

The Impact of EV Vehicles in Bangalore Region: A Case Study

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Abstract: India has most transportation activity happening with motorized vehicles which use petroleum diesel and natural gas. This is the major source of pollution, giving rise to the carbon footprint. The use of non-renewable sources results in the fast depletion of natural resources leaving nothing for future generations. To address this issue the government has notified the Ministry of Heavy Industry and Public Enterprise and curated the nation's electric mobility mission plan for the year 2020 to address the Major issues and environmental challenges. The best alternative we have in this critical situation is a very efficient, reliable, and affordable electric vehicle. The recent trend in the breakthrough of electric vehicles, i.e., EVs with its top-notch technology and affordable battery backup has shown promising adoption by the citizens of India. This has encouraged the government of India to take various measures such as FAME- “faster adoption and manufacturing of hybrid and electric vehicles”. The objective of the study conducted in the Bangalore region is to find out the impact of electric vehicles in the city.

Keywords: Public Enterprise, Heavy Industry, electric vehicles, environmental sustainability, EV manufacturing.

Introduction

The growing popularity and acceptance of electric vehicles (EVs) puts the automobile industry on the cusp of a revolutionary period. Globally, the electric automotive scene has changed dramatically, with electric vehicles (EVs) becoming a viable substitute for conventional internal combustion engine automobiles. Consumer attitudes toward electric vehicles have become a crucial component of the ongoing mobility revolution as worries about environmental sustainability and the demand for energy-efficient transportation grow. In this context, customer disposition refers to the intricate interactions between attitudes, perceptions, preferences, and behavioral tendencies that people show about electric vehicles. It encompasses a wide range of variables affecting the decision-making process, such as awareness and knowledge about EVs, infrastructure for charging, government regulations, environmental conscience, and the perceived advantages and difficulties of adopting electric vehicles. Knowing how consumers feel about electric vehicles is not just a market research exercise, it is also a crucial factor in determining the future of environmentally friendly transportation. Recognizing the complexity of consumer attitudes and the dynamic relationships that influence the changing acceptability landscape of electric vehicles, is crucial as we begin this investigation. This introduction lays the groundwork

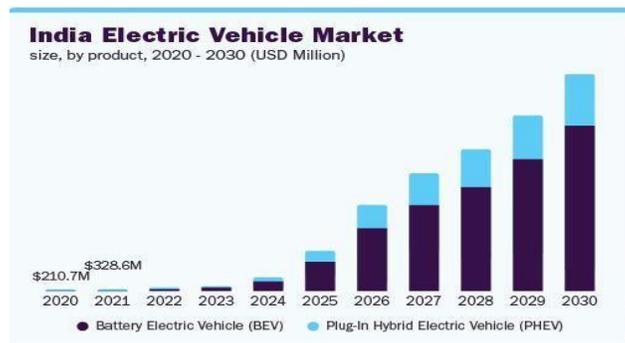
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for an in-depth exploration of consumers' thoughts, revealing the complex web of assumptions, expectations, and factors that shape their opinions about electric cars. We hope to offer light on the opportunities and problems that manufacturers, governments, and stakeholders face in their quest for a cleaner and more sustainable automotive future by exploring the subtleties of customer disposition in the city of Bangalore.

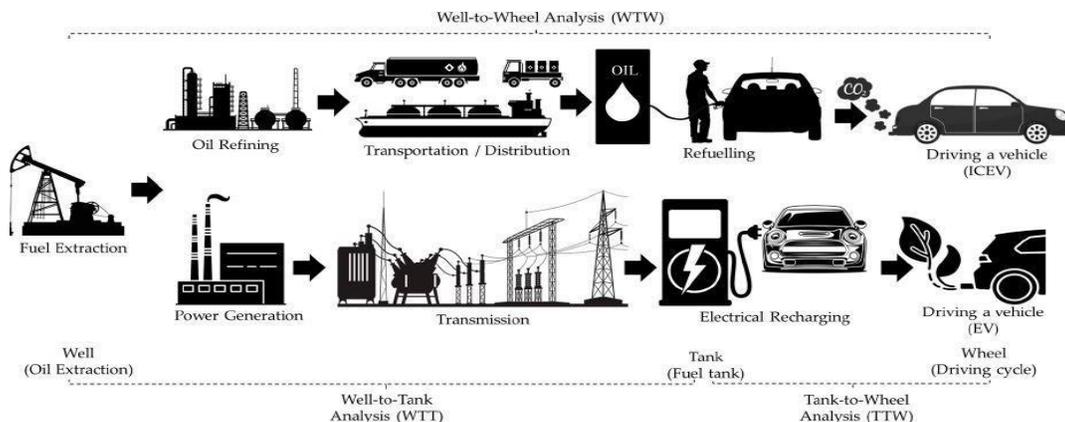
The EV Economy: Automotive Transportation's Future

