitless as there is the absence of sufficient numbers of post-colonial writers in English from Bangladesh, stationed in the country or abroad.

Table 11: Students evaluation of non-western English texts

Question	Choice	Percentage (%)
If 'yes' then how do you evaluate them?	As representative of non-western culture	56
	As creations of writers who are more involved in the West than in their own countries of origin	20.94
	As creations of writers who have abandoned their native cultures	11.50
	As creations full of ambiguity and conflict	5.41
	Others	6.15
	More than one	0

The Bangladesh Education Policy (2010) asks its people to learn English language in order to be effective global citizens. But the students appear to be lagging far behind in developing critical thinking in them. The CLT approach was launched nearly twenty years ago in our education system. But there

was and still is a lack of English literature component in our HSC level English syllabus. Though literature is a rich linguistic material beneficial to learning language, our students have been experiencing CLT without literary texts. They fail to attain to success in English language learning. That failure makes them weak not only in language proficiency, but also in the development of strong critical sense of value judgement in case of learning a foreign language and literature. Bangladesh is a developing country and like other developing countries, it is also struggling against poverty, financial crisis, internal strife, dissent and movements for autonomy, natural disaster and cultural hegemony on the part of former colonial countries (Said, 2003; Willinsky, 1998). Most of the students studying English in Bangladeshi universities come from the bourgeois/petite bourgeois part of the society and from Bengali medium educational background. They are connected with Bengali/Bangladeshi culture if not literature. The most common attitude of these students towards studying English is that it made them somehow privileged and “[culturally] different”. In dealing clearly with the question of culture in learning of English language and literature, the students seem mostly unaware of the neo-colonial world order.

Conclusion

Most of the Bangladeshi students are not aware of the true importance of learning English (both language and literature). Bangladesh is a developing country with Bangla as the first language, and English as a second language that is needed to keep pace with the world. This study has found that majority of the students (59.22%) studying English are from the middle class of the society and the second highest number (33%) of them are from the upper middle class. This is a clear indication of the fact that for a Bangladeshi student, learning English language or studying English literature means being a part of the English –educated privileged part of the society. This attitude towards learning a foreign language and its

literature is detrimental for students, as that might make them such rootless persons who do not develop any true identity. No country can remain isolated in a fast growing multicultural world with ever changing communication technologies. For advancement in life proficiency in English language is a must; but for a holistic education to nourish our intellectual faculty without being the inferior *other* in the neo-colonial cultural hegemony, we need to develop the critical sense of judgement in ourselves. Our students need not only to improve communication strategies but also strategies to examine and critique received ideas in order to live and negotiate one's own position in terms of international influences and to understand, and balance, power status in this age of internationalism. Like any other discipline of knowledge this is a subject to study. This subject is to be studied with unbiased aesthetic sense and conscious critical power of judgement. There must be the true knowledge of contemporary post-colonial/cultural theories among students and they have to use them critically and innovatively while reading any English literary texts. The teachers should help and encourage students to learn English language to be able to be global citizens, and they should usher the right way to students to explore the rich and colourful world of English literature; so that the students will not be lead to be neo-colonized snobs who forget and reject their own culture and identity.

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The Role of British Colonial Painters, an Evolution of 18th and 19th Century Bengal Painting

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Abstract: There has been no concrete historical documentation of the artists who arrived in India between the end of the 18th century and the end of the 19th century, due to which several artists have remained unmentioned and unrecognized. As many artists of that era got dispersed in various places of the country, they didn't get a place in the contemporary historical documentation. Among them, names of many artists have been buried in the pages of age old magazines. Several of these artists who survived under the patronages of rich English and Bengalis have faded away in the cacophony of lavish life style of the then Calcutta. Their contribution in the artistic sphere must be evaluated and analyzed from the then historical perspective. The detailed documentation of Indian life and living by these artists not only bears artistic value but also social and cultural values, too, which have steered the progression of modern Indian sub continental art.

Keywords: Painting, colonial painter, company artist, portrait, sketches, picturesque.

While evaluating an artist's whole gamut of creation, the speculation of the then scenario from where it has emanated becomes very essential, which helps in determining the artist's position in the contemporary context. The 18th and 19th century unfolds an extraordinary chapter in the history of the Indian subcontinent, which is not only the depiction of political upheavals and up rises but also the summarization of changing phases of the then socio-cultural milieu. It will be

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wrong to evaluate these centuries from just the political perspective instead of analyzing the historical period as a whole.

During the then period, Calcutta was the artistic hub, where, both the Indian and the European artists, contributed immensely in creating a niche in the sub continental art history. The artistic tendencies, which, during the period, thus emerged, were extremely varied, where the European artists and the Indian artists displayed different formal stylization and even more, there were demarcated Individual tendencies in indigenous art forms too.

“From 1760 until well into the 19th century many new comers to India were...excited by the picturesque qualities of the Indian scene...the same picturesque ness appeared in native characters... Such enthusiasm led to a vast number of amateur sketches (that) differ widely in artistic merit (but)... were an index to a reigning passion, a cult which as a strange impersonal force impelled members of the British to look at India with lively curiosity and in the upshot to evoke from Indian painters a new type of Indian art.” (Sengupta, 2003)

It is during this phase that the European artists have created a visual account of the colonial India in its trust realistic form. It becomes essential to throw light on the approach of their paintings, and the contemporary situation of the country which has been reflected through their paintings, which requires an inquisitive quest of the historical and art-historical phenomena.

Dr. Sovon Som's view

“There was the advent of few European painters by the end of the 18th century which continued in the 19th century, too. There was a huge amount of interest in the mystic land of India, its wealth, landscapes, people, rites and rituals etc. Apart from this there was an increasing demand of realistic portraiture in oil, of the royal officers and indigenous rich men”. (Som, 1985a)

Till the beginning of the colonial regime, the art of the Indian subcontinent was influenced and directed by the religious

beliefs and the thoughts of elite and rich connoisseurs and rulers. By the end of the 18th century East-India Company got hold of the political and administrative power. At this time there was quite a number of educated British and they were extremely interested in the cultural and literary history of India.

As the political power of the British increased gradually, there was a proportionate increase in the interest regarding the geographical and cultural history of the native land. Witnessing the art and artifacts and rich heritage of India, the then British used to convey their excitements through the numerous letters sent to their relatives and friends in England. As there was an increase in collecting art objects, there was a similar increase in the connoisseur of the art objects. Most of the British used to depend on the India artists for documenting the visual details as they believed that the art works made by them would bring with the Indian aesthetical content. Moreover during the initiation of the British colonial regime, the native artists were residing in a disheveled and blank space, where they were abandoned by the declining Mughal connoisseurship, and the British Colonialists took the full advantage of the adverse situation. Eventually, the British found the Indian form of artistic expression extremely static, without the proper knowledge of perspective, which was the hallmark of European artistic genre.

A number of professional artists, among them printmakers such as William Hodges, J. B. Fraser, William Wood, James Moffat, F. B. Solvyns, Thomas Daniel, William Daniel, Charles D. Oily, and many others, began to arrive in India from 1760 onwards. Coupled with this were a large number of amateur British artists in India who sketched as a pastime. Many of these amateur and professional paintings and sketches were published as prints. Some artists actually produced engravings or lithographs in India itself, and even setup private printing studios to do so. The East India Company also established lithographic presses in the main cities. The majority of artist, however, returned to England with their material and

organized publication through a printing and publishing firm.

Between 1769 and 1850 AD, there was intrusion of almost 100 artists including both professional and original artists. In 1769 AD, Tilly Kettel came to India at Madras and initiated the British art movement in India. Names of the European painters who arrived in India are Tilly Kettel, William Hodges, John Zoffany, George Chinnery, Miss Diana Hill, Thomas Daniel, William Daniel, Sir Charles D. Oyley, George Captain F. Atkison, Robert Home, Miss Emily Eden, Mrs. Belnos, Samuel Andray, Colesworthy Grant, F.B. Solvyns, William Hickey, Thomas Hickey, Vasily, Shaltikov, Karazin, Shamokis, Ozias Humphrey, John Smart, Arther William Davis, Charles Smith, John Alefounder, Francis Sowen Word, Samuel Howit, George Bichi, William Simpson, A. W. Devisin, J. Bouvier, J. B. Fraser, H. L. Fraser, William Wood Junior, William John Haging, Shishi Alligi, Anbary, George Willson, Miss Catherin Reed, Miss Martha Issue, George Farington, Francesco Renalch, William Baile, Miss Baxler, Samuel Davis, Miss Frances Eden, Charles Stewart Hardinge, Edward Lear, W.E. Spanton, James Forbes, Forrest, Bishop Reginald Heber, W. R. Dickinson, L. Dickinson, John Thomas Seton, George Cartter, George Place, Robert Mebon, Charles Shirreff, George Lambart, Samuel Scot, James Moffat, Riechard Brittridge, John Brown, Caleb John Garbrand, Aaron Upjohn, John Gantz, Chaloner Smith, Jems Prinsep etc.

The Europeans had an imagined and hyperbolic image of the exotic land of India. Moreover, the employees of the East-India Company were getting immensely rich within very short span which created a tremor in England and incited the Englishmen to drop in huge numbers in India.

Archer Mildred opined in his *Indian and British Portraiture* : "...Then the becoming Nababs and rolling in the gold dust." (Archer 1979a, p.401). It is the fascinating and fabulous exotic myths surrounding India which have attracted the foreign invaders and shrewd merchants through out the ages. It was the

Portugese who advented India during the hazardous sea voyage, which eventually was succeeded by the Dutch, the British and the French. It was the primary intention of the English artists to reach the land of India — the land of bounty and riches, to recover their fortune which was devastated and mutilated during the post Industrial revolution phase.

Paolin Rohatgi and P. Godrej opined in their compiled essays, *Under the sun 'British Landscape Artists'* :

"The British at home were also captivated by exotic tales of the Mughals, of princely king doms with domed palaces, glittering mosques, and untold riches. Their interest in Oriental culture increased as news of the East India Company's exploits in India reached home. As the life style of the British in India grew more opulent, they also wanted pictures to adorn their palatial fungalows. The reputations of Hedges and Daniell's Oriental Scenery. Through eyes conditioned by the picturesque vision, they portrayed the palaces, mosques, forts, temples, and scenery of India, thus satisfying the public's thirst for images of exotic country."
(Rohatgi & Godrej, 1984)

An anonymous friend of the miniature artist, Charles Sheroff wrote a verse on his friend's departure to India for which he received permission on 11th May 1796 AD. To express his views on the incident his friends wrote few verses which were published in the journal in 27th May.

Mr. Sheriff : The Artist, on his intended departure from England.

"Artist, why form Albion's shore,
Wilt thou eager bend thy way?
If to gain the tempting ore,
British taste must bid thee stay.
Seeks thou Beauty? Surely here
Venus and the loves reside?
British damsels need not fear
Charms o'er all the world beside.
Worth heroic to descry
Would'st thou cross the troublous main?
Proudly turn thy patriot eye-

On thy country's warring train,
Lo! Among the band appear
Men who Greece and Rome excel,
Fam'd for deeds to honor dear,
Deed that history pants to tell.
Wheresoe'er thy bark may coast,
Think not o'er the globe to find
Yet to India artist ,sail
And if judgment there abide,
India will thy talents hail,
Cheering thee with bounteous pride.
Nor dost thou by parts alone
Strive for favor , wealth, and fame;
Wheresoe'er thy heart is known,
Virtue will support thy claim.
Then adieu, ingenious friend,
And if rough old Ocean prove,
Doubt not fortune will attend
Him whom last and virtue love." (Archer, 1979a, p.395)

The soul content of the verses, too, echoes the desire and hope of the Englishmen to try their fortune in the distant exotic land. Moreover, the successful venture of Tilly Kettle attracted more artists to the unknown land. Still there were other explanations too, of the drift of the artists from England to India during the 18th Century.

The two company artists Thomas Daniel and William Daniel wrote in the introduction to their book, *A Picturesque voice to India by the Way of China*:

"Science has had her adventure, and philanthropy her achievement; the shores of Asia has been invaded by a race of students with no rapacity but for lettered relics; by naturalists, whose cruelty extends not to one human inhabitant; by philosophers, ambitious only for the extirpation of error, and the diffusion of truth. It remains for the artist to claim his part in these guiltless spoliations, and to transport to Europe the picturesque beauties of these favoured regions." (Archer, 1980)

Mildred Archer wrote his *'the lure of India'*

"During the middle years of eighteenth century of the

prospects for many painters in Britain were dull. The profession was not highly regarded not was there suitable provision for artistic education or public exhibition. Apart from a few private academies, such as that run by Shipley, no formal schools for training existed. Many artists learnt their skills through apprenticeships, some even to coach-painters, sign-painters or engravers. Those who could not afford a visit to France or Italy had no opportunity of studying the old masters. Only a few aristocrats from time to time made their collections available". (Archer, 1979a, p.35)

Most of the English civilians executed the official services but few among them tried to know the Indian social milieu and its people and have documented the story of the distant land i.e. India, with humility and generosity, among them the worth-mentioning names are, viz., Bukanon, Bevarich, Loyal, Hunter, etc. Their names may be included with the penitentiary, though the British painters gave first preference to the colonial interests.

By the end of the 18th century, AD, the East India Company confronted several adverse situations and chronic problems in the administrative spheres, especially, in East Bengal regarding the socio-cultural customs of various unknown and untrodden areas, which necessitated the acquisition of detailed documents and information's regarding the unknown land. In 1807 AD, the Directors of the Company informed the Bengal Government to send a statistical survey of Bengal, which was urgently needed. Bukanon and Hamilton started working in this regard, which resulted in the paintings of the civilians, whose major portion is presently restored in the British Library and Museum.

"... During the 19th Century the skilful and lifelike execution of nature was regarded as epitome of visual image to the extent of regarding it as a symbol of social pride." Archer provides that between 1806 and 1857 AD, the 2000 civilians, who were trained in Hailibarry college, were provided with a complete knowledge on executing painting and on art as a whole. In the initial stage those who were in the cadre of the military force, drawing was compulsory for them, which later became

mandatory for everybody.” (Mamun, 1996, p.23)

Apart from this, the civil surgeons were directed to send illustrated articles on the native land and the native people. Moreover, the civilians from various regions sought to deliver themselves from the boredom in the distant lands through drawings and paintings. In Archer’s language : “Drawing as news letters, as journals and contributing to knowledge”. (Mamun, 1996, p.25)

According to Dr. Sovon Som,

“The talented Englishmen didn’t use to leave their motherland in search of fortune. Amongst the European countries, England was regarded as the most backward nation in the sphere of art. Before the emergence of William Hogarth in the initial phase of 18th Century AD, there was no worth mentioning art in England. Till the 18th Cent., the kings and kings men of England Commissioned portraits from the portrait artists of the main land of Europe. In the history of England the most-significant of all artists is Hosua Beneldos, who emerged in the mid 18th Century AD. Moreover, there is perhaps no traditional art history of England. Quite naturally the European and English painters, who arrived in India to earn money, were not considered as important figures from the perceptive of western art and thus, couldn’t make any place in the Western art history.” (Som, 1985b)

According to Biswanath Mukhopadhyay in his *‘Paschatya Silper Kahini’*, since 16th Century AD, England was in the forefront of inventing machines, acquiring distant lands and establishing colonies, but in the domain of art, England was the last one to usher in aesthetic brilliance. At times, transitory excitement bubbled in the otherwise static and invariable history of art in England. One of the most crucial factors for the receding fame of English artistic tradition was due to the absence of powerful emperor and dazzling royal chambers. The royal power was controlled by the constitutional machinery which resulted in the less patronizing of artists by the royal household. According to other opinions, the Rose war, the Black Death were responsible for the degradation in

and effacing of the artistic rejuvenation which took place in the post Norman Conquest. The German author and critic Dr. Vaughan, in his *'Treasures of Art in Great Britain' 1854 AD* sought to establish that the heightened expression of the Britisher in the medium of verses led to the negation of the genre of painting, sculpture & architecture. With the uprising of the religious reformation movement and the emergence of the Protestants, the artists from German, England, Holland faced another crisis. The artists who were prohibited to adorn the churches were left with manuscript painting as the only way to sustain life. It was these reasons which made life in their own country uncertain and adverse than their life in the newly settled colonics. (Mukhopaddyay, 1397)

The British artist began to arrive in India from 1770 AD onwards which was initiated by the arrival of Tilly kette in 1769 AD, in Madras. In those days the foreign artists used to publish notice and advertisements in the news dailies and magazines to announce their arrival in the native land. The advertisement in *'Calcutta Gazette'* magazine which Captain Francis Swain Ward published on arrival was in *4th March 1784 AD* was something like this :

“To the lover's of Art in India”

Captain Francis Swain Ward of the Madras Establishment, whose painting and drawings of *gentoo* architecture are well known and esteemed in Europe and India, Having been solicited by many of his well-wishers to publish his works.....They are proposed to be on a large scale and will be engraved by the first masters in England. (Ghos, 1975, p. 29)

Many of them placed art teaching as a profession in the first place than to commission works and they too, published advertisement with details viz. fee, address etc., to attract the interested pupils. Whereas, Mr. Hon's notice didn't specifically mention the remuneration, in 1785 AD, he

published his notice in the following advertisement in '*Calcutta Gazette*':

"Mr. Hon presents his complements to the ladies and gentlemen of this settlement and proposes to lay apart three days in the week for the purpose of teaching drawing or painting. Those gentlemen who wish to be taught that polite art by Mr. Hone may know his terms by sending a chit, or waiting on him at his house in the Radha Bazar." (Ghos, 1975, p.34)

In the advertisement of the portrait-painter, Mr. Moris includes the specific details regarding portrait painting which was published in 5th April, 1798 AD in Calcutta :

"Portrait Painter Mr. Moris having taken a house in wheeler place, directly behind the Governor's house, begs leave to such ladies and gentlemen who may be inclined to paint them at the following prices.

A head size	.....	15 gold mohurs
Three quarters	.....	20 do do
Kit Cat	.....	25 do do
Half Length	.....	40 do do
Whole Length	.....	80 do do"

(Carey, 1978)

It is noteworthy that Mr. Moris was rather less popular among the host of foreign artists and from the rate of remuneration given in the above-mentioned advertisement the current rate could be easily assumed. The price of the 18th and 19th century paintings by foreign artists was tagged with enormous price rates. In 1794 AD, Bailey's paintings on Calcutta Scenes were rated Rs. 80 per painting (engraved on a copper plate size 15-11 Ins).

The price of the set of paintings proposed to be published in 1795 AD, titled '*Twenty four views in Hindustan*' by Thomas

Daniel was priced at Rs. 200 *sikka*. The price of 250 engravings by F.B. Solvynes was fixed at Rs. 250 which is supposed to be the highest one in the then period.

There was 'individualism' in the European artists in their choosing of definite subject matter, among which landscape was the most chosen subject matter.

The rest of them executed portraits, miniatures etc. which reflected the individualist renderings. The artists exploited various techniques in executing the art works, viz., water colour, oil, pencil drawing and graphics, which included aquatint, engraving, lithograph, woodcut etc.

The artists can be divided into various classes on the basis of subject matter William Archer, divided these artists broadly into three divisions, viz.

1. Portrait Painter
2. Miniature Painter and
3. Painter.

The artist in the initial phase was mostly portrait painters, who were extremely deft in oil painting that truthfully depicted the empirical/ realistic image of the world. The miniature painters executed portraits on ivory and mica sheets in water colour with extreme exactitude. The followers of this movement were much inclined towards landscape paintings. The artists of the third phase were landscape painters who executed paintings in water colour, sepia and oil. Many among these artists were deft at etching, aquatint, and lithograph. The Picturesque Movement was initiated during that time, when the artists started their painting in the colonial areas.

"George Chinnery succeeded to motivate the movement. The 'Picturesque Movement' emphasized on the visual details, due to which human figures and archaeological artifacts were used as subject matters of the painting." (Mamun, 1996, p.16).

Tilly Kettle (1735-1786). He was born and educated in England. He departed for India in search of good fortune and was the first European painter to arrive in India, first in Madras in 1769 AD and then in Kolkata in 1771 AD. Tilly Kettle was extremely deft at portrait painting which used to fetch maximum amount of remuneration in those days. During Tilly Kettle's arrival in India, Mughal painting was reigning supreme throughout India and Kettle received patronage of the Mughal royals viz. in Arkot Palace in Madras, Sujaodaullah's Royal 'Darbar' in Lucknow, Royal palace of Foizabad and the Nawabs of Murshidabad. Kettle used to cater to the needs of the royal members and persons from higher strata of the society. He gained his tremendous popularity by painting the portraits of Warren Hastings and the then chief judge of Supreme Court Eliza Impe and the most remarkable painting which he produced was the grand masterpiece of '*The Moghal of Hindustan Reviewing the East India Companies troupe*' which depicted the Surveying of emperor Shah Alam of the British army force which was exhibited in London in 1781 AD. In 1786 AD he expired while on his way to India for the second time.

William Hodge (1744-1837). He was born in a blacksmith family in England. While working as a caretaker in an art school, he took the art lessons and was taken up by Richard Wilson as his pupil and assistant. His works were exhibited in 'Society of Artist' in England 'between' 1766-1772 and in Royal Academy in 1776.

He arrived in Madras in 1780 AD and eventually in Kolkata in 1781 AD. He received the patronages of the then Advocate General Thomas Henry Davis and Warren Hastings and also that of Augustus Cleveland and Major Brown. Hodge prepared two series of engravings on Indian scenario after returning to England. An album named '*Select Views in India*' (p-1-6) was published in 1786 AD. These include views of the Ganga of Calcutta, Rajmahal, the pass of Sakrigali, the insulated rock of Jangerah, Fatehpur Sikri, Gwalior and temple of south India.

The landscapes and building were depicted with jagged contours, silhouetted against the sky.

The whole carried an air of shock and unrest aerated by violent contrast of light and shade, willful distortion and vigorous compositions. The exhibition in Royal Academy which was held between 1785 and 1788 AD, contained 24 Indian scenes among Hodge's other paintings. He was elected as a member of Royal Academy 1789. His *Travels in India* during the year 1780-1773- an illustrated travelogue was published in 1793 which contained detailed descriptions on Indian life and society and India populace and nature. The travelogue was translated in French language. Ten years after his departure from India, Hodges published another book *Travels in India* in the years of 1780-83. He committed suicide in 1797 AD.

George Chinnery (1774-1852). He was born in Ireland. During 1798 in Dublin while a student, he received the patronage of Lance Down family. In 1801 he held his solo exhibition in Dublin's Parliament House which consisted of six portraits and five landscape. He was the member of royal Hibernian Academy in London. His works have not been evaluated to a broad extent, except the recently published book.

'George Chinnery Artist of India and China Coast, 1993,' He left Ireland for London at an age of 27. He couldn't earn good fortune by selling paintings in the competitive art market in London and traveled for India to earn money." (Mamun, 1996, p.18).

The picturesque Movement in England was a source of inspiration for Chinnery. He reached India via China and eventually reached Madras in 1802, Calcutta in 1807 and Dhaka in 1808. Though he had been immensely criticized for the mediocre quality of his works which according to critics lacked imagination, he achieved enormous fame and fortune due to his skilful oil paintings and miniature paintings.

Chinnery's works is a living document of the lives and livelihood of the then Indian milieu.

His paintings on the then contemporary life of Calcutta found their place in the Print Room of British Museum. *'A syrege of Mislentase Ragh Sketch of Oriental heads'* Published by W. Thacker- Company a compilation of paintings by Chinnery provides a formal illustration on India characteristic features. The *'Views in Madras'* illustrates Chinnery's experience while living in Madras, especially the coastal life has been enlivened in line drawings. In the last days of his life he earnestly portrayed the Portuguese Colony in Macon Island near the South Coastal region of China and breathed his last breathes in this region in 1852 AD.

John Zoffany (1733-1810) He is a German by birth. He was born in 1733 AD at Rutisbone in German. With an intense urge to become an artist, he fled to Rome and took his art lessons. He went to England in 1758 AD. He was one of the most talented artists who settled in 18th Century Calcutta.

In 1783 Ad Zoffany reached Calcutta via Madras and very soon he gained popularity in Calcutta. He soon received the patronage of Warren Hastings. Among his most applauded and recorded paintings are the portraits of Waren Hastings standing beside the horse and of Mrs. Hastings of which the first two paintings are in the collection of Victoria Memorial Hall in Calcutta and the last one is the St. John Church in Calcutta. In the *'Last Supper'* Zoffany portrayed a Celebrated owner of an auction Company as one of the models in the *'Last Supper'* Zoffany has produced a comprehensive set of paintings in Tipu Sultan's ordeal with the British. The important one among these paintings is the one which portray the acceptance of Tipu Sultan's son by Lord Cornwallis as a bail. This painting is too, in the collection of Victoria Memorial Hall. The largest historical painting painted by Zoffany in India is *'The Embassy Hayden Beg Khan to Warren Hastings.'* Which portray a crowd of one thousand people. His paintings at *'The Cock Fight Lucknow'* includes 26 characters which shows the duel

between the cocks of Captain Mordant and Nawab Asad-Ud-Doula in the presence of Council members viz. Edward Wheeler, Gen. Cloth Martin and others showing Zoffany, with a pencil in a Corner amidst the crowd. In 1798 AD while returning to England he met with a shipwreck and since the tragic incident he was mentally shattered and died in 1810 AD in England.

Charles D'Oyly (1781-1845). He was born in India. His father was a Collector. He went to England along with his family in 1785 and after completing his studies he returned to Calcutta in 1798 AD and consecutively he served as assistant registrar to the Appeal Court, record keeper of the Governor General Office, Collector in Dhaka, and finally in Calcutta. He was actually a civilian and an unprofessional artist. (p.21)

D'Oyly was in India for 40 years. and was, thus intimately related to the Indian life and English employees. In 1822 AD Bishop Hebar wrote in his travelogue,

“Journey through the upper India” that he was extremely happy by looking at the drawing book of D'Oyly and his interest has been aroused and emitted that D'Oyly was the best among the bunch of artists. According to him if one looks at the remote areas of India, India is a really beautiful land and he felt this reality by looking at D'Oyly's paintings” (Guha, 1978, p.50)

One of the spectacular area in India's landscape is the old city of Dhaka established in the adjacent area of 'Buriganga'.

‘The Antiquities of Dacca’ included the scenarios of Dacca. The painting albums which were published included

1. The European in India.
2. Antiquities of Dacca.
3. Sketches of new Road.
4. Indian Sports.
5. Views of Calcutta.
6. The costume and custom of modern India.

7. Behar Amateur Lithographic scraps Book.
He died at Florence in 1845 AD.

George Captain F. Atkinson. He was an unprofessional artist like Charles D'oyale. D'oyale was a civilian, whereas Atkinson was the Captain in (Bengal Engineering core). East India company had three presidency like Bengal, Bombay, and Madras. He had the chance to travel though the three presidencies of Bengal. He mainly portrayed the life of the natives and the '*sahibs*' lifestyle.

His paintings were Cartoon-based works. There are three albums of Atkinson on India,

1. Curry & Rice.
2. The Campaign in India.1857-58
3. Indian spices for English Table.

His album, '*Indian spices for English Table*' shows humorous sketches of the weird experiences of a new English lad who has arrived in Calcutta for the very first time. There were 120 humorous sketches. The album contains some pictures of the vehicles of then period. Atkinson was perhaps in the military Troop which obstructed Delhi during the *Sepoy* mutiny of 1857.

Though he has speculated the mutiny from the British perspective, his campaign in India is a living document of the bloody episode of *Sepoy* mutiny in Indian history which he portrayed in 26 pictures. Atkinson's artistic skill was not extraordinary, but the pictures remain as a living documentation of the historical time. His '*Curry and Rice*' is extremely valuable form the sociological perspective. He sought to narrate the disparity tinged with irony which prevailed in the behavior and life-style of the Englishmen, who settled in the native land, creating the necessary humour.

F.B. Solvyns (1760-1826). He was a Belgian artist who arrived in India in 1791. He was successful as a commemorative

painter, but this could not provide him a livelihood and he had no aptitude for the more remunerative skill of portrait painting. He, therefore, turned his attention to engraving and made a huge success of this art.

In 1791 he arrived in India traveling on La-Edresco ship. His arrival in Calcutta was announced in 1792 in the April issue of *Calcutta Gazette* magazine. He was commissioned to paint the memento of the party at the governor House which was thrown by Lord Cornwallis celebrating the memorable victory over Tipu Sultan. He was a painter as well as an engraver.

“According to his own observation his paintings were the result of the apprehension that the pictorial scenes on India. Pictorial scenes on Indian landscapes and life would be appreciated by the Europeans as descriptive notes on the foreign land, especially to those who have inhabited the land for several years. The nostalgic memories of the bygone days for the Europeans who would ruminate them on their return to their homeland the documentation on the Indian lifestyle, garments, domestic appliances, productive processes, various vehicles, religious programme, myriad festivities, for the friends and relatives of the Europeans who were far away in their distant homeland. These pictures served as the documentation on the European friends.” (Guha, 1978, p.85)

His pictures were highly applauded among the art-lovers. His paintings are of a huge number. In 1799, his paintings on the etiquettes of Bengal lifestyle were published in 12 volumes, which created a huge interest among the art lovers. The albums were as follows :

Vol. I Sixty six prints of the Hindu castes with their professions;

Vol. II Thirty five Prints of European servants employed in the domestic concerns of European.

Vol. III. Eight Prints of the outfits of Indian males and a scene of Hindustan dance.

Vol. IV. Eight Prints of the outfits of Indian females and pictures of Elephant and Camel.

Vol. V. Eight Prints of carriages, horses and bullocks; and Chitpur Road scene inhabited by Bengalis.

Vol. VI. Eight Prints of various palanquins (palki) and scene of Kali Temple at Kalighat.

Vol. VII. Ten Prints of holy mendicants (*Sanyasi*) and *fakirs* and a scene of flooded Ganga.

Vol. VIII. Thirteen Prints of various pleasure boats (*Promot tori*) and scene of 'Kalbaishakhi' in Calcutta.

Vol. IX. Seventeen Prints of loaded (goods) boat and a scene of a Bengali Colony in Calcutta.

Vol. X Eight Scenes of various types of 'hookahs' and smoking and a scene of 'charak puja'.

Vol. XI Thirty six Prints of various kinds of musical instruments and a scene of Calcutta.

Vol. XII Twenty two Prints of various festivals, funerals and religious ceremonies of Hindus.

Solvyns produced 237 pictures in total, in the album consisting 12 volumes, One of the few artist who actually undertook to print in India, Solvyns embarked upon an ambitious scheme of publishing a set of two hundred thirty seven etching consisting twelve volumes illustrating the manners, customs and dresses of the natives of Bengal. He engraved from Mira press a minutely recorded the Bengali life style.

Vasily Vasilyevich Vereshchagin (1842-1904). He was born in novogoder cheropovas family in Russia. Later on he was admitted in the Navy Academy of St. Peterburg. In spite of achieving the first rank in Academy he didn't joint the military force, rather concentrated on learning art. In 1866 in Salon his paintings were exhibited for the first time. Among the artists who achieved fame in the colonial regime, he was the one who was equally famous in his homeland as well as in India. 'Fifty Russian Artist' hailed him as the 'Great Russian Battle painter'. (Dayson K, 1985)

He arrived in India in 1874. That he was a master in painting can be easily apprehended from the exquisite paintings of Indian subjects. One of the distinguishing features of his portraiture was that the Indian portraits were bereft of any kind of European influences. He resolved to document the ruthless imperialist policies of the British to expand the British Empire in India but unfortunately he couldn't complete the series. He himself observed that the subject of '*the paintings will even pierce the skin of the English people*'. His famous painting depicted *sepoy* mutiny. Apart from this three of his worth mentioning pictures had been drawn in 1876. One of the pictures shows the royal procession arranged by Maharaja Man Singh of Jaipur, in honour of King Edward VII as prince of Wales.

He had executed 150 sketches and paintings in India. He was very much conscious of the rich cultural heritage and age-old traditional values of Indian society which is reflected in his paintings on India. He drew the architectural wonders of India which included temples, mosques, minarets and the magnificent *Tajmahal*. His paintings are in the collection of Victoria Memorial Hall, Calcutta, in the art gallery of *Lal kella*, Delhi and in Tetrakov art Gallery in Moscow.

Emily Eden (1797-1869). She was born in Baronial of Kent family. She was the seventh daughter of William Eden, the first Baron of Auckland and was the sister of Earl of Auckland, George Eden, the Governor General.

Her observation was powerful and the subjects of her paintings were saturated in humour. At her 39 years of age she arrived in Calcutta in 1842.

Her diary, '*Up the Country and Portraits of People and princesses of India*' brought her in the limelight and was greatly appreciated among the elite class Zenet Danber writes on Emily Eden,

“Emily Eden was drawn to whatever was picturesque in India, but she did not like many things here; the burning heat of the summer and the daily waiting for the rains irritated her and she became nostalgic.” (Guha, 1978, p.93)

Ketoki Kumari Dyson observes,-

“By nature affectionate and soft hearted she had a friendly attitude towards Indians and she was attached to Indian servants and attempted to fight the growing colour prejudice of her compatriots.” (Donbar 1987)

Dr. Adyanath Mukhopadhyay, a expert in Company paintings, in his eminent work, *On Sketches of Emily Eden*, has categorized Emily Eden’s 193 sketches, and grouped them in 12 categories which are now preserved in Victoria Memorial’s Collection. The Categories are as follows :

1. Servants and their family and relatives.
2. Professionals and Receptionists.
3. Inhabitants of hills.
4. Government employees and partial government office employee.
5. Citizens of foreign origin.
6. ‘Sanyasi’ and ‘fakirs’
7. People under the Elite class
8. Princess and her attendant; Scenes of royal court.
9. Sikhs and Akalis
10. Memorials, palatial buildings, landscapes.
11. Pet animals.
12. Miscellaneous.

James Moffat was a Scotsman who worked as an artist and engraver in India from 1789 until his death in 1815. On 21st December 1797, Moffat announced in the Calcutta Gazette that he was accepting commissions for sketching scenes around Calcutta and engraving them for modest prices. In 1798, the Gazette reported his *Views on the River Hoogly*, a set of six

hand coloured etching with aquatint, almost finished. In 1800, Moffat printed and published in India a hand-coloured lithograph titled *The Faaker's Rock near Monghyr or The Rock of Jahangira near Sultanganj, Bihar*, which is in the Indian section of the Victoria and Albert Museum in London. In 1805, he published *Views of Calcutta, Berhampore, Monghyr and Benaras* between 1798 and 1810; he produced engravings of his views of Calcutta and Indian towns, and published a group of prints depicting Hindu festivals. Though Moffat did the bulk of his printing in Calcutta, a number of aquatints were published in England of his caricatures of life in the city. His best known work *Southeast View of New Government House, Calcutta* was engraved and published in 1805 in England.

Traveled roughly along the same routes that they had followed. On his return James Prinsep 1799-1840 was amateur artist. He was assy-master at the local mint in Benaras from 1820-30. He recorded picturesque vistas to bring the holy city to the notice of Europeans between 1830 and 1833, he published a series titled 'Benaras illustrated in a series of drawing'. Though Hughes engraved most of the original drawing in London.

Thomas Daniel (1749-1840). Born in Kingston at Tems Osier village 1749. He arrived in London in 1763. He was admitted in Royal Academy in 1772 for taking lessons in landscape painting. He took his art lessons till 1773 and his paintings were regularly exhibited between 1777 and 1784 in Royal Academy. He was the Associate Member of Royal Academy in 1796, and in 1799 he was vested with full membership of the Academy.

He was one of the foremost among the landscape painters who came to India. Thomas Daniel and his nephew, William Daniel

were the first engravers who received the consent of East India Company on 1st December, 1784 AD, to sail for India as engravers. The Daniels traveled to India in search of rich and fame which they achieved in a very short interval as they were highly specialized in the medium of aquatint in print making. Mildred Archer has observed on Thomas Daniels painting:

"In 1781 he secured a useful commission for six paintings of west Wycombe park from its owner, the Rt. Hon. Lord Le Dispenser. During the next three years he showed landscapes painted in summerset, Yorkshire and Oxford shire which included natural phenomena such as Mother Shipton's Dropping well near knaresborough and Wookey Hole in summerset. The views of west Wycombe were conventional classical landscapes, but the paintings of caves and rocks suggest that he was now developing a more romantic approach to landscape and was aware of Changing Attitudes." (Archer, 1979b, p. 334)

Thomas Daniel used a specific tool called 'Cameraobscura' for the purpose of painting. There used to be a lens on the camera-like tool, which used to throw a reflected image of the specified scene on the white paper and the artist like that of the photographer, inserted his head in the black wrapper and delineate the selected outline of the scene on the white paper, which was succeeded by applying colours. His method of painting was extremely meticulous. However, in later years, the Daniel's acquired a high degree of proficiency in the medium and their prints are fine examples of the technique of aquatint. His earliest prints were pulled in a reddish brown ink but, in consequent years, William employed a subtler use of the medium, using at least two colours ...warm grey pale sepia, later adding a pale blue grey. The tints used imitated foundation washes or dead- colouring normally used in water colour of the period. Once the print was stained or coloured by hand, it become an exact imitation of the original sketch or painting.