With the help of developing charging infrastructure and battery technology, electric cars (EVs) have become increasingly popular worldwide as cleaner travel alternatives. Manufacturers and officials in India, the world's third-largest vehicle market, are working together to promote environmentally friendly solutions. The automobile industry, which provides a large amount of employment and contributes 7.1% of India's GDP, is undergoing a major transformation. The domestic EV market in India is expected to grow at a 49% CAGR between 2022 and 2030, with a target of 10 million sales annually by that time. It is anticipated that this expansion will create almost 50 million jobs. The government's goal of having 30% of the fleet electrified by 2030 is bolstered by legislation, incentives, and a significant increase in funding for EV manufacturing, the use of hydrogen fuel, and developing technologies in the FY24 Union Budget.



A Highlight of The Vehicle Life-Cycle Approach

The study compares the carbon emissions of conventional internal combustion engine vehicles (ICEVs) versus electric vehicles (EVs) using a well-to-wheel (WTW) life-cycle approach. WTW includes all aspects of energy flow, including the extraction of fossil fuels and vehicle operation. Every power source's whole value chain is covered by the analysis. Figure 1 illustrates stages from fuel extraction to vehicle operation for both ICEVs and EVs, using gasoline as a reference for ICEVs. In ICEVs, the well-to-wheel approach comprises "well to tank," involving energy source extraction, fuel transport, and tank filling, and the second part of the approach contains "tank to wheel," involving energy utilization for vehicle motion.



Essentials Impacting Customers Use of Electric Vehicles (EVs)

Consumers' functional and emotional demands are being met by a multitude of variables that are driving the adoption of electric cars (EVs) as the automotive industry faces a dramatic change toward sustainable transportation. The following important variables have a significant impact on consumer preferences and choices regarding the adoption of EVs.

Leading predictor of customer adoption of electric vehicles (EVs):

- Drive comfort
- Speed performance
- Digital dashboard display
- Battery life and warranty benefits
- Exterior and interior design
- Eco-friendly
- Cost-effective
- Battery charging stations
- Financial support from the government
- Mobile applications Staff hospitality when making reservations for maintenance services
- Message alerts for timely maintenance and service reminders
- The attitudes of technicians both before and after maintenance services
- Aftercare and timely maintenance services
- The availability of genuine replacement parts

Analysis Of Zone-Wise Sales in Bangalore

With the advent of electric vehicles (EVs), the dynamic automotive environment of Bangalore is witnessing a wind of change. This essay explores the complex web of consumer opinions about electric vehicles in Bangalore, illuminating the variables that influence attitudes and perceptions.

Bangalore continues to lead in sales of EVs. With a strong focus on manufacturing, this region has been able to garner investments and contribute to substantial development across the EV value chain. The region has maintained a strong focus on enhancing its R&D capabilities and has been a catalyst in creating synergies within the ecosystem by involving multiple stakeholders as the segment grows.

Analysis of zone-wise sales in Bangalore

Bangalore North			
EV segments	2022-23	2021-22	Y-o-y growth
2-W	29,004	13,428	116%
3-W	637	376	69%
PV	999	622	61%
Total	30640	14426	112%

Bangalore East			
EV segments	2022-23	2021-22	Y-o-y growth
2-W	102,912	41,290	149%
3-W	4,780	2,947	62%
PV	5948	1838	224%
Total	113,640	46,075	147%

Bangalore West			
EV segments	2022-23	2021-22	Y-o-y growth
2-W	44,399	11,404	289%
3-W	2,714	1,205	125%
PV	5,051	2,230	127%
Total	62,164	14,839	252%

Bangalore South			
EV segments	2022-23	2021-22	Y-o-y growth
2-W	66,773	35,679	84%
3-W	2,739	1,860	47%
PV	4,574	1,186	286%
Total	73,086	38,725	89%

The significant influence that Bangalore has on the EV ecosystem in India is demonstrated by the fact that these four zones accounted for about 22% of all EV sales in FY 2022–2023.