William Daniel (1769-1832). Young William stayed with his uncle Thomas Daniel and very soon he became an able successor to Thomas Daniel. In 1795 William Daniel's paintings were exhibited in the Royal Academy. In 1808 he was elected as Associate Member of the Academy and in 1822 he attained the full membership of the Academy. In the introduction to

'A Picturesque Voice to India', the Daniels have observed that science has adventures and Philosophy has saga, the group of undaunted lads who have led adventures through the terrains of Asia had no other purpose other than the acquisition of Knowledge. (Daniel & William 1810)

Thomas Sutton has opined on the advent of the Daniels in India:

"...the interest in all things Oriental was manifesting itself in England, and curiosity was at its greatest. India especially was the cynosure of artistic eyes and of other not.so interested in the arts but in the hunting of fortunes. India was dream world of wealth. The east India Company's servants were frequently accumulating cash and credit. Among them were many of cultured taste, their affluence enabling them to be munificent patrons of art; the Indian princes and Rajas themselves were becoming increasingly interested till the work of European artists Hodges, Tilly Kettle, Zoffany, Smart, Ozias Humphry, Farington, Thomas Hickey, and others were eager to try the new country as a hitherto untouched field for their particular abilities. Zoffany in particular had made a fortune of 10,000- pound in a few years. This magnet of fame, together with his undoubted love of travel and curiosity to see for himself, drew Thomas Daniel and his nephew to India." (Sutton, 1981)

The Indian scenes emplacing on the Indian architectural beauty, executed by the Daniels greatly influenced architectural notions prevailing in the then England. Their paintings were flawless and undistorted, rendering a

photographic image prior to the invention of Camera. The British Encyclopedia on Art while evaluating the gamut of works by the Daniels has put down that the scenes of Indian architecture and landscapes scenes created immense interest in England. As they used to execute their own engraving instead of seeking help of others, they were left with scanty time for the rendition of their paintings. Thus, their engravings bear the artistic skill and knowledge of their creators and lend the print version are in exactitude and the original works have remained undistorted which was not the same for other artists of the period. The Daniels 'twelve views of Calcutta', was unlike the other earlier views of the city seen from across the river. They were careful and accurate depictions of the main public buildings and thoroughfares. In the foreground were lively details of novel forms of transport and the varied social life of the city.

"...their landscapes include a misty blue sky a middle distance with some feature such as a fort or a pavilion to show the graduation of distance, a foreground with lively details of figure or plants, and 'side-skips' of trees or buildings which bind the whole composition together." (Archer, 1979b, p. 346

William Baillie appears to have been a cartographer and printer of maps, either in the service of the company's government or a freelancer doing commissions for the Government. In 1792 he printed, in the intaglio process. A map of Calcutta of 1784-85 done by one colonel. Mark Wood. In 1794 William Baillie issued a set of twelve hand tinted monochrome etching on Calcutta, with occasional aquatint. Henry Salt arrived in India almost ten year after Daniels departure to England in 1806. Salt published his views of India. Robert Mabon published Sketches illustrative of oriental manners and Customs in 1796 in Calcutta. This is a small pocket volume of twenty sketches, drawn and engraved by Mabon himself and executed in Bengal. Neither plates nor letterpress would be

worthy of much remark except that is the first cheap picture book of India that was ever published.

Henry Hudson arrived in Calcutta in 1793. in June 1794, he mezzotinted Archer William Davies' portrait of Warren Hastings and later, one of Cornwallis as well.

Nevertheless, the artist Colesworthy Grant also published several albums in Calcutta in the mid nineteenth century. These included 'Dost Muhammed khan, 'printed at the Baptist Mission Press at Calcutta in 1843. *Public Characters of the Calcutta*, published by W. Thacker at Calcutta in 1846. 'Rough memoranda of portraits' painted Colesworthy Grant between the year 1838-1840, *reduced from the original designs by a native draughtsman*, published by in same year. 'Sketches of oriental heads' published by Thaker and Spink at Calcutta in 1862. In first edition of 'An Anglo- Indian domestic sketch' published by W.Thaker at Calcutta in 1849. Other work by Grant are notes explanatory of a series of views taken 'Burma.. During Major Phayres Mission to the court of Ara' in 1855, published by Thaker and Spink at Calcutta. *A trip to Rangoon* in 1846 published by Thaker and Spink at Calcutta. Artist James Wales too, published 'Views of the Island of Bombay and Elora' in 1791-92. R.Baikie and W.H. Smoult published Observations of the Neilgherries, (including an account of their topography, climate, soil and production...) from the Baptist Mission Press Calcutta in 1834.

The arrival of the painters from abroad used to be announced by the advertisements and notices in the then magazines and newspapers. The artists through these advertisements sought to attract the attention of the higher class of the society. Representatives of various strata of 18th Century English society started to pour in various places of India and Calcutta. At the first instance the mediocre class of the English society

came in the country and later, the scholars, crudités credits, art lovers from the higher strata of the English society poured in, which started after the battle of *Palassey*, by the end of the 18th century. Education lovers and enthusiasts from other European Countries, too, came in Calcutta during this period. It was during this time, that Calcutta gradually turned itself into a modern cultural centre which saw the blooming of the western thought and consciousness. Apart from the development in education, there commenced a huge change and development in artistic sphere, too.

There has been no concrete historical documentation of the artists who arrived in India between the end of the 18th century and the end of the 19th century, due to which several artists have remained unmentioned and unrecognized. As many artists of that era got dispersed in various places of the country, they didn't get a place in the then contemporary historical documentation. Among them names of many artists have been buried in the pages of age old magazines. Several of these artists who survived under the patronages of rich English and Bengalis have faded away in the cacophony of lavish life style of the then Calcutta. Their contribution in the artistic sphere must be evaluated and analyzed from the then historical perspective. The detailed documentation of India life and living by these artists not only bears artistic value but also social and cultural values, too, which has steered the progression of modern Indian sub continental art.

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Learner Autonomy and its Implication: A Perspective of Bangladesh

Charmain Rodrigues¹

Abstract: In English language teaching 'Learner Autonomy' is an inevitable part; it means 'a learner's ability to take charge of his/her own learning.' But, 'Learner Autonomy' does not only mean exclusive self instructed and total extrication of teacher's responsibilities; rather it means the role of teacher and student in juxtaposition. 'Learner Autonomy' bridges the gap in the process of language learning by focusing and trying to pinpoint the role of the student as a more 'active participant' than his/her instructor. 'Learner Autonomy' may sound very enthusiastic as it deals with the whole-hearted participation of a learner but in reality the scenario is rather a different and difficult one. The feasibility of 'Learner Autonomy' depends much on culture, classroom environment and size, class-duration, language, applicability, context/situation, contents/materials, ability of the teacher, techniques and methods, situation etc. The purpose of this paper is to ascertain and delineate all the above-mentioned matters through empirical evidence; also in order to make a physical study of the feasibility of 'Learner Autonomy' in Bangladesh, the result of two questionnaires that have been used for survey has been included with a critical analysis and some suggestions.

Keywords: Autonomy, inevitable, extrication, bridges, active participation.

Introduction

The term 'Learner Autonomy' was first coined in 1981 by Henry Holec, who is known as the father of 'Learner Autonomy'. According to Henry Holec, "Learner Autonomy"

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is a potential capacity to act independently in a given learning situation where the learners will be able to determine their objectives, define the contents, and progressions of their learning program, select the methods and techniques to be used in the program, monitor the acquisition procedure and also to evaluate what they have learnt' (Holec 1981:9).

Leni Dam said, " 'Learner Autonomy' is characterized by a readiness to take charge of one's own learning in the service of one's needs and purposes' (Dam 1990:17).

About 'Learner Autonomy' David Little said 'In the classroom context autonomy does not entail an abdication of responsibility on the part of the teacher' (Little 1990:7). Little also defines 'Learner Autonomy' as a capacity for detachment, critical reflection, decision-making, and independent action' (Little 1990:7).

Lesley Dickinson described 'Learner Autonomy' as a situation in which the learner is totally responsible for all the decisions concerned with his (or her) learning and the implementation of those decisions' (Dickinson).

Phil Benson said 'Autonomy is a recognition of the rights of learners within educational systems' (Benson).

Aspects of 'Learner Autonomy'

A close observation of the above definitions shows that in 'Learner Autonomy' the ability of a student is his potential qualities, which already exists in him. It is only that a learner has to integrate the new learning with what he/she knows. An ability to blend the old and the new and thus turn their learning into a form of knowledge which is entirely their own and which they can use any time to serve their needs and purpose. The definitions also speak about learner's willingness to work in a given situation where learners play a more important role in learning than the teachers. They learn to take up responsibilities. They become advocates of their own learning process by being given the opportunity of

monitoring themselves. The learners become aware about their needs in a learning situation and hence in the long run they will become educated and worthy citizens of their country.

Importance of 'Learner Autonomy'

Since, in 'Learner Autonomy' learners are supposed to play a more active and participatory role than is usual in traditional approaches, its importance in English Language Teaching (ELT), has become more prominent in recent times than a decade ago. Some advantages of 'Learner Autonomy' are as follows:

- a. Learners take/can take initiative and responsibility for their own learning.
- b. Autonomous learners can freely choose materials that cater more for them. Hence, their objectives and needs are more fulfilled than it would have been if it were teacher-designed language program.
- c. Learners' become more confident about their abilities and likely more responsible too.
- d. The most practical argument for 'Learner Autonomy' is that it is of crucial importance in classroom teaching because through this process a student becomes self-motivated.

Here are some opinions based on the observations on the importance of 'Learner Autonomy'. According to Sara Cotterall, 'learners become more efficient in their language learning if they do not have to waste time waiting for the teacher to provide them with resources or solve their problems' (Cotterall 1995:219). Tudor says that language teaching should exploit all the affective and intellectual resources of the learners as fully as possible and it should also be linked into their continuing experiences of life' (Tudor 1993:22). According to David Little 'the teacher's role is to create and maintain a learning environment in which learners can be autonomous in order to become more autonomous. The

development of their learning skill is never entirely separable from the content of their learning, since learning how to learn a second or foreign language is in some important respect different from learning how to learn math or history or biology' (Little 1999, 2000a, 2000b).

Essentials of 'Learner Autonomy'

'Learner Autonomy' depends much on the following –

Culture

Language learning is a complex socio-cultural activity. Therefore, the role of the teacher and student should be collaborative i.e. both teacher and student should take into consideration each other's socio-cultural aspect. In some countries like Bangladesh, teachers are not merely considered as teachers but also guardians. Therefore, asking too many questions to the teacher or engaging into a debate to clarify a point or topic is often unwelcomed by teachers.

Again, it is noticeable that in some of the Asian countries though co-education exists boys and girls are resisted to work together or even sit beside each other in class. This is because of ignorance, religious bindings or perhaps social restrictions. Here we can rightly refer to Pennycook (1997, P. 44) who has so succinctly said, "To encourage 'Learner Autonomy' universally, without first becoming acutely aware of the social, cultural and political context in which one is working, may lead at best to inappropriate pedagogies and at worst to cultural impositions."

Language

"Learner Autonomy" can physically be operated only through communication. Therefore, students engaged in learning a target language require a minimum basic competence and ability in expressing their idea and opinions in the target

language. Besides L1, a learner needs to at least have some acquaintance with the target language. If not, the process of 'Learner Autonomy' will not receive fruitful application.

Teacher's Ability

In teaching learning situation, the ability of the language teacher also plays a great role. Teachers may also face the similar crisis of speaking properly in the target language (if they are not native speakers of that target language). Hence, Language Teachers in particular, should have proper communicative skill which can expedite Learner Autonomy.

Contents/Materials and Techniques/Methods

As 'Learner Autonomy' leads learner's individualization, this demands that autonomous learners are matured enough to take responsibility. They should be able to identify their needs, objectives and choose their course contents accordingly. If possible, they should also be able to suggest their teachers about methods and techniques that they feel comfortable in learning. Of course learner's taking charge of their own does not mean that the teachers can pass the buck or shirk their responsibilities. In fact, at the beginning of a language course, the teacher and students/learners should work together (no matter their positions) in choosing materials and to exploit methods and techniques suitable for the language classroom.

Situation

Creating situations is one of the most realistic and innovative approaches in a language class. "A teacher sets up the situation, gives the direction to the students (actors) and his/her success is measured by how well the students (actors) perform" (Nelson 1984:5). Here, we can notice that the role of students needs to be more autonomous than the teacher who merely plays the role of a mentor.

Classroom Environment and Applicability

The applicability of 'Learner Autonomy' depends on the classroom environment. If students are unwilling to be autonomous i.e. positive learners, then the teacher's efforts are in vain. Again, if the classroom size is too large (number of students) or if it is a mixed classroom, 'Learner Autonomy' may fail to be applied. The total number of students in a classroom can often make the environment quite pathetic for conducting a communicative class. Again, consecutive communicative language classes might also be a hindrance for the next door teacher and students. The ratio of a language classroom should not exceed 1: 25, for fruitful application of learner autonomy.

Class Duration & Lesson Plan

As every scheduled class has its time limit, teachers need to be aware and knowledgeable about selecting materials, lesson planning etc. But often teachers are seen engrossed in completing the syllabus rather than putting emphasis on proper teaching and practice. 'Learner Autonomy' fails in this sort of drastic approach.

Observations

'Learner Autonomy' is no more 'bizarre' word especially in the present communicative language classroom. Hence, to find out the quantitative value of its importance two surveys were done. I have chosen as my informant the students of graduate and undergraduate levels in order to achieve better and more reliable responses. These two groups of students have already acquainted themselves with 'Learner Autonomy' while they have studied communicative English. I have selected Chittagong Government College, one of the most prestigious university colleges of the state and also Independent University, Bangladesh (IUB), Chittagong campus, (presently renamed as Chittagong Independent

University(CIU), another leading and competent private university of the state for my survey purpose. The total number of informants in Chittagong College was 67 and in IUB 56. The surveys however give an insight to the topic 'Learner Autonomy' and its feasibility in Bangladesh.

Table 1: Graphical Presentation of Survey on LA

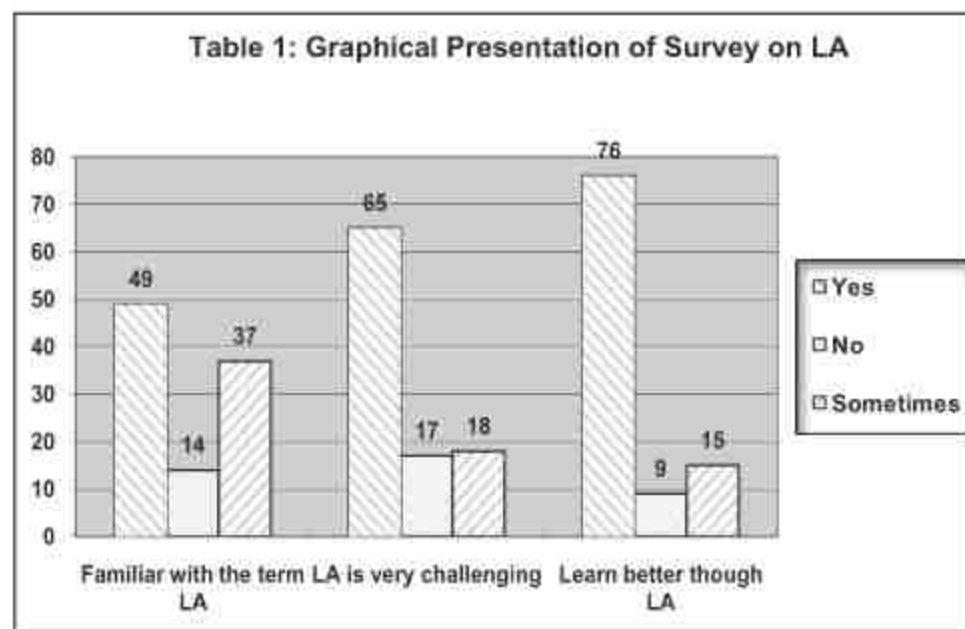


Table 2: Graphical Presentation of Survey on LA

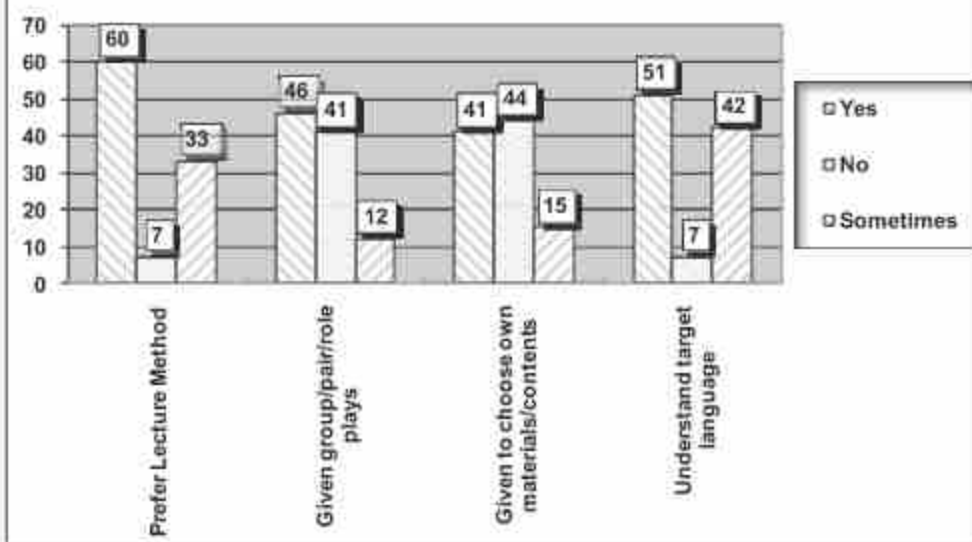
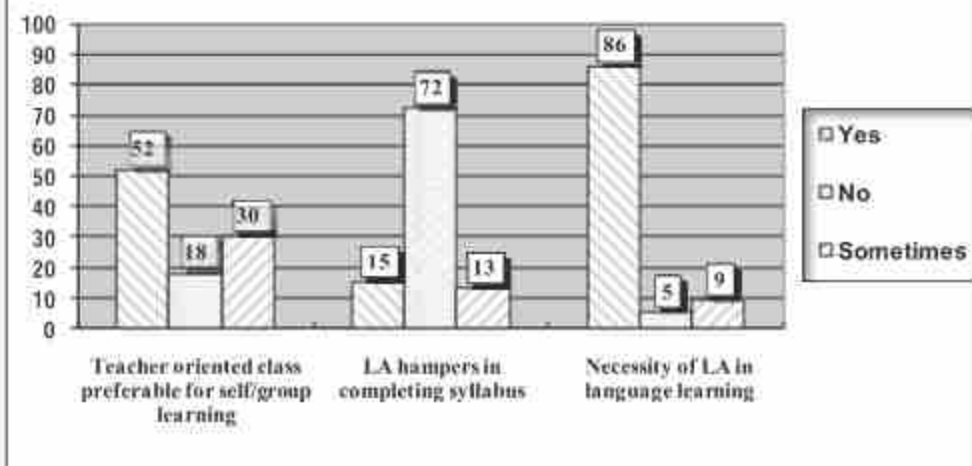


Table 3: Graphical Presentation of Survey on LA



From table 1, 2 and 3, we can make a focus-observation that out of 123 participants 49% are quite familiar with the term 'Learner Autonomy' and the other 14% are not familiar, 37% of them are familiar with the term to some extent. A good number (65%) of students think it to be very challenging, while a few (17%) think it is not. 60% of the pupils are still attached towards the lecture method of teaching, but at the same time there is a drift too from this monotonous process where we observe 33% of the students feel that 'to some extent'/'sometimes' only they prefer the lecture method. The most outstanding point revealed in the survey is that 76% of the pupils think that through 'Learner Autonomy' one can learn better. At the same time we can focus that 41% of the total students admit that they are deprived of the scopes of doing group-work, pair-work, self-learning, role-plays etc. The students were prompt enough to point out that they are sure about their purpose while taking up a course. But they are (41%) seldom given an opportunity to choose their own course materials. They (50%) are also rarely asked what would they expect to learn from their course. This again gives us an idea that the classrooms are still teacher centered. The students (52%) also have a notion that teacher oriented class is preferable. This shows that they are much accustomed to spoon-feeding and teacher-dependent. It may also be that they are not familiar with any other method of learning. Language problem is another big hindrance towards learning. Only 51% of the total students understand/speak the language they are supposed to master. This is however a perplexing situation!

'Learner Autonomy' will not hamper in completing the syllabus – students (72%) deliberately agree in this point. 66% of the total informants agree that teachers do motivate them towards self-learning. Finally, students (86%) admit in the survey that 'Learner Autonomy' is very necessary in language learning and 67% of the informants agreed that all the aspects of 'Learner Autonomy' as mentioned in this paper are needed for making it a success.

Some Proposals

Considering the above mentioned findings, here are some proposals which are based on the implementation of 'Learner Autonomy' especially in Bangladesh. If 'Learner Autonomy' needs to be fostered in Bangladesh whole heartedly, the first step that needs to be taken is to shrink down cultural barriers as much as possible, so that teachers and pupils could work in harmony keeping aside racism, fanaticism, social prejudice, gender-complexity etc. Teachers should have a broader outlook in their teaching procedure. They should be more student-friendly, devoted, and innovative. On the other hand, students should also become more responsible, hardworking, curious and liberal-minded. They must be ready to face any situation in the classroom, especially if it is an English class or a language course. The process of rote learning should be discouraged. The plethoric flow of guidebooks in markets should be stopped, which often causes a negative backwash effect in their process of learning. Interaction classes should become the pivot of classroom teaching rather than lecture based classes. The syllabus and curriculum developers of the State need to be more aware and far-sighted. The Management of the institutions should be more ethical in distribution of students in each class. If necessary, new sections could be opened out to minimize the flow of students. Language teachers could be given proper training through seminars, workshop, training programs both institutional and national viz. Teachers should also not be burdened with classes so that they lose zeal in remaining active all through their working hours. Last but not the least, in Bangladesh the teaching community should be properly paid so that teachers may not find themselves low down the social ladder. Thus, a more healthy work culture would be built up by the teachers themselves.

Conclusion

To achieve 'Learner Autonomy' is not at all easy. In countries like Bangladesh, the teaching learning methods are still very traditional. The classroom here is more teacher-centered. Students have a mental makeup that they have to sit for / face examination after each term; therefore, the teacher is to prepare them to meet their ends. If necessary, teachers need to spoon-feed them. Therefore, TTT (teacher-talking-time) is too much. David Little observes, "..... if they stop talking they stop teaching, and if they stop teaching their learners may stop learning" (Little, 1990:11). Hence, the main purpose or objective of 'Learner Autonomy' falls flat. In Bangladesh it is also observed that the total academic system is teacher bound. The syllabus, examination and even classroom dealings are all teacher oriented; in such situations yet some enthusiastic teachers are trying their utmost to make a communicative class communicative in its real sense, through different processes like 'Learner Autonomy.'

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Rokeya's Reverse Thoughts: Sketch of Male Characters in *Sultana's Dream*

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Abstract: Characters of the male folk in Rokeya's *Sultana's Dream* imparts images of men with no human characteristics and proneness who only physically resemble as humans but they are indeed idle, unpunctual, arrogant, conceited, and blindly fanatic to belief, customs and convention. They are egocentric, dominating, and scornful to women. But things turn reverse and the entire male folk have been terribly avenged in *Sultana's Dream*. For their own deeds, they have to wear the shackles of *Purdah* and remain confined to *Murdana* as the same way as they have done to women.

Keywords: Rokeya, zenana, murdana, purdah.

Introduction

Rokeya (1887-1947 A.D) is considered to be the visionary emancipator of women in Bengal (presently Bangladesh). The core inspiration of her literary works rests in her realization of the needs of taking measures against the suppression, oppression and domination of men over the women race for centuries in Bengal (Alam, 1992). Her mission of sowing the seeds of self strength in the mind of Bengal's women has always been underlying in her literary works. *Sultana's Dream* is one of her distinguished literary pieces in English. *Sultana's Dream*, written in 1905, is a utopian dream fragment which is a revolutionary attempt of taking remedial measures against the lordship of men over women. In this utopia, the male folk of a land deprive the women race of their rights and manacle them with dominating customs. They consider women as inferior to *homo sapience* and simply beck

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and call to men. But, actually, the men of the land lag behind in sense of talents and firmness of character. Most men appear archaic, barbarous and simply imposing to women. They disuse and confine women into seclusion (*Purdah*), called *Zenana*. Their social customs completely segregate women from outdoor movement and activities. But things turn reverse in the story. Once, their country comes under a foreign attack. With fragile sense of patriotism, worthless arrogance and incompetence, all men retreat from the battle field and enter their houses to save their own lives. In this perilous situation, the ever neglected women race come out of *Zenana* to save the liberty and sovereignty of their land. As per the customs, men and women should not stay alongside. So, when women come out of *Zenana*, men have to go inside the seclusion which is now called *Murdana* (the inner most quarter of the houses). The women folk, however, drive out the invaders and rescue their land. They hold entire power of the state which is now called "Lady Land". The entire male folk fall victim to a catastrophic squash. They keep staying inside. On the other hand, the intelligent ladies of Lady Land now confine the male folk inside the *Murdana* and rule them along with their so called importance of being masculine in sex.

This paper attempts to study the reverse thoughts of Rokeya to investigate how she has operated the ruthless processes of correction over a biased society through sketching the male characters in the utopia-*Sultana's Dream*.

Objective

To study Rokeya's reverse thoughts through evaluating the purposes and processes of sketching the male characters in *Sultana's Dream*

Methodology

The study is conducted mainly through document analysis. The information or data are taken from both primary and secondary sources which are simply qualitative in nature. The

main text of the literary fiction of *Sultana's Dream* has been found as the primary source of data. And a number of relevant books, research articles and some websites have been used as the secondary sources for collecting data which have been analyzed and presented through logical interpretation.

Rokeya's Reverse Thoughts, Utopia and Portrayal of Men

Sultana's Dream is a utopian literary work in nature and a strong attack against the male dominating social system. Rokeya has created an imaginary world in opposition to the existing fatherhood world in reality (Amin, 1997). Her 'Lady Land' in *Sultana's Dream* is a contrast against the contemporary Indian society to juxtapose each other. In this regard, it is to mention that Rokeya's rationalism and style of expression both are original of her own (Chowdhury, 2005). This is remarkable that in the fiction, the dialogues of Sultana and Sister Sara reveal the pictures of contemporary Indian society meaning "what is taking place". On the contrary, the world in *Sultana's Dream* stands for "what should be". Because of the contrary thinking of Rokeya, the men in *Sultana's Dream* are simply at the opposite pole to that of men in reality. In the fiction, very logically the utopian social system of the Lady Land and the anti utopian Indian social system have been placed in juxtaposition to exhibit the antithetical situations of two places face to face.

At the root level of every utopian thought, there lies a particular type of societal system. An extreme correction of that degraded society takes place by the utopian thinking. And thereby, there remains a forest of satire, humour, irony and ridicules to attack the existing evils. Rokeya's *Sultana's Dream* is the only utopia in the then India or present Bangladesh, and the reason of her writing this utopia or dystopia was that during her time, her own society, itself, was a living anti-utopia (Azad, 2004). The country of Sara, the Lady Land is a utopian world because its harmful animals (men) are penned into cages and gentle women community is free and is on power. "Virtue, itself, governs there. . ." in the

image of women. On the contrary, India, the real country of Sultana, is a dystopia or anti-utopia because the society is ruled by the men. Here, men, the male folk, are compared to lunatic in manner but are set free. Here, the animals roam outside and the tender women community is imprisoned in the seclusion of *Purdah* or *Zenana*. The entire governance and societal conduct of this state are based on envy, arrogance, muscle power and thick thoughts of the dominating male folk.

Rokeya has launched her fierce attack on this intolerable negative state of her contemporary fatherhood Indian society. As a result, eventually, her reverse thinking provides a newer dimension to the plot of the fiction. The male folk of the Lady Land come to be imprisoned inside *Murdana* (seclusion; opposite to *Zenana*) with chains of *Purdah*. In *Sultana's Dream*, men are not victorious rather defeated- not lively rather tired, fatigued and shattered. As to why, from the sense of social and psychological stratum, even the natural instincts like feelings of embarrassment, hatred, or anger of the character of the whole race of the 'Male Folk' in *Sultana's Dream* experiences a 'U' turn reverse.

1. Timidity, Cowardice and Spinelessness of Men

The male characters in *Sultana's Dream* are prey to an attack accompanied with powerful satire and ridicules. Like the women of Sultana's real society of India confined into the *Zenana* (a complete segregation of women from the outdoor world), all men of Lady Land are confined into the seclusion of the *Murdana* (a ridiculous parallel against the word *Zenana*, standing for the same segregation of men as they adopted for women in India). The use of the word *Murdana* reveals Rokeya's equal and opposite attack on men with a revengeful attitude to pay back the taste of torture and humiliation that they loaded on women for centuries.

Having been confined and deprived of fresh air, light and sun, above all, having no warmth of life and its agility into the *Murdana*, the male folk in Lady Land have grown stupefied.

They come to transform into a race of thick headed worthless creature that seems to be homogenous to the 'Yahoos' of the Yahoo Island as depicted by Jonathan Swift in his *Gulliver's Travels*. The Yahoos are a creature with no sense, conscience and consideration, a creature crooked with fear and cowardice, a creature too lustful with no intelligence. The male folk of *Sultana's Dream* are similar to those of *Yahoos*-living in the dungeon of darkness with no light or air. The males are shy, gooey and ruled by the women instead of being the rulers that they are often supposed to be. They are as badly confined in the *Murdana* as the women of India were confined in the *Zenana* by the men. The men in *Sultana's Dream* are authentically pitiful reflections of the hesitant and diffident women race in reality in India at the very beginning of the 20th century (1905-1906). Here lays the creative genius of Rokeya that she raises her opposite thinking against waves of time, against the style of thinking of her time, against the entire customs and conventions prevailing in the early 20th century Indian sub-continent.

The dialogues between Sultana and Sister Sara about Sultana's hesitant movement and their criticisms by the pedestrians in Lady Land are interesting. Rokeya made her character Sultana narrate the story as follows-

I asked my friend, "What do they say?"
"The women say that you look very mannish."
"Mannish?" said I, "What do they mean by that?"
"They mean you are shy and timid like men."
"Shy and timid like men?"

Sultana never heard such a ridiculous satire because she was a woman of male dominated India. The force of ridicule against men is tremendous here in which men have been used as a symbol of 'timidity' and 'shyness'.

Sister Sara felt Sultana's fingers trembling as they were walking hand in hand. Sultana describes-

"What is the matter, dear, dear?" She said affectionately.
"I feel somewhat awkward," I said in a rather apologizing tone, "as being a purdahnashin woman I am not accustomed to walking about unveiled."

"You need not be afraid of coming across a man here. This is Lady Land, free from sin and harm. Virtue itself reigns here."

The hesitations, introversion, shyness, or nervousness are treated as manly feeling in the Lady Land. So, the men in Lady Land are the bundle of people bent and crooked in coyness, unable to walk even comfortably.

In the Lady Land, the duties of cooks are performed by men. The men feel very shy at the sight of any woman. So, while going to visit the kitchen with Sultana, Sister Sara covers her whole body with clothes so that the men may not feel shy. The vulnerable condition of the men is reflected through the scenes of the cooks in the Lady Land through which the woman race had to pass for centuries.

Rokeya did never, actually, consider the man of Indian sub-continent, specially the Bengali people, as something better than that. In her opinion-

"If the all India is a dew pond, the man of India is a feminine lotus there, if you think that all India is a novel, the Bengali man is heroine there of it, in the male society of India, man is womanish." (Dhali ed., 2004).

The attitude which Rokeya had often carried gives a complete expression in the *Sultana's Dream*, and thereby, the character of the entire race of man has been portrayed here as same as an image of the woman of feudalistic India.

2. Narcissism and Fanaticism

Rokeya's concept of an ideal state is expressed in her *Sultana's Dream* through a secular tendency of annihilating the roots of religious dogma embedded in every segment of the society (Begum, 1998). Rokeya senses that religion becomes a good tool of the self centred men of India to materialize self interest (Zaman, 1989). The characters of men

in *Sultana's Dream* also do the same. Men make religion as a device of torture for the women. Rokeya sends the entire race of men, in the fiction, to the dock of justice for some special reasons like unjust manners and such crimes are characteristics of men which prevent them to become the real humans from the state of *homo sapiens*.

Men have great passion for age old customs and conventions and a "frog of the well" like attitude to society and civilization. Another passion of theirs is unethical use of religion, in other words, their culture of using the religious principles against the women race (Sufi, 1986). They use the sentiment of religion against women by exaggerating religious principles and fabricating their own explanation of it. Overloading of such irrationalization results in exploitation, torture and oppression over the woman.

Once Rokeya was furious against the Muslim community and felt bound to say that (the Muslims are not happy that) they cannot drive away the women from the country or cannot burry them alive like the primitive Arabs (Zaman, ed., 1994). Indeed, whenever the women attempted to stand upright, their every endeavour was obliterated with the excuses of religion. And that is why, "Rokeya dismissed all male generated thoughts of religions and all books of religions that men put pen to paper (Azad, op. cit). In her opinion- "The male folk have published those books with the name of God's so that they may keep us in the darkness" (Qadir, ed., 1984). So, in Sultana's utopian Lady Land, not only religious books, all kinds of religions have been abandoned from people's social and personal lives. What is your religion? - In reply to such questions, Sister Sara said, "Beauty and Truth".

However, the male folk in *Sultana's Dream* are prey to Rokeya's attacks for their fanaticism.

3. Idleness, Time Depletion and Hedonism

Men in *Sultana's Dream* are lazy, time wasting and hedonistic who like to idle away times through pleasure taking activities. They are neither disciplined nor punctual. Besides the male folk, seen by Sultana in the story, we are also informed of the characteristics of men through the speech of Sister Sara-

"They dawdle away their time in smoking. Some smoke two or three cheroots during the office time. They talk much about their work, but do little. Suppose one cheroot takes half an hour to burn off, and a man smokes twelve cheroots daily; then you see, he wastes six hours every day in sheer smoking" (Qadir, op. cit.).

The male folk appear to be lazy, undisciplined and indifferent to health and time.

4. Animalism and Insanity

According to a critic, the male race of the society of Rokeya was just like animal to her (Azad, op. cit.). And the society that she dreams of has locked her animals into the cage. So, we hear Sister Sara saying to Sultana-

"You need not be afraid of coming across a man here. This is Lady Land, free from sin and harm. Virtue itself reigns here" (Qadir, op. cit.).

Although the character of the male folk has been shown in the fiction as timid and shy in the Lady Land of *Sultana's Dream*, the presence of animalism and insanity of men belonging to the reality of contemporary India has also been crafted magnificently in the story. The dialogue between Sister Sara and Sultana regarding various relevant issues has been used as the technique of sketching the characters of the male folk. Sara wonders-

"As a matter of fact, in your country this very thing is done! Men, who do or at least are capable of doing no end of mischief, are let loose and the innocent women shut up in the Zenana! How can you trust those untrained men out of the doors?" (Qadir, op. cit.).

The character of men sketched by Rokeya has perfectly been portrayed as brutal. But the brutality is not the reflection of the Lady Land's male race, it is the portrait not merely of contemporary Indian men, it reflects the character of the men of the world.

Sister Sara wants to know from Sultana about whether men have made any injustice or not by segregating the women from outdoor into the *Zenana*. Sultana's mind set, being habituated to thinking like in the male dominated society, her answer is still conservative. She says that the male folk have made no injustice by keeping the woman inside seclusion because they are not safe outside home. The way Sara replies to Sultana is-

"Yes, it is not safe so long as there are men about the streets, nor is it so when a wild animal enters a market place?" (Ibid).

Women are not safe outside because there are men outside there. The male folk are completely a threat to women's chastity, honour and prestige. Sister Sara opines that women are really not safe until this threatening animal is locked in. This means that as long as the man is free outside, the woman race is unsecured. Here the male folk have got a stand for spreading terror of brutality on the woman race. Thus, the character of man is enveloped with an image of animal terror. Sister Sara says again-

"Suppose, some lunatics escape from the asylum and begin to do all sorts of mischief to men, horses and other creatures, in that case, what will your countrymen do?" (Qadir, op. cit.).

Sultana replies-

"They'll try to capture them and put them back into their asylum."

Here, the comparison of the 'man' with the 'insane' may seem to be exaggerations but actually, the women, really victimised of such insanity, are well known of the curse.

5. Reckless, Wild and Thick Headed Men

The roots of the character of men in real India and men in the utopian Lady Land are embedded into the same inferiority. Before the establishment of the Lady Land, the state of Sister Sara was just like a mirror image of Sultana's India. Discarding the differences of these two states, one can see the dissemination of the same masculine mentalities at both the places. It is that-

"The woman can never be compared to the man to all extents, if so, it would be a manner conducted against the natural instincts (Qadir, ed. Op. Cit.).

The male folk of both the real and utopian worlds are greatly similar. Both are hateful to women education and consider that the need of women education is quite unnecessary and objectionable. That the woman can contribute to society being educated is rejected with sheer negligence by the male race of the Lady Land-

"While the women were engaged in scientific researches, the men of this country were busy increasing their military power. When they came to know that the female Universities were able to draw water from the atmosphere and collect heat from the sun, they only laughed at the members of the Universities and called the whole thing 'a sentimental nightmare'!" (Qadir, Op. cit.).

The tediousness and vanity are the remarkable characteristics of the men of Sultana's Dream. They are mainly chatter boxes, devoid of scientific awareness with no workability at all. They can't even imagine what the women have already done. With rhetorical sentences, they want to prove women's inefficiency and impossibility of their success. They laugh away the technologies of women like the 'sun heat' or 'water

balloon'. They call these 'sentimental nightmares' of the women. Later, when women have succeeded to invent the technologies, by this time all the male folk are in the imprisonment of the *Murdana* which they have willingly taken for granted.

6. Dominating Men

The characters of men in the *Sultana's Dream* are found to be dominating, specially the male folk that Rokeya portrays consciously in the context of Indian social system in reality at the first decade of 20th century.

The major character of the story, Sultana was dozing on her rocking chair in an evening. She was in between a conscious and sub-conscious state. Even then also, the thought of her male servants was a pain for Sultana-

"I looked again at the moon through the open window, and thought there was no harm in going out at that time. The men-servants outside were fast asleep just then, and I could have a pleasant walk with Sister Sara" (Ibid.).

Women are deprived not only from the circle of the society, they are, as well, deprived of moon light, fresh air and other mental foods. Women cannot quench the hunger of any of their mental faculties. And this is vividly present in Sultana's description that she is even fearful of her male servants. May be the men were servants, yet they were male after all! In the story, no woman is found to have freedom to move before a man that demonstrates the result of practicing the value system adapted by the male dominating culture and governance which keep the women race into the heart of darkness and bondage.

In an essay about the adverse effect of male dominating culture and governance, Rokeya says-

"No light shines in the world of our mind, just as no light can enter our bed room." (Dhali, Op. cit.).

However, when Sultana felt free to see that all of the barriers (men-servants) of her surrounding were now asleep, she could go for an evening walk with Sister Sara (an unknown lady in

her dream seeming to be much known to her). She felt cheerful at the thought. Actually, by this time, she completely fell in her dream. Still, in dream, she felt scared of the presence of her male servants at outdoor. The hostile and dominating spirit of men folk haunts her from the conscious level up to her dream.

There are also obvious reflections of the hesitant, perplexed and scared mind of women cultivated in a male dominated society. This is found in Sultana's behaviour when she was walking through the street of the Lady Land with Sister Sara in her dream. Her unstable walk, shaky heart, unsteady mind and wobbly movement are actually reactions of her habituation cultivated by the dominating rules and regulations of male dominated Indian land. A woman, used to living in dark prison of *Zenana*, should really fall in an utter disbelief to see infinite liberty to walk, to fly over times unbound (day or night) and to feel free to the full as found in the Lady Land in Sultana's dream. Her hesitation is nothing but a product of male domination on women over centuries, the legacy of her inhibition with the *Zenana*. The terror of the domination still haunted her even in her dream and so, she still feared and hesitated to move in the Lady Land. And very naturally, Sultana, accustomed to prison of Purdah, was shaken to walk in the land of dream-

"The town was fully awake and the streets alive with bustling crowds. I was feeling very shy, thinking I was walking in the street in broad day light, but there was not a single man visible."

The white terror of the male domination is widely spread in the field of Sultana's conscious as well as sub-conscious mind. In this fiction, the terror of Sultana represents the severe vulnerability of the entire Indian women race in India at the dawn of 20th century.

A Revolutionary Deconstruction of the Men Folk

Rokeya takes the technique of narrating *Sultana's Dream* through dream or crafting a utopia or, it may be called

imagination to the severity to deconstruct the foundation of all structures that the male folk have been erecting for centuries. Rokeya, indeed, revolts against all customs, conventions and proneness which support the process of getting habituated to men-defined social system. Her dream fragment even attacks inner structures of man-centred languages inside from itself. In the fiction, Sultana or Sister Sara, both, smiled but no one crossed the limit that could be called "laughter". With this ridiculous refined smile, Rokeya axes down the roots of false thinking and beliefs of fatherhood social systems. The outdoor-indoor contrast that had long been being constructed turned opposite. There was an ever flowing presence of a comic atmosphere from the very beginning of the story as if Rokeya had always cast a scornful look at all that evolved centring the power of the male folk (Islam, 2005: op.cit.).

In the view of Humayun Azad, the entire writings of Rokeya are filled with her protests and hatreds against the male folk and fatherhood principles to regulate the society. The idea 'Masculinity' was objectionable to her. He adds that such a hateful revolt had never been found in Mary Wollstonecraft even in the west (Azad, op. cit.). Motahar Hossen Sufi dismisses the opinion saying that during the period, contemporary to Rokeya, endeavours had been going on to label her as anti-male, but she was not that in reality (Sufi, 2005). Whatever she might be, it appears clear from the above discussion that the character of the man which she has sketched in *Sultana's Dream* exposes strong instances of scornful attack against male-centred ideologies.

The concept that the man-woman relation keeps the interests of men is rejected by Rokeya. Her *Sultana's Dream* is rather a form of deconstruction of this ideology. Simon de Beovauyer, in her *The Second Sex*, writes that actually humanity is another identity of man for which woman is considered to be a creation that is not complete of her own. In *Sultana's Dream*, Rokeya has nowhere used the singular form of the male folk as 'man', she has rather used its plural form 'men'. The affirmative singularity, talked of by Simon de Beovauyer,

is rejected by Rokeya. And thus, the character of the male folk faces fierce rejection in Rokeya's *Sultana's Dream* (Islam, op.cit.).

Men, the Prey to Terrible Revenge

Rokeya's husband (Sakhawat Hossain, a magistrate in British India) was the first reader of *Sultana's Dream* (1905 A.D). After reading the text, he commented it to be a "terrible revenge" against the male folk. Really, the male folk of Rokeya's *Sultana's Dream* are victims of a terrible vengeance. No stone is unturned by Rokeya in the process of taking the revenge against the community of men for their injustice and torments over women. She has used satires, humours, ridicules and ironical devices and finally, there occurs the dramatic irony of situation in which all male folk willingly enter the confinement of *Purdah* or *Zenana* and all women community achieve absolute liberty in the utopian state of Lady Land. The complete reversal of situation is nothing but striking back the community of men through a total retaliation. Rokeya hits back the male folk with her mighty revolutionary vision of an emancipator. This is not from her repulsion or vindictiveness for men. She carries a deeper feeling of sorrow and dissatisfaction (Chowdhury, 1999 & Alam, 1998). The impoverishment of the women society in educational advancement due to male adapted custom of seclusion, childhood marriage, the aggressive attitude of men against women- these all, indeed, kept the women bound to a socio-economic standstill position and blocked their road to go forward (Alam, 1998). So, her attack is severe against the entire community of men.

To throw innumerable satirical attacks to the male folk and to send them to an ironical place (*Murdana*), are the indicators exhibiting how terribly Rokeya has grown violent against the male folk. Sultana describes-

"Where are the men?" I asked her.
"In their proper place, where they ought to be."

"Pray, let me know what you mean by 'their proper places'?"

"O, I see my mistake, you cannot know our customs, as you were never here before. We shut our men indoors."

"Just as we are kept in the Zenana?"

"Exactly so."

Imprisonment of men in the Lady Land is the sheer revenge against the imprisonment of the women in India. And imprisonment of men in the *Murdana* is the vertical revenge against the imprisonment of the women in the *Zenana*. No individual, rather whole community of men is her target of vengeance. Her satires and ridicules are free from repulsion or grossness (Ahmed, 1997). And so, she is rigid and stringent while avenging; she is rigid within the limit (Chowdhury, op. cit). Her comparison of men with the wild animals and the lunatics is the instance of her being severe in avenging men along with a softer smile in her face. According to Abdul Mannan Sayad, it is not a "terrible revenge", he calls it a "dream revenge". But actually, it cannot be called dream revenge. It may be called a terrible revenge of a dreamer because the revenge is severe in degrees, though the shape of the revenge gets its construction by a dreamer, a visionary. According to Rawshan Jahan, *Sultana's Dream* was a "Shock Therapy" to the contemporary male dominated society-

"She was ready to provoke her society by rude shock to shake it out of complacency. This desire to shock is apparent in the short story, *Sultana's Dream* (Jahan, 1981).

Men with no Patriotism, Responsibility and Sense of Self-Respect

Men in *Sultana's Dream* represent a community with no sense of self respect and self humiliation. Their patriotism or responsibilities to the country in which they lived is questionable. Their country faced an attack by the invading enemies. When enemies were at the threshold and the whole nation was under a sheer threat of existence, the male folk were seen retreating from the battle field. The community of women decided that they would never bear the shackles of

slavery. Since, in case of the defeat, there would be no alternative but to abide slavery, so, the women decided that in such a case, they would rather commit suicide than lose their honour.

Men in *Sultana's Dream* did not show responsibilities to self identity, sovereignty and liberty of the country which the women community showed. Due to cowardice and lack of skill, the male folk were retreating. So, they were called back by the women. But the male folk did not feel ashamed for their retreat and leaving the mother land at the edge of destruction. At their shameless return, the women proposed to them to accept complete segregation from the outdoor and take shelter into the cocoon of *Murdana* to live there for ever with no light, no air, no will and freedom. It is surprising that the male folk felt happy to accept such an unkind proposal. They considered it as a boon that at least their lives could be saved. They had even no responsive sense to the axiom- 'cowards die many times before their deaths'. They entered into the *Murdana* bowing down their heads. They had a complete disappointment about the recovery of the country. The women took the responsibility of keeping the liberty and sovereignty of their state unharmed and moved towards the battle field and ultimately, the women of the Lady Land won the battle with their intellect, technological supports and moral courage.

Boomerang of *Purdah* to the Designers of *Zenana*

The male folk are the designers of the convention of *Purdah* resulting in the complete seclusion of women from any social involvement. In such a case, the entire women race had to keep away from leading lives on earth, living imprisoned into the cage of indoor, designed and defined by the male folk called- *Zenana*. The system continued for hundreds of years since the pre-industrial feudal period. The construction of *Zenana* received a concrete foundation to a deeper-wider dissemination of its roots. Rokeya wrote her *Sultana's Dream*

during 1905. Through the technique of narrating this fiction as a dream fragment, she sketched a land of utopia. The world of the utopia is called here *The Lady Land*. Like every utopia, she designed it as a tool of conducting a terrific correction of her contemporary Indian male dominated society. Her construction of the plot of the utopia made a complete deconstruction of the male adapted social system by striking back its outer and inner structure and smashing its foundation. Rokeya's opposite thoughts fired off the out worn ideas and dying thoughts of male defined social systems. At the roots of the foundation of male dominating society, there laid irrationality, injustice, selfishness, opportunism and a pre-historic barbarism of the male folk who fulfilled all their interests by segregating the women race from the outdoor and confining them into the *Zenana*, through the excuse of *Purdah* (seclusion). The *Purda* worked as the major tool of suppression, oppression, exploitation, domination and all corruptions. And the *Zenana* has performed as the Heart of Darkness. Rokeya's women of the *Lady Land* have succeeded to come out of the heart of darkness to the way of enlightenment and as a rightful revenge on the male folk, they overthrew the whole community of men to the hellish dungeon of *Zenana*, the creation of men to rule the women. The turning of the *Zenana* into the *Murdana* (the cocoon for the male folk) is a boomerang to men. So, men in *Sultana's Dream* are entrapped into the trap that they made themselves with evil motive to women. Men were fallen and over thrown. They were avenged, punished, ruled and befooled by the women.

Murdana, the Permanent Settlement of Men Confined

With the development of the story of *Sultana's Dream*, men got to obey the superiority of women. Since men were considered wild, rude and harmful, so, they had not to be set free on the streets or market places which became a growing concept in the *Lady Land*. They had to be inside home and women were free to live and move outside all day and night. The differentiation was like- physical works were men's and

mental and intellectual works were women's (Chawdhury, op. cit.). As men felt proud and arrogant for their physical strengths, so, all physical works were given to them and they got used to this. Women ruled the state with their intellect.

There was another reason as to why the women imprisoned the male folk. It was because men made women dependent slaves (Hussen, ed. Qadir, op. cit.). Another opinion was that to send men to *Murdana* was nothing but removing the impediments on their way to liberation. Men, themselves, could not preserve the liberty of their state. They would rather create unnecessary troubles for women. So, it was well systematized that they would be locked into the *Murdana* (Ibid.). It was simple for women that barriers were removed from the way on to the supreme goal.

Conclusion

Sultana's Dream draws the picture of the utopian kingdom, *Lady Land*, in which the male folk are positioned at a completely opposite pole to a society that is ruled by men. Putting men in such a position, Rokeya constructs a feminist social structure. Men are thrown down to earth from their sky high throne of lordship. Therefore, character of the male folk of Rokeya's *Sultana's Dream* is simply reverse to what is often seen. The boldness, vigour, courage, or strength, pride or a loud voice at least, which usually men possess, are absent from among the men of *Sultana's Dream*. Taking responsibilities of family matters, social affairs or leadership of the state, whatever is found as responsibility of men in the conventional social system, does not touch the men at all in Rokeya's *Sultana's Dream*.

Men are generally the lords at every level in the world- either in husbandhood to wives, or leadership to society or most great places. They are usually heroes of the world. The same race of *homo sapiens* in *Sultana's Dream* is found as a character of insignificance. The entire male folk, with no talent and no spirit to develop their faculties, are a community

of fallen people; imprisoned inside home, stuck to the kitchen, defeated in the battle field, humiliated in the society, ignored by the state with no sensibility of the humans. They are living like the parasites with human shape in body and hollowness insight. But things are not devoid of reality. Rokeya has certainly depicted the character of men in relation with dismal reality during the period of British colonial India. The dialogues between Sister Sara and Sultana in dream offer the universal portrait of men. These men are the products of Sultana's real life observation and experience. In fine, Rokeya has operated a psycho-analytic investigation while sketching the male characters of *Sulana's Dream*. Light is duly thrown on the sphere of their mind, tendencies, attitudes, habits and frequent malpractices they do for keeping their lordship up dated. Exploration is accordingly launched revealing the egocentricity, dominance and disregard to women. The male characters of Rokeya's *Sulana's Dream* are ultimately found idle, arrogant, unashamed and prey to lethal revenge of the woman race that made them fall into the dungeon of *Murdana* forever.

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Trafficking of Women and Their Re-integration in Bangladesh

Golam Sarowar¹

Abstract: The major purpose of this paper is to analyze the present situation of women trafficking and reintegration of trafficked women in Bangladesh. Bangladesh is said to be a source and transit country for women and children subjected to forced labour and sex trafficking. The available evidence and reports given by the NGOs and activists working on this issues confirm that trafficking is indeed a rapid growing problem in Bangladesh. Trafficked women are extremely vulnerable at the time of reintegration into their families. As such, this paper attempts to examine the conditions of women's trafficking in Bangladesh and the obstacles faced by the trafficked women in case of their re-integration.

Keywords: Trafficking, women, re-integration, NGO, Bangladesh.

Introduction

Migration of human beings started at the beginning of human civilization for various purposes. Modern technology has made the world a global village and no citizen can be bound with a boundary. Bangladesh is an overpopulated country. Therefore, Bangladeshi nationals are trafficking both internally, regionally and globally. The situation encouraged the domestic and international trafficking gang to run their business in full swing (Bangladesh Country Report, 2013). Trafficking in women is a very serious problem throughout the world, including in Bangladesh and other South Asian

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countries. Trafficking of women is both a cause and consequence of the violation of human rights. Trafficking of women is not only a heinous and inhuman offence, it is also a phenomenon which undermines the value, worth, and dignity of the women trafficked. Today it is now being considered as one of the major concern for Bangladesh. Both internal and cross-border trafficking exist in Bangladesh. In the case of internal trafficking, women and children are often taken from their homes on false promises of a better life with good employment, or by using various other criminal acts and means by the traffickers who sell them to brothels. It is mainly from rural areas where they face survival challenges and are subjected to discriminatory socio-cultural practices. At the cross-border level, victims are transported and transferred to destination further away such as India, Pakistan, Middle Eastern countries etc by using illegal acts and processes which culminate in the most coercive form of human rights violation and a life of unspeakable agony and torture.

Bangladeshi women, who are trafficked, generally go through severe physical and psychological violences that hamper their socio-economic well-being and destroy their self esteem, confidence level and potentiality. After coming back, stigmatization excludes women from the mainstream society and the survivors' come back are not appreciated by the community members and families (Shamim and Kabir, 1997). Several NGOs have started working for the reintegration of women in society and they have sheltered the survivors to provide them with psychological support and skill development training (Bangladesh Country report, 2011). It has been seen that the trafficked women have been facing various societal problems in re-integration and rehabilitation to their family and community. Women who have come back to Bangladesh after trafficking are often considered as 'prostitutes'. They are not welcomed in society and they are treated as a social evil or as a threat to religious or cultural values (Gazi, et. al, 2001). As such, the main purpose of this paper is to analyze the condition of women

trafficking in Bangladesh and the various problems, the victims face, in re-integration to their caste and family in Bangladesh so as to find out the causes of such inhuman treatment of women and to provide recommendations thereof.

Conceptual Analysis

Trafficking of women is a fast-growing organized crime of clandestine nature that flagrantly breaches human rights and the dignity of the women trafficked. It takes place both within and beyond national boundaries and encompasses sexual, labour, and other forms of exploitation. The concept of trafficking is associated with the criminal manipulation of persons who want or need to migrate for the hope of a better quality of life. Bangladesh has long maintained domestic legal-administrative schemes of action, particularly against trafficking in women and children.

The government of Bangladesh defines trafficking in The Prevention and Suppression of Human Trafficking Act, 2012. According to section 3 of the act, "human trafficking" means the selling or buying, recruiting or receiving, deporting or transferring, sending or confirming or harbouring either inside or outside of the territory of Bangladesh of any person for the purpose of sexual exploitation or oppression, labour exploitation or any other forms of exploitation or oppression by means of –

- (a) threat or using of force; or
 - (b) deception or abusing of his or her socio-economic or environmental or other types of vulnerability; or
 - (c) giving or receiving money or benefit to procure the consent of a person having control over him or her.
- (2) If the victims of trafficking is a child, or shall be immaterial whether any of the means of committing the offence mentioned in clause (a) to (c) of sub-section one is used or not.

The international community considers trafficking in persons a modern form of slavery or slavery-like practices and a gross violation of human rights and dignity. Article 3 (a) of the Protocol to Prevent, Suppress and Punish Trafficking in Person, Especially Women and Children, Supplementing the United Nations Convention Against Transnational Organized Crime, 2000 defines human trafficking as: "Trafficking in persons" shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs."

The countries of the South Asian Association for Regional Cooperation (SAARC) adopted a convention titled 'SAARC Convention on Preventing and Combating Trafficking in Women and Children for Prostitution – 2002'. Article I (3) of the convention defines human trafficking as "Trafficking" means the moving, selling or buying of women and children for prostitution within and outside a country for monetary or other considerations with or without the consent of the person subjected to trafficking.". Nevertheless, Consultation Workshop, organized by the Resistance Network in Bangladesh in August 1999, made suggestions for changes in its convention that "Trafficking in women consists of all acts involved in the procurement, transportation, forced movement, and/or selling and buying of women within and/or across the border by fraudulent means, deception, coercion, direct and/or indirect threats, abuse of authority, for the purpose of placing a woman against her will without her consent in exploitative and abusive situations such as forced prostitution, forced

marriage, bonded and forced labor, begging, organ trade, etc” (Amin, et. al, 2011).

The concept of reintegration of trafficking victims is a difficult and complex term. It is different for each victim and involves not only the victim but also their socio-economic status and culture within which the reintegration takes place. Reintegration of survivors means amalgamating them within the existing society. Doing so would involve achieving social acceptance and the reclaiming of dignity for women (Gazi et al, 2001). Bangladesh Country Report-2007 for Combating Human Trafficking gives an idea about the reintegration under the protection mechanism. It says that care to the trafficked survivors is given to recover them from psychological trauma, to make them feel important, to never leave them without care or attention. Besides this, the said report (2011) on trafficking issues has also focused on reintegration program for survivors. In this report, the state of trafficking has come out elaborately with the information about GO-NGO collaboration for effective anti-trafficking program. This report tries to concentrate on the process of reintegration of trafficked returnees in Bangladeshi society. This report focuses on understanding the state of trafficking in Bangladesh, exploring the experience of survivors and finding out the challenges they face in reintegration process.

Methodology

This paper is based on data collected from secondary sources. Data is taken from some published materials such as research/study reports, books, articles, reports, journals, magazines, relevant reports from internet, newspapers etc. Existing information was extracted from various sources to enable readers to understand the problems in re-integration of the victimized women to their family and society in Bangladesh.

Condition of Women Trafficking in Bangladesh

Bangladesh is primarily a source, and, to a lesser extent, a destination country for men, women, and children subjected to forced labor and sex trafficking. Bangladesh is placed in the Tier 2 (Tier 2 Watch List countries means they do not fully comply with the minimum standards for the elimination of trafficking but are making significant efforts to do so, and meet one of the following criteria: 1. they display a high or significantly increasing number of victims, 2. they have failed to provide evidence of increasing efforts to combat trafficking in persons, or, 3. they have committed to take action over the next year.) Watch List for a fifth consecutive year (United States Department of State, 2013). Bangladeshi women who migrate willingly to the Persian Gulf, Iraq, Iran, Lebanon, Maldives, Malaysia, Singapore, Thailand, Brunei, Sudan, Mauritius, the United States, and Europe for work subsequently face conditions indicative of forced labor (United States Department of State, 2014). It is difficult to exactly say how many women and children are trafficked out annually as it is basically a hidden crime.

Quoting a survey of Bangladesh National Women Lawyers' Association (BNWLA), Prof Delwar Hossain of Dhaka University at a seminar in Dhaka on June 1, 2010 said that some 25,000 women and children are trafficked to other countries from Bangladesh every year (Rahman, 2012). A UNICEF report says that approximately 400 women and children in Bangladesh become victims of trafficking each month. A compilation made on the basis of daily newspaper reports by Bangladesh Manobadhikar Bastobayon Sangostha (Bangladesh society for the enforcement of human rights) shows that, in 2010 up to September, 144 children are rescued during trafficking. Actual number will be far more than this as all cases are not reported. Bangladesh National Women Lawyers' Association (BNWLA), a leading organization working on trafficking, apprehends that approximately 7000 women and children in Bangladesh become victim of

trafficking every year. According to estimates by human rights activist in Pakistan, about 2,00,000 young Bangladeshi women and girls are trafficked to Pakistan, continuing at the rate of 200-400 per month and most of them end up in prostitution (Kawshar, 2011). All these data give the alarming picture of increase in women and children trafficking. Government agencies and NGOs working in combating trafficking fail to bring expected outcome. So it is necessary to see where the problem lies.

Process, Causes and Consequences of Trafficking in Women in Bangladesh

There is a vast land bordering areas with India and Myanmar. Bangladesh has a 4,222-km long border with India and a 288-km common border with Myanmar. Twenty-eight of the 64 districts of Bangladesh have common borders with India, and two have borders with Myanmar. The most preferred route, used by them, is the land route (Gazi et al, 2001). The trafficker also uses air and waterways to traffic women abroad. There are hundreds of ghats (running point approved by Union Parishad) along the land borders. The traffickers use these recognized ghats as well as areas to cross the border. Usually the traffickers use different routes at different times to avoid police and other law-enforcing agencies. Traffickers use 20 main points in 16 western districts of Bangladesh near the Indian border for smuggling women out of the country. The border areas of Khulna, Jessore, Satkhira, Rajshahi, Dinajpur, Rangpur, Mymensingh, Comilla, Brahmanbaria, and Sylhet are frequently used as land routes for trafficking. In the northern region, the districts of Kurigram, Lalmonirhat, Nilphamari, Panchagarh, Thakurgaon, Dinajpur, Naogaon, Chapai Nawabganj, and Rajshahi, and in the south, Jessore and Satkhira are the areas where women and children are most susceptible to trafficking. The two most common routes for trafficking are the Benapol borders in Jessore through which almost 50 percent of the trafficking take place and 35 percent in Satkhira (worldvisionacts, 2012).

Human trafficking is not an automated phenomenon; instead it is a response to a wide range of driving forces. The socio-economic edifice of Bangladesh, like any other country, has colligated this cursed practice as a new form of slave trade intended primarily for sex industry or forced labor. Like other regions in the globe, women in this part of the world are the most vulnerable to the trafficking phenomenon which is associated with poverty, gender discrimination, lack of education, and ignorance about legal rights. Poverty is one of the prime determinants of women trafficking. Furthermore, poverty deprives these women from resources which further aggravate the issue. Poverty encompasses various dimensions which includes lack of access to basic services, insecurity in daily life, disempowerment as human agency, and the inability to speak out with dignity. Lack of awareness and illiteracy are the other major factors related to women trafficking.

However, for the present purpose, the factors have been categorized into two groups. The first group, the 'push' factors, includes the conditions which are responsible for trafficking of people from one country to another country. The second group refers to the set of 'pull' factors that support the demand for trafficked victims.

Table 1: Causes of Trafficking

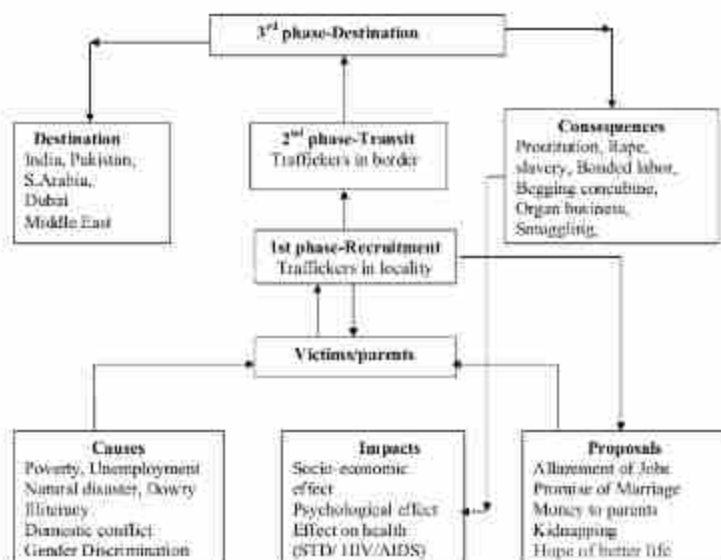
Causes	
Push Factors	Pull Factors
<ul style="list-style-type: none"> • Lack of economic solvency • Lack of Awareness • Poverty • Gender Discrimination • Migration • Illiteracy • Dowry • Natural Disaster • Empowerment 	<ul style="list-style-type: none"> • Effect of Free Market Economy • Urbanization • Better job opportunity • Influential power of Media • Information and Communication Technology • Economic Solvency

Source: (Amin, 2011)

Besides, there are some other identified causes of trafficking in women that includes: increased marital dissolution in terms of desertion, separation and divorce of the women, unemployment and rapid growing need of cheap labor in the international market, natural disaster and displacement of people, lack of social security and safety, corruption amongst the members of law-enforcing agencies. Moreover, there are some other identified causes of trafficking in women that includes: such as, the law enforcing agencies, like Police, BDR, RAB and Coast Guard have been given strict instructions to prevent trafficking and apprehend the traffickers but in reality this is not happened. In Bangladesh it is open secret that about 85 percent of the trafficking takes place in Benapol borders in Jessore and border areas of Satkhira where there is a very tight security of Border Guard of Bangladesh (BGB) along with Police, RAB and Immigration Police. Recently a popular television channel (Independent Television) telecast a special episode on human trafficking on its popular shows **Talash** where it is seen that how the traffickers managed the law enforcing agencies and the politicians for human trafficking. The program shows that the traffickers made deals with the local politicians and with their help by giving bribe in some cases to the law enforcing

agencies they easily trafficked women and children. The traffickers use the home and land of local politicians and usually they commit the crime in the mid night. It is an open secret matter in that area but the law enforcing agencies does not take any meaningful steps against those mysterious persons.

Table 2: Human trafficking process, causes and consequences



Source: (Jahan, 2011)

Trafficking women is a violation of human rights, and has various consequences at the individual, family, community and country levels. Trafficked women are the most severely-affected victims of exploitative labour. Women are generally trafficked for purposes other than commercial sex, for instance, domestic and industrial work may also have an increased risk of HIV infection because of their exposure to instances of forced sex and perhaps also the potential initiation into substance misuse, including contact with intravenous drug users. The health consequences of trafficking may also be more serious for young women than for men. Young women are at a greater risk of contracting

HIV/AIDS than young men for physiological and social reasons, which include gender discrimination, lack of formal education, poor negotiation skills, and economic dependency. Female sex workers usually get involved in this business before they are physically matured. This early sexual initiation, coupled with malnourishment and poor health, has a direct impact on reproductive health, including adolescent pregnancy, exposure to sexually transmitted diseases, a higher risk of neonatal and maternal mortality. There are obvious psychosocial dimensions to the health consequences of trafficking. Sex workers experience prejudice from their family and community. Exploitation, extortion, negative self-perception, and societal condemnation ultimately disable many sex workers and lead them to drug abuse, thereby reducing their chance of adopting other roles in society. Trafficking may be associated with psychosocial consequences that are commonly linked to victims of violence. By these victims of trafficked women often suffer from depression, anxiety, psychosomatic symptoms, compulsive and obsessive disorders, low-esteem, eating problems, sexual dysfunction, and post-traumatic stress disorders (Gazi et al, 2001).

Obstacle in Re-integration of Trafficked Women in Bangladesh

Reintegration of survivors means amalgamating them within the existing society. This will involve achieving social acceptance and the reclaiming of dignity for women (Gazi et al, 2001). Reintegration of rescued trafficked victims being a complex and long-term process, efforts should be made to consider the specific short and long-term needs of each individual victim based on their age, education, skills, etc. Reintegration is a process that starts with the rehabilitation activities in shelter home that include medical, psycho-social and economic services to the survivors. After rescuing survivors they are mostly rehabilitated in shelter homes where they get primary physical and psychological

help services that contribute to develop survivors' psychosocial adaptability to be a part of society again (Rosy, 2013). Reintegration activities must aim at building protective mechanisms in the social interaction of the individual victim in such a way that the chances of re-victimization of the victim are minimized. Minimum provisions must be made for treatment of trauma as well as alternative educational and vocational opportunities to the individuals. An effective rehabilitation and reintegration framework must ensure, in general terms, safety and wellbeing of victims and their community whilst simultaneously resecuring human rights and safeguarding against their re-victimization, reprisal or retaliation (Loong, 2010).

In Bangladesh it is really a great challenge to reintegrate the trafficked survivors into family and society due to the cultural and religious norms of Bangladesh. In Bangladesh it has been found that the former victims of trafficking do not generally display enthusiasm for either return or reintegration. Generally, the rescued trafficked women are sent to their parents or guardian after due verification and proper documentation and where parents or guardians are not found immediately, the trafficked persons are sent to the nearest government or NGO-run safe homes. It has been observed that females after being intercepted and returned to their communities do not stay in their communities for longer. Alternatively, some of the victims of trafficking may re-enter prostitution voluntarily as a consequence of economic necessity combined with the lowered inhibitions toward sex work. Trafficked women, who have a family and friends, on return, generally choose to seek assistance from their own network but the lack of supportive family environment may jeopardize the reintegration. If a victim comes back to the family and perceives that, nobody is waiting for her. Instances where one's own family member was complicit in the trafficking process, reintegration may further aggravate the chances of re-trafficking (Pandey, Tewari & Bhowmick 2013).

Economic stability and sustainability options along with religious commitment can be the major determinants of the return and reintegration of an individual in a community. In Bangladesh poverty continues to be a daunting problem, there are 15 crore people in the country and among them as nearly as 47 million people still live in poverty and another 26 million in extreme poverty (The Daily Star, 2013). The poor economic situation that often contributes to trafficking in the first place, further disposes an individual to re-trafficking when these economic risk factors are still in place (Williams et al., 2010; Ray, 2006). When victims return home and are faced with the same dire economic and social conditions that led them to be trafficked in the first place, then many victims find themselves in precarious situation where return to sex trafficking may be an issue of survival compelled under the dire economic impoverishment. On the other hand, reintegration might be facilitated in cases, where victims of trafficking bring back considerable amount of money to support the family. Research indicates that without viable economic alternatives, sex trafficked victims often return to sex work and face continued stigma and social exclusion (Hennink & Simkhada, 2004). Thus, a comprehensive approach must target the cycle of poverty that precipitates trafficking in persons, as financial independence is important for sustaining survivors' social reintegration and psychological well-being (Ruben, 2006).

Social and cultural setting is a barrier to the success of rehabilitation and reintegration of the victims of trafficked women. The social and cultural morality based code of conduct for women defined by patriarchal norms often prevents safe reintegration of the female victims. Stigma attached to trafficking, and particularly to any association with prostitution, is significant for individuals, families, and communities and can have severe consequences, seriously impeding their reintegration and recovery (Pandey *et al.* 2013). Prostitution is looked down universally and individuals are invariably stigmatized and considered loose and deviant not worthy of social presence. The trafficked victims are

considered as spoilt and families are often reluctant to their reunification treating them as social outcast. It actually creates more vulnerability to the trafficked persons. Besides, fear and shame often lead many victims to remain silent about their experiences of abuse and thus they fail to warn others who might be vulnerable (Pandey *et al.* 2013). Presuming this kind of stigma trafficked women show their disinterest in being reintegrated into the society.

The women of Bangladesh possess lower status in terms of education, employment, health and nutrition and face violence in family, society or workplaces. Education played a very important role for trafficked women as a part of reintegration. Lack of education is a fact that enforces trafficking among the poor people. It is really difficult to reintegrate trafficked women who are not educated as they are not able to get any decent work for them. Without being self employed trafficked women always be vulnerable to be re-trafficked. But if the trafficked women have proper education then they can earn money by using their education and they would not be treated as a burden to their family. When the victims would be able to earn money then instead of avoiding them their family would try to reintegrate them because of financial support of them can change the whole scenario.

Above all, it is extremely difficult for the family who are living on the streets to reintegrate their girls or women. In this case government should facilitate the family by training the victims on various programs like handicrafts, embroidery and others related things through which the victim can become self dependent as well as can help her family. It is also seen that the parents of patho-girls facilitate for selling their adult girls. The parents of patho-girls are always careless about their girls; they treat them as economic burden and good for nothing. In our society it is quite impossible to given marriage of a poor girl without dowry which is truly a burden for the parents. To overcome this situation ethical and moral solution is much needed over any kind of solution. Every society and every person must have a religious, ethical and moral

commitment and they should not forget their religious, ethical and moral commitment to their society.

There is also a great deal of self-stigmatization among the victims of trafficked women in Bangladesh. Generally people of our country are religious minded. Trafficked women are generally tortured through anti-social work like, commercial sex work, and criminal activities like drug and gun trafficking. All these things are totally prohibited in Islam and in other religions. Engagement in sexual activities of any kind or physical intimacy with known or unknown person immediately instills emotional breakdown sometimes even giving rise to mental trauma in some cases. The individual conformity to the popular norms instigates a sense of guilt and shame in the victim and impedes reintegration into the mainstream society. Many undergo torture (both physical and psychological) and need rehabilitation services. Victims often find it difficult to forgive and overcome the shame involved (Pandey *et al.* 2013). Unfortunately, some victims find it too difficult to return to a normal life and retreat to the places from where they came. It is extremely difficult to reintegrate those women who are voluntarily willing to be trafficked so as to earn money. In this case motivation is very much necessary, because, it is true that, in a good way, earning money is a very difficult thing. On the other hand, once they are being exploited so it would be easier for them to earn money easily by sex trade. For this purpose, along with family the government should also provide facility for those victims through which they can easily earn money by creating special job opportunity for the victims and train them on various programs like handicrafts, embroidery and others related things. Moreover, moral and religious teaching is a must at all level so as to create sensible and God/Allah fearing citizens.

Case Reference of Aleya Khatun

Aleya Khatun, 20 years old, is Muslim, married and completed class three. She was working as a tailor in her residence. There are five members in their family including parents, one brother and brother-in-law. Her father is Md,

Sobed Ali, who is unemployed and her mother is Ms. Monowara Begum. Her brother is a van driver and earns taka 5,000 per month. Her father's residence is at Nangla village in Nowapara union under Debhata upazila in Satkhira district. In 2007, one Rafiqul Islam came to Aleya's residence along with her brother-in-law who is a resident of Shyamnangar upazila in Satkhira district. Afterwards, Rafiqul developed love affair with Aleya promising to marry her. She was unaware that Rafiqul was an agent of trafficking gang and believed him. He took the advantage of Aleya's vulnerability as her parents could not get her married off due to inability to provide dowry. On 5 October 2011, Rafiqul asked Aleya to go to Dhaka to work in garments factory where afterwards they will get married. In fact, Rafiqul took Aleya to India by crossing Bhomra border in Satkhira district and married her without any registration and started to live as a married couple. After a few days, Rafiqul sold her in a brothel in Nagpur but maintained contact with her. Aleya requested him to help her to return to Bangladesh. Later on, in the name of taking her to Bangladesh, he sold her again to dalals of Mumbai. She was exploited both physically and sexually in both the places. In Mumbai, she had to wear short dresses and used as dancer in the bar. The traffickers made her unconscious using drugs and sexually exploited her. Sometimes, she was also sent to hotels with dalals. After 17 days, Aleya escaped from the hotel by crossing over the wall. With assistance of Indian police, she found the way to return to Bangladesh and reached her residence through nearby bordering area of Satkhira district on 22 October, 2011. She was provided free healthcare services including counseling. After 3 months of receiving medical treatment and medicines she was cured. Now she is integrated healthcare services of Information Health Booth as she was relieved from physical, mental and social stigmatization due to its confidential environment. Still community people of her community knows that she had some conflict with her husband without knowing about her being trafficked and suffering from health problems (Bangladesh Country Report, 2012).

Case Reference of Parveen Sultana

Parveen Sultana, 17 years old is Muslim, unmarried and studied till class six but could not continue her studies due to poverty and sudden death of her father. She was staying with her mother who worked as domestic help in the area. Her two sisters and one brother are married off and live in separate families. She resides in Kashibati village of Kashibati union under Shyamnagar upazila in Satkhira district. She was trafficked on 2 April 2012 and was rescued on 4 April, 2012 with the cooperation of community people. In September, 2011, she had fallen in love of one Saidul Islam, a truck driver and resident of Jessore district, after meeting him in a temple nearby her residence. They maintained contact over mobile phone. On 2 April, 2012, Parveen left home to marry Saidul but she did not know that he was an agent of trafficking gang. Saidul took her to Patchpota village under Kalaroa upazila after crossing Satkhira town and stayed with Parveen in his friend's residence who was also a member of the trafficking gang. Parveen was sexually exploited there. On the following day, Parveen could know that Saidul and his friends are members of trafficking gang. Realizing the reality, Parveen requested them to help her. In the meantime, community people of the area rescued her and informed the matter to local Union Parishad member. The Union Parishad member helped her to file a case against the traffickers at Kalaroa police station. She stayed at the residence of a policewoman. After getting information, her elder sister came and took her home the next day. After returning home, her mother restricted her movements and community people also blamed her. Her sisters used to torture her both physically and mentally (Bangladesh Country Report, 2012).

Case Reference of Ashura Khatun

Ashura Khatun, 24 years old divorcee and completed class five. She has a son. Her parents are alive and live from hand to mouth. She was a day labourer when she became a victim

of trafficking. At that time she was living with her son aged 7 years in Ashkarpur village of Nowapara union under Debhat Upazila in Satkhira district. Ashura was allured of better job in Lebanon by her neighbour Abdul Gofur and her wife in December 2011. They also assured her of providing expenses in credit. In fact, the trafficker took her to Mumbai, India in April 2012. She was sold in a brothel and had to wear short dresses and was sexually exploited. The traffickers also forced her to drink and sometimes she became unconscious. She had been exploited for 10 days at a stretch. Afterwards, she escaped from the brothel with help of a client and returned home. After returning home, she could neither tell the incident to community people nor could continue her normal activities. She was passing her days in miserable condition (Bangladesh Country Report, 2012).

The interesting thing was that all the survivors who hid the information about their involvement in prostitution to parents and community, were pretty much concerned that their parents and community came to learn about that. They were absolutely confused about what to say. The question of people's view point made them psychologically upset and they tried their best not to disclose the information. They were in a difficult state as nobody believed them and they could not disclose the truth also. Their parents think that if they acknowledged their girl's involvement in prostitution, people would humiliate them rather than showing sympathy. When they hide the information, people were just guessing and whispering about the survivors and their family. If they would know the real thing, they would make it difficult for the family to live in the society. For this reason, parents and family members along with the survivors hide it from the community people and tolerated community people's suspicion. Due to the Dilemma of hiding the truth, in many cases, they did not want to be reintegrated in their families and society. That is to say, their society and family appeared to them as reluctant to reintegrate them. Consequently, as social outcasts they go away. In many cases, they returned to their earlier profession. It is true that the victims face a

number of barriers and challenges posed by the society but it is also to be mentioned that the society is not solely responsible for this. As mentioned earlier, some victims are voluntarily willing to be trafficked so as to earn money, some of them are willing to be trafficked for extreme poverty where society have a little chance to do something unless their society is ethically and morally sound and religiously accountable and upright one.

Good Governance and Role of Governments, NGO's, INGOs and UN agencies in Combating Human Trafficking

Relevant ministries and departments especially Ministry of Home Affairs, Ministry of Women and Children Affairs, Ministry of Social Welfare are closely working with NGOs, INGOs and UN agencies to combat human trafficking in Bangladesh both at national level as well as in grassroots level. They are also trying to bring other relevant stakeholders in a platform to fight against human trafficking as well as its underlying causes. The Government of Bangladesh made some special efforts to protect victims of trafficking over the last years. The Government of Bangladesh has ratified the key international treaties relevant to modern slavery. Bangladesh is party to the South Asian Association for Regional Cooperation (SAARC) Convention on Preventing and Combating Trafficking in Women and Children for Prostitution (ILO, 2013).

In 20th February, 2012 the Government of Bangladesh has enacted The Prevention and Suppression of Human Trafficking Act-2012 provides the most recent means to prosecute traffickers while the Children Act of 2013 includes provisions for children's rights. This is the first ever a law of Bangladesh where the rules regarding presumption of innocence has been changed to presumption of guilt (Section-18 of The Prevention and Suppression of Human Trafficking

Act, 2012). Section 5 of the said Act ensured the extraterritorial application of the law for the trafficked victim outside Bangladesh. Special Tribunal has been established for this purpose. Section 35 of the said Act directs the Government to establish shelter centre and Victim Support Centre for taking other necessary steps which will be required to reintegrate the trafficked victims. The Bangladesh Labour Act of 2006, Women Development Policy of 2011, the Child Labour Elimination Policy of 2012 and the Children Policy of 2011, also address aspects of modern slavery.

Currently, the Ministry of Home Affairs has been in the lead role of coordinating counter-trafficking activities. There are various committees and sub-committees working under the Ministry of Home Affairs for policy making including inter-ministerial representatives, NGOs and INGOs working on combating human trafficking in a concerted way. Moreover, other relevant ministries are also actively engaged in counter-trafficking activities and are extending their cooperation to the Ministry of Home Affairs in implementation of The Prevention and Suppression of Human Trafficking Act, 2012 in line with National Plan of Action. The National Plan of Action (NPA) for combating human trafficking 2012-2014 determined various activities for all relevant government and non-government agencies under 5 goals. NPA monitoring committee meets on regular basis to assess progress of NPA implementation by concerned ministries, departments, NGOs and INGOs (Bangladesh Country Report, 2013).

In 2007, the government of Bangladesh and India formed RRRRI (Rescue, Recovery, Repatriation and Integration) Task Force (initially started between national government of Bangladesh and state government of West Bengal) and this taskforce gradually developed Standard Operating Procedure to overcome the complex process of rescue-to-integration of trafficked victims in both countries. Bangladesh Government took initiatives to stop cross border human

trafficking through coordination and cooperation of the RRRI task force in India and Bangladesh which has been facilitating by the Focal Points. Additional Secretary/ Joint Secretary of Ministry of Home Affairs took lead the Bangladesh RRRI Task Force with other members from different Government and Non-government agencies in different joint actions concerning Anti-human trafficking policies and practices. District Anti-Trafficking Committees have also been formed by MOHA to monitor activities at the district level. MOHA has also established and maintains an anti-trafficking police monitoring cell at Police Headquarters, Dhaka that maintains statistics on trafficking in persons and follows the progress of criminal cases. To encounter the trafficking-in-person cases and for the prevention of the menace by sensitizing and by making aware of the people, Bangladesh police inter alia give importance to both prevention and protection aspects. Police officers take part in mass awareness, motivational and sensitization programs at different levels in the society including educational and religious institutions. Training institutes of Bangladesh Police have incorporated modules on trafficking-in-persons in different training curricula. In 2013, a total number of 11,325 police officers of different ranks were imparted training on the issues of TIP in 105 training programs. In case of protection in 2013, Bangladesh Police recovered and rescued 1,090 trafficking-in-persons victims among whom 1,051 were rehabilitated to their respective parents and the rest were handed over to the government / NGO run safe homes. Bangladesh Police, with the assistance of the Police Reform Program, UNDP, has undertaken a program of establishing seven Victim Support Centres (VSCs) across the country of which two are in operation. VSCs are the ideal of government-NGO collaboration in supporting the women and children victims of crimes including the victims of TIP (Bangladesh Country Report, 2013). Besides Bangladesh police, different organs of Bangladesh Government like, Border Guard Bangladesh (BGB), Coast Guard Bangladesh, Rapid Action Battalion (RAB) plays a very important role of preventing trafficking-in-persons and trying to reintegrate the

victims into their own family. An overview regarding prevention and prosecution of human trafficking cases by Law Enforcing Agencies in recent years are given below:

Table 3: Progress Summary of Law Enforcing Agencies January-December 2012

Prosecution	No. of cases lodged	209
	No. of accused arrested	128
	No. of cases charge-sheeted	84
	Final report submitted	33
	Under Investigation	92
Case disposed of	Number of cases disposed	45
	Cases ended in conviction	08
	Persons convicted	11
	Cases ended in acquittal	37
	Death sentence	Nil
	Life imprisonment	10
	Other terms	01
Persons acquitted	97	
Number of trafficked Persons (as mentioned in the FIRs)		422
Number of trafficked Persons rescued/recovered:	Police	253
	BGB	19
	RAB	01
	Self	60
Rehabilitation of trafficked persons to:	Parents	325
	Goyt/Safe Homes	05
	NGO	03

Table 4: Progress Summary of Law Enforcing Agencies January-December 2013

Prosecution	No. of cases lodged	366
	No. of accused arrested	458
	No. of cases charge-sheeted	106
	Final report submitted	40
	Under Investigation	220
Case disposed of	Number of cases disposed	42
	Cases ended in conviction	06
	Persons convicted	12
	Cases ended in acquittal	36
	Death sentence	Nil
	Life imprisonment	03
	Other terms	09
	Persons acquitted	119
Number of trafficked Persons (as mentioned in the FIRs)		1312
Number of trafficked Persons rescued/recovered:	Police	441
	BGB	271
	RAB	05
	Self	94
	NGO	13
	Coast Guard	266
Rehabilitation of trafficked persons to:	Parents	1051
	Govt/Safe Homes	39

Source: Bangladesh Country Report, 2012 & 2013 (Combating Human Trafficking)

There are several NGOs in Bangladesh which are working on human trafficking. Among them Bangladesh National Woman Lawyers' Association (BNWLA) has been working to fight against human trafficking in Bangladesh for last three decades as a pioneer human rights organization in Bangladesh. The organization has also been working to provide legal assistance to ensure rights of trafficked victims, migrant workers and their family especially for woman and children through delivering legal aid, psychosocial support, shelter support, rescue/release, repatriation, research on various issues on safe

migration, trafficking and especially for women and children. Through BNWLA 143 survivors were reintegrated into their own family in 2010 and 102 survivors were reintegrated in 2011 through psychological counseling, vocational training, job placement and livelihood support based on specific need from survivors (BNWLA, 2011).

Table 5: Achievements of BNWLA in Protection: Rescue/Release and Repatriation of Survivors of Trafficking 2013

Activity	Total Achievement
Rescue/release	170
Repatriation	235
Reintegration	225
Livelihood support/job placement	10
Shelter support	230

Table 6: Achievements of BNWLA in Prosecution: Trafficking related Cases 2013

Activity	Total Achievement
Number of cases lodged	17
Trafficker arrested	21
Case under investigation	15
Charge sheet	15
Case on trial	17

Source: Bangladesh Country Report, 2013 (Combating Human Trafficking)

Besides BNWLA, various NGOs like Centre for Women and Children Studies (CWCS), Dhaka Ahsania Mission, Rights Jessore play a very important role in combating human trafficking and work hard for reintegrating trafficked women.

Like the NGOs some INGOs also play a very vital role for combating human trafficking. Such as, International Organization for Migration (IOM) established a Document Verification Centre which verifies visa and passports of potential migrant workers at Bureau of Manpower,

Employment and Training (BMET). This advanced verification unit minimizes chance of labour trafficking. Besides, IOM organized an orientation session and press conference for media personnel in Khulna on the Prevention and Suppression of Human Trafficking (PSHT) Act 2012. IOM supported its partner NGO, the Bangladesh National Women's Lawyers Association (BNWLA) to provide services to the victims of trafficking including labour trafficking. In 2013, 55 victims of trafficking were supported by transport, shelter, food, medical and legal support. In 2013 IOM provided trainings for the law enforcement agencies. A total of 33 Investigation Officers were trained by IOM on Investigation Techniques for Human Trafficking and Other Transnational Organized Crimes. Besides, a total of 225 Special Branch (Immigration) Officials were trained by IOM on Human Trafficking and Migration issues including the legal regimen (Bangladesh Country Report, 2013).

Different UN agencies, like UNICEF Bangladesh are providing support to contribute towards developing a structured and harmonized system, especially on the area of rescue and repatriation within the government mechanisms, mainly through the Task Force and Secretariat in a friendly manner. In 2012, RRRI Task Force Cell collected information of Bangladeshi trafficked women and children who had been rescued by the Indian police through e-mail communication. Then they were living at different shelter homes in West Bengal, India. The RRRI Task Force Cell has also speeded up the process of nationality verification of a total number of 752 (330 women, 190 boys and 232 girls) trafficked victims by the Special Branch, Bangladesh Police (Bangladesh Country Report, 2012).

It is commendable to see the reintegration process but in reality the rate of trafficking is still not reduced. To stop this ethical, moral and religious knowledge are very important. This knowledge should be given to the victims as well as to the offenders also. Sometimes ethics, morality and religious knowledge might work over the anything. Though the government and NGOs initiated different program for

reintegrating the trafficked women but besides this society must come out with the ethical, moral and religious knowledge so that all the initiatives can bear the expected fruits.

Conclusion and Ideas for Future Approaches

Human trafficking, particularly trafficking in women and children is one of the fast growing organized crime in the world. It is also a transnational crime and people's smuggling is related to the crime. Series of this harmful practice within society and the country as well as international business lead to commit such heinous crimes. Therefore, not only migration process but also many other internal and international issues, policies and interventions are required to combat human trafficking.

Reintegration means not only gaining the economic self sufficiency but also to live in friendly atmosphere where they can feel as other in mainstream society. Reintegration program is considered as an important mechanism to help the survivors in their reunification within family and community. It is really difficult to find out an appropriate solution for reintegration of trafficked women.

The reintegration of victims of trafficking faces various challenges which include a number of root causes such as poverty, lack of livelihood opportunities, gaps in social protection schemes lack of ethically and religiously healthy environment, etc. To reintegrate women into their family various types of care and supports are needed like, safe and secured shelter at bordering districts, healthcare services including counseling with confidentiality, recreational facility, moral, ethical and religious education, safe return to their family, life skill training and opportunity to be involved in Income Generating Activities (IGA). Among these, income generating support would judge to be the most effective elements in reintegration which can help the victims to start small businesses and support their families.

On the other hand, job seeking support has been the most effective element of care for many women. Life skill training and capacity building training such as, business set-up, social mobilization, beautician, painting, handicraft, furniture making, crockery, embroidery, tailoring, driving, computer training, and journalism training can be popular among the women. For the purpose of reintegration of the trafficked women government along with the NGO's may provide the aforesaid supports towards the victims. They also can be provided with monetary support from The Human Trafficking Prevention Fund which to be established according the section 42 of the The Prevention and Suppression of Human Trafficking Act, 2012. If the government and the NGO's provide SME loan (SME loan is the financial support in the form of loan for Small and Medium sized enterprises) to the victims with a very small rate of interest and make installment system in buying their basic things in establishing their dreams then it would become very easier for the trafficked women to settle with their family or society.

Besides this the following policies may also be implemented such as:

- For sustainable achievement in reintegration activities, economic well-being of survivors needs to be ensured by improvement of socio- economic condition meaning eradication of poverty, illiteracy, gender discrimination and vulnerability is the first requirement.
- Alternative livelihood options are to be created like vocational and technical training along with scope of using that training is to be prioritized.
- The GO and NGOs should maintain confidentiality about survivors in local area in the time of reintegrating women.
- Government's Social Safety Net programs have to be extended and focused on vulnerable women especially survivors and potential victims of violence against women especially trafficking.

- GO-NGO as a body may take collaborative effort to reduce trafficking of human beings and play a vital role for reintegrating trafficked women by providing various micro credit programmes.
- Government should collaborate with NGOs and donor agencies to arrange reintegration programs and also advocate the rights of survivors in every spheres of life by providing SME loan to trafficked women without zero percent interest.
- Trafficked survivors should be given various facilities in cash and kind at a broader level to recover from past memories and to think positively about their reintegration.
- Formation of voluntary groups is needed to reach all community people to change their mind. It will help to reduce the stigma and ease the process of reintegration.

Above all, ethical, moral and religious education and practice thereof must be the most important factor to be provided to all by the government as well as social workers and NGOs so as to make the citizen upright, without which no treatment would bear any fruits.

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A Study on the Protection of e-Commerce Sites from DDoS Attacks

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Abstract In this paper, the authors attempt to explore the features of common DDoS attacks and the resulting security issues on e-Commerce sites, and presents the probable protection mechanisms to them. Due to security threats, the authors experienced 30% less orders and revenue from the literature and their own experiences. DDoS attack works as a barrier to e-Commerce revenue gain worldwide. It is estimated that there are an average of 7,000 such attacks on a single site of mid level business enterprises every day, although not all are detected or reported by its targets. We discuss on different types of DDoS attacks, damages it cause and how to prevent them. It is recommended that the network administrators should remain aware of the new flaws from the Internet and immediately get the patches and block unwanted traffic to keep the e-Commerce system secure and protected. Mitigating DDoS attacks requires awareness, planning, a comprehensive approach and expertise help. By using ICMP flood and SYN flood protection tools of CSF firewall and setting .htaccess file restriction, 39% DDoS protection is possible. We may use CIDR notation, country code block option and .htaccess file in the CPANEL to reduce GET flood, UDP flood, HTTP attacks and other DDoS attacks. Mitigating DDoS attacks requires awareness about networks and identifying real customers or users. Incidentally, our discussion is limited to the technical aspects of DDoS attacks and the security issues on the e-Commerce sites and the challenges to the financial loss, reputation and ethical aspects to combat DDoS only.

Keywords: DDoS, e-Commerce Security, BOTNet on e-Commerce, Attacks on e-Commerce, DDoS Protection, .htaccess File

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Introduction

A Distributed Denial of Service (DDoS) attack is targeted at e-Commerce or online shopping websites with a view to overwhelming network bandwidth or server resources, thus denying access to one's site from legitimate customers. The server is the workhorse for e-Commerce; server availability and security are the key factor to keep the e-Commerce business alive and successful. DDoS attack is one of the main threats to e-Commerce and the current Internet architecture made it easy for attackers to mount and remain unaccountable for such attacks. Distributed denial of service (DDoS) is a rapidly growing security threat to e-Commerce sites. The global e-Commerce revenue is rising each year, companies that conduct a high percentage of their business over the Internet are increasingly being vulnerable to DoS (denial of service) and DDoS attacks. If a site is unavailable or transactions cannot be processed due to DoS, brand loyalty and reputation can be adversely affected often for months after the DDoS attack itself. DDoS Protection is now an essential layer of security for e-Commerce companies. Industry analyst firms estimate the cost of a 24 hour outage for a large e-Commerce company can approach USD 30 million (Global DDoS Attack, 2012). The goal of most DDoS attacks is to force the targeted computing resources completely offline. Figure 1 depicts DDoS attack targets.



Figure 1: DDoS attacked sites by areas of activity

DDoS attacks are often the weapon of choice for the criminals who target Internet sites. During legitimate web use, when a user accesses a website, a request is routed to the corresponding server to view the contents of a web page. However, web servers and supporting infrastructure including routers, firewalls, switches, can only process a maximum amount of traffic at a given time. Once this limit is reached, additional requests are unable to connect, preventing other visitors from accessing the site's services in a timely manner. Damages from DDoS attacks can amount to loss of millions of dollars of revenue for the affected company, not to mention the losses in productivity and tarnished company reputations (DDoS Attack and Impact Survey, 2012).

That is the reason e-Commerce companies need DDoS protection to save financial loss. Unfortunately, e-Commerce sites are among those most commonly targeted for DDoS attacks by cyber criminals. While a prolonged distributed denial of service attack or repeated series of DDoS attacks can result in revenue loss, e-Commerce providers do not have to be passive victims. This attack can be either against the machine to force it to crash, or against the network connection to force heavy packet loss. It is no secret that the easiest way to ruin someone's online business is to attack his/her website and knock it offline. Many online entities are unaware of such attacks, erroneously associating spikes in traffic and system slowdowns with normal fluctuations or changes in demand patterns. But DDoS attacks are ubiquitous, constantly preying on the websites and servers of a wide variety of online businesses and organizations from all points on the Internet spectrum. DDoS attacks can range from simple network attacks to DNS attacks to HTTP attacks. They can be volumetric, designed to overwhelm a host and make it unreachable, or attack application layers, targeting a specific service on the host. Attackers are relying on shorter, more powerful bursts of traffic for online onslaughts.

Understanding DDoS Attacks

A DDoS attack has been widely known to take down large enterprise websites as well as web hosting companies. They are effective attacks as they mimic traffic in a high volume and this traffic is sent directly to a server in an excessively high amount which overloads the server with requests. Too many requests will drain resources and cause a website to go offline. The server shuts down because it cannot handle such a high amount of traffic suddenly hitting the server. This result is a loss of revenue for an e-Commerce site because users can no longer access the site.

a) Targets of DDoS Attacks

Any website, no matter how large, can receive a DDoS attack. If you do not protect yourself, you can become a victim of a DDoS attack. Some DDoS targets are obvious: online gaming sites, financial services firms, and payment processors, for example. But we are learning that any company or web site could be a target. In the cyber underworld, it is possible to rent 80,000 -120,000 hosts capable of launching DDoS attacks of 10 to 100 Gbps – more than enough to take out practically any popular site on the Internet for just USD 200 per 24 hours (DDoS Attack and Impact Survey, 2012).

b) Know Your Network

Understand the types and volumes of traffic on your network, in detail. Know wherefrom traffic comes in, where it goes out, what it is etc, and understand how much more there should be for a given time of day and day of the week (Fujian Liu, 2005). If we can have this level of visibility of our traffic at layers 3, 4 and 7, then we can pro-actively identify changes from the norm which might indicate an attack or reconnaissance activity prior to an attack.

c) Know What to Block and Where to Block

If you operate online services, restrict access to those services to only the protocols and ports which are required. If you have a large number of repeat users / important customers develop a white list system of their addresses so that their traffic can be passed during an attack even if everything else must be dropped. Getting visibility of the traffic on your network will help identify the ports, protocols and repeat users for this. Use your infrastructure wisely. If you need to restrict access to an online, service or block attack traffic you should use your firewalls. Blocking traffic before it reaches your network perimeter protects your upstream links from becoming saturated during an attack. Some service providers have automated processes whereby customer can have traffic to / from particular sources blocked in this way. Make sure you ask your host provider what security precautions that they have take to prevent such an attack. In the online retail world, you have to make sure your e-Commerce site is available to your customers 24/7. If not, you could lose a lot of money in sales. Make sure your web host emphasizes security of their servers. In the world of e-Commerce, it is vital that a business employ various security technologies to protect their websites, including DDoS security firewall.

Types of DDoS Attacks

Distributed denial of service (DDoS) attacks on root name servers are Internet events in which distributed denial of service attacks target one or more of the thirteen DNS root name server clusters. The root name servers are critical infrastructure components of the Internet, mapping domain names to IP addresses and other resource record (RR) data. Attacks against the root name servers could, in theory, impact operation of the entire global DNS, and thus all Internet services that use the global DNS, rather than just specific websites. However, in practice, the root name server infrastructure is highly resilient and distributed, using both the inherent features of DNS, a combination of any cast and load balancer techniques used to implement most of the thirteen nominal individual root servers as globally distributed clusters

of servers in multiple data centres (Global DDoS Attack, 2012). ICMP Flood types DDoS attacks percentage 21.84, UDP Flood 20.11 percent and SYN Flood 19.54 percent as shown below in Fig. 2.



Figure 2: Total DDoS Attack Types in Percentage

In most cases they look just like regular user requests, making it difficult to filter them out. This makes this type of DDoS attack more popular among cyber criminals than others. SYN Flood attacks are the second most popular type of attack. During such attacks; botnets send multiple data packages to the web server in order to establish a TCP connection. Cyber criminals manipulate packages so the server connections are left half open rather than established. Since a server can only maintain a limited number of connections at any time and botnets can generate lots of requests in short periods of time, the targeted server soon becomes unable to accept connections from regular users. From the figure 3, we can detect that China is the number one DDoS attacking source countries rank, Turkey, India and Pakistan accordingly. The success of a DDoS depends on the failure of the compromised networks to detect and eradicate the master and slave programs.



Figure 3: Top Source Countries

This failure could be caused by a number of reasons: lack of system administrator experience, lack of base security standards for each machine, lack of intrusion detection software to notify the admin or a management decision to not get involved.

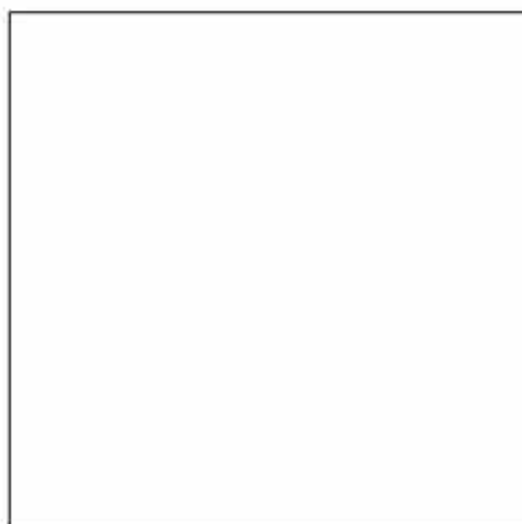


Figure 4: Some IP address out of thousands during DDoS Attack

a) `netstat -anpl|grep :80|awk {'print $5'}|cut -d":" -f1|sort|uniq -c|sort`

```
b) netstat -an > nstat; for i in `cat nstat | grep :80 | awk
' {print $5}' | awk -F : '{print $1}' | sort | uniq`; do echo -n
"$i = "; cat nstat | grep -c $i;done | grep -v "= \ 0"
```

These scripts help to find out number of IP accessing your websites and most of the loads coming from Apache or MySQL. Then check those IP address by whois IP address / domain name location software or site. The architecture of the attack consisted of thousands of compromised servers hosting web vulnerable applications. The attacks targeted a distinct number of services, including HTTP, HTTPS, and DNS. The majority of the infrastructure attacks came in the form of SYN floods, which consisted of 25.83 percent of all infrastructure traffic. SYN floods continue to be a popular and effective attack type due to the simplicity of how the attack executes, the ability to spoof origin IP addresses, and the fact that many of DDoS botnets have SYN flooding capabilities as a primary functionality. The second most popular type of infrastructure attack type came in the form of UDP floods. An increasingly popular method of sending UDP attack traffic has been through the use of booters, which are PHP scripts deployed on web servers. This list represents the top ten overall ASNs that have sourced malicious traffic to our infrastructure. This data does not represent IP addresses that did not pass our anti-spoof mechanisms.

Table 1: Top Source Countries Autonomous System Number Counts (Global DDoS Attack, 2012)

Country	Registry	ASN	ASN count
China	apnic	18365	2936695
Turkey	ripenc	9121	336784
India	apnic	9829	213768
Pakistan	apnic	45595	183957
Venezuela	apnic	45899	147005
Indonesia	apnic	17974	125072
Egypt	afrinic	8452	101325

Common Targets of DDoS Attacks

Understanding the most common motivators for DDoS attacks confirms the reality that all online businesses and organizations are at risk. There are four major categories within which nearly all DDoS attacks fall. One common motivator is hactivism, in which social and political protests take the form of DDoS attacks. Groups like Anonymous have gained some measure of media notoriety by taking down some of the world's most prestigious companies and brands. A second reason DDoS attacks occur is extortion and other financial motivators. Extortion attempts typically involve a threatened DDoS attack if a ransom is not paid by a specific deadline. The attacker seeks a substantial ransom payment by threatening the e-Commerce with the even more substantial financial loss that will be incurred in a DDoS attack (DDoS Attack and Impact Survey, 2012). A third motivator for DDoS attacks is cyber crime, cyber espionage and hate crimes. Such attacks can come from competitors, disgruntled customers, former employees, or a group of hackers intending a hate crime. A fourth major category of DDoS attack motivators is instances of hacker experimentation, challenges between hackers, or attempts to gain prestige among peers. Financial institutions and e-Commerce sites with substantial assets controlled by online systems are promising victims for extortionists. Companies in highly competitive businesses, gaming sites and online organizations tied to specific minority, religious or alternative lifestyle groups may be more vulnerable to cyber crime and hate crimes. The classes of DDoS attacks are more random, making any online business or organization a potential target.

Severity of the Threat Damages

Due to the holiday shopping season, attack report observations on the e-Commerce sector. The monetary costs of a DDoS attack vary widely; all agree that such costs are substantial. Research indicates that such losses can range from USD90,000 per hour to USD6.5 million per hour, and

that the average loss of revenue per hour during a Layer 7 DDoS attack is USD220,000. The Neustar survey revealed that 70 percent of retailers state that outages cost more than \$100,000 an hour more than \$2 million a day (DDoS Attack and Impact Survey, 2012). These and other findings indicate that the damages caused by DDoS attacks are high, and depend on the specific operational features of the target. Outages can cause significant damage to a company or organization's reputation and future business. The financial impact of a DDoS attack can be devastating. It is notable that data showed this sector received a disproportionately high percentage of Layer 7 attacks (40%). Average attack duration for e-Commerce was 80 hours with an average attack bandwidth of 622 Mbps. Attack duration directed at this vertical was significantly higher than normal (Global DDoS Attack, 2012). The majority of application (Layer 7) attacks came in the form of HTTP GET floods, making up approximately 19.33 percent of the total. This can be partially attributed to the fact that the majority of commercial and public DDoS kits make use of GET floods as their standard method of attack. GET floods are potent because they overwhelm the application running the web server and the flood may initially appear to be legitimate traffic, requiring additional mitigation controls to be implemented. SSL GET floods add an additional strain to the victim web servers as processing power is utilized to decrypt incoming traffic. The multiple DDoS as a Service websites will often specify the type of attack options available and Layer 7 attacks are among the more popular choices.

Case Study on DDoS Attacks Source: Internet

a) A DDoS Attacks on Wikileaks

The largest DDoS attacks of the year are those that targeted Visa, Master Card and PayPal. Related to Wikileaks, they were both Anonymous and the revelation of the first example of what was later called the "cyber-riot" with "cyber-passers" who join voluntarily in the attack (DDoS Attacks, 2011).

b) DDoS Attacks on the Sony PlayStation

It was a shock for many players, for customers and investors. The attack on the Sony Play station Network was the first of a long series of cyber attacks and data theft to the group's subsidiaries and Sony have strongly affected both revenues and in terms of image and of reputation.

c) DDoS Attacks of the CIA and by SOCA LulzSec

The appearance of LulzSec on the stage of cyber attacks, highlighted by DDoS attacks by the CIA and the U.S. Agency UK Serious Organised Crime Agency (SOCA), raises the question of whether someone is really safe on the Internet.

d) WordPress DDoS

This massive DDoS attack has disrupted one of the largest blog sites in the world, welcoming almost 18 million sites. The massive attack hit data centres of companies with tens of millions of packets per second.

e) Hong Kong Stock Exchange

DDoS attack had a major impact on the world of finance, disrupting the stock market in Hong Kong (DDoS Attacks, 2011). Its consequences were multiplied, potentially affecting hundreds of companies and individuals across a single target.

Keys to Mitigation of DDoS Attacks

a) Develop a Battle Plan

Every online business or e-Commerce needs a contingency plan for DDoS attacks. Such a plan should incorporate strategies for detection, defense to be raised when an attack occurs, and methods for monitoring attacks in progress, attack recovery provisions and post attack notification of law enforcement (DDoS Attack and Impact Survey, 2012). The

plan should also specifically assign responsibility for DDoS protection, identify key contact people, and establish a process for managing communications through a single point of contact.

b) Comprehensive Approach

DDoS attack methods evolve and adapt as rapidly as technology itself and there is no single technique, system or tool capable of handling the broad spectrum of potential threats. Rather, a layered approach to security that integrates the most effective approaches and technologies gives target organizations the best response to DDoS attacks. Such a comprehensive approach enables the target to detect and identify bad traffic, stabilize the situation, identify root causes and key attack vectors, and filter traffic until the threat subsides.

c) Protecting DNS Servers

DNS is a distributed naming system that provides access to the Internet using names recognizable and easy to remember, such as `www.your-domain.com` instead of numeric IP addresses like `192.168.0.1`, for example. You can use CDN service to keep your DNS safe. The network infrastructure is based on the system to route messages from one computer to another. As the DNS infrastructure is distributed, many organizations operate and maintain their own DNS servers to make their systems visible on the Internet. These servers are often the target of DDoS attacks (DDoS Attack and Impact Survey, 2012).

d) Know Your Real Customers

DDoS attacks like brute force or flooding are relatively easy to identify, but they require a real time analysis, high performance and sophisticated to recognize and block the attack traffic while allowing legitimate traffic. In the same way as fraud detection credit card can be automated DDoS

defense systems installed on site establish legitimate use patterns to identify suspicious traffic and respond accordingly.

e) Maintain Constant Vigilance

Most promising computer security institutes will issue an IP address to point your DNS to and some can even host it for you (DDoS Attack and Impact Survey, 2012). All traffics to your website will be redirected through structured networks and probably filters and analyzing dropping any malicious traffic and you will be receiving forwarded legitimate websites. Results will be that the attackers will never be able to see your real IP as a targeted site and your user will not be affected too.

f) Use Firewall and CIDR Notation

A web server or web application firewall, either a hardware appliance or software solution, is placed in between the client end point and the web application. We can configure Config Server Security and Firewall from Web Host Manager main account. The System administrator can block or allow any region or port using country to CIDR allow/deny

```
cc_deny=,  
cc_allow=,  
cc_allow_filter=,  
cc_deny_ports=  
cc_allow_ports_tcp  
cc_allow_ports_udp
```

The CIDR blocks are generated from the Maxmind country database and entirely relies on that service being available, Specify the two-letter ISO Country Code(s). The IP table's rules are for incoming connections only. Each option is a comma separated list of CC's, e.g. "US, GB, BD, IN". In CSF firewall there is SYN Flood, ICMP and UDP protection tools available; here security expert can set value 0 to disable this kind of DDoS attack.

g) Set up Access Restriction on HTTP Port

We can set up access restriction using `.htaccess` configuration file. `.htaccess` is a configuration file for use on web servers running the apache web server under CPanel. These `.htaccess` files can be used to alter the configuration of the apache server to enable or disable additional functionality and features that the apache server has to offer. To set up visitors restrictions and deny `.htaccess` file follows the main instructions:

```
order deny, allow
deny from all
allow from 61.247.176.18
allow from 114.134.92.50
allow from 10.160.7.1
```

These lines tell the apache server to deny all visitors except those with the IP address.

h) Take Expertise Help

Expertise is an essential element in effectively mitigating DDoS attacks. There is no substitute for extensive experience and knowledge in preparing for and handling such attacks (DDoS Attack and Impact Survey, 2012). The multi level framework required for reliable protection is difficult for most online businesses and organizations to develop and manage in-house. When an attack is in progress, decisive and rapid action is required to minimize losses. A trusted mitigation service provider with the requisite security expertise is an invaluable partner, assuring that online assets and network availability are aggressively protected.

Conclusion

DDoS attack is one of the main threats to e-Commerce and the current Internet architecture which made it easy for attackers to mount and remain unaccountable for such attacks. The business costs of such attacks range from monetary damage directly associated with the disruption itself to the longer term implications for the company's reputation, competitiveness and brand. DDoS attack is an evil work and

not an easy job to protect it. DDoS attacks pose a threat to any business or organization with an online presence. From the Figure no 3 and table no 1, we can see that 70% DDoS attacks on e-Commerce sites are from China, its register under apnic and ASN count is maximum. Authors experiments on identifying DDoS attacks by source IP address and prevent them one by one using CIDR and country code allow or deny option, as well unwanted access on http port using .htaccess file. Complex attacks of this nature are particularly damaging in that they can cause significant losses for the financial institutions as well as their clients. They range from monetary damage directly associated with the disruption itself to the longer term implications for the company's reputation, competitiveness and brand loyalty. The great complexity of the DDoS problem suggests that its solution will require the use of multiple defenses, such as filtering traffic, trace back, and pushback systems. This paper provides guideline as to how to detect DDoS attacks and how one can prevent these types of attacks.

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HUMAN RIGHTS PERSPECTIVES AND SOCIAL JUSTICE. By Muzafer Assadi (ed.) pp. x + 277, tables, diagram, figures, index, 2010. Serials Publications: New Delhi. Hard cover. Price 895/- Rs.

The editor, Professor Muzafer Assadi, of the Department of Political Science, University of Mysore, in his 'Introduction' to this volume, starts with the line, "The book which contains a judicious and beautiful collection of twenty one articles on human rights and human rights applied to various other fields" (p. vii). This line amply suggests how casually the editor has presented the 'Introduction'; he has not cared to recheck the opening line he has written. I wonder why there is repetition of 'a judicious' twice. This is not a printing error.

Without discussing the 'human right perspectives' in the present day context, the editor immediately starts giving summaries of the articles presented in this volume.

The volume contains 21 articles. Two articles have been presented by Bangladesh scholars on child labour, they have presented an intervention model and policies. Some of the articles are interesting and very informative, like, 'Islam and Islamic discourse on human rights'. Another article by Md. Rezaul Karim, is on 'Ethnic and religious minorities in Bangladesh Civil Service'; 'Human rights awareness among tribal and non-tribal higher secondary school students: An empirical study' by Pradeep Kumar K. This study was conducted among the students of Wayanad district. Anjali Chandra has discussed on 'Human rights and emergence of Satnami Panth in India' based on a study in Kharaura block of Raipur district. Anjali has explored and analyzed the reasons behind the large scale deprivation of socio-economic benefits to Satnami Panth, through the perspective of human rights.

There are also general essays on 'Human rights and social justice'; 'Judicial activism'; 'Consumer Protection Act'; 'Education and health of girl child'; 'Social exclusion and inclusive education'; 'Social analysis of migrant labourer; and a few other general articles, not directly concerned with human rights, or initiating awareness of rights.

This volume would be helpful to the students who are interested in involving themselves in human rights activities among the deprived population groups of India.

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