With a 2% penetration rate, Bangalore leads India in sales of electric photovoltaic systems, followed by Karnataka (1.1%) and Tamil Nadu (1%). The percentage of electric cars (EVs) in passenger vehicles (PVs) across the country is 0.8% on average. Delhi has the greatest penetration rate of electric two-wheelers (E2Ws) at 9.6%, followed by Karnataka (8.6%) and Kerala (7.3%). In India, the average rate of E2W penetration is 4.5%.

Bangalore is becoming a hotspot for green mobility solutions in terms of technology, offering services like energy infrastructure, battery management systems, charging solutions, and sustainable mobility. Commercial applications in the logistics and fast-moving consumer goods (FMCG) industries are being driven by this expansion.

Findings

1. As India speeds its migration to electric vehicles, emerging consumer needs features, channel preferences, charging infrastructure, and flexible ownership arrangements. With 70% of Tier 1 Indian vehicle buyers saying they would be prepared to explore an electric vehicle (EV) for their next vehicle purchase well above the global average of 52%—the nation is well-positioned for an electric vehicle (EV) future.

2. The market for internal combustion engine (ICE) vehicles has grown recently, but the swift shift to electrification marks a significant turning point. Global climate policies are driving the commitment to accelerate the adoption of electric cars (EVs). Examples of government programs that support this goal include the Faster Adoption and Manufacturing of Electric Vehicles (FAME) plan and city-level access regulations for ICE vehicles.
3. With automakers aiming for cost parity with internal combustion engine vehicles and increasing EV accessibility, the industry is expected to reach 10-15% penetration by 2030. Results from our 1,200-person, December 2022 India Mobility customer Survey shed light on customer attitudes and apprehensions regarding electric vehicles, with particular attention paid to sustainability, the availability of charging stations, and the changing nature of the online shopping experience.
4. The majority of consumers favor electric cars (EVs) due to the growing importance of sustainability. Consumers generally agree that the transition to electric vehicles will quicken. The vast majority of people are thinking about electric automobiles (EVs) for their future vehicles. Out of those, plug-in hybrid electric vehicles are favored by 21%, while full-battery electric vehicles are chosen by 49%.
5. These decisions are consistent with the results of our research on electric two-wheelers, which showed that 86% of consumers would consider buying an EV compared to 69% who would consider buying an ICE vehicle. This demand for EVs is being fueled by several factors.
6. Potential purchasers list the impact on the environment (67%), lower total cost of ownership (26%), and reduced engine noise (26%), as the key benefits of driving an EV.

Suggestions

1. The degree of consumer awareness regarding electric vehicles is one of the key factors influencing their attitudes. There's a tangible excitement and interest in electric vehicles (EVs) in Bangalore areas where information is more readily available. The companies should make use of the situation and sell more of their products to all segments of the population.
2. The accessibility and practicality of the infrastructure for charging have a direct impact on customer disposition. Many people have voiced the general issue that there are not enough charging stations, to reduce skepticism and increase trust among potential EV users, this infrastructure must be purposefully expanded, and more charging stations and portals must be installed in the city to increase the sales.
3. Government policies and incentive schemes stand out as major movers when it comes to influencing customer attitude. The attraction of tax breaks and subsidies influences consumer disposition favorably. However, to ensure a more seamless transition to electric vehicles, the complexity of these policies highlights the need for transparency and simplification. Corporates along with the government need to work on these grounds.

4. There are concerns inherent in customer sentiment. Potential EV consumers' hesitancy is exacerbated by projected maintenance costs, anxiety over range, and a lack of model variety. Industry stakeholders, legislators, and manufacturers must work together to address these issues. To alleviate these worries, technological advancements, open communication, and EV model diversity are essential tactics. These concerns must be considered as soon as possible.
5. Indian customers acknowledge the cost-effectiveness and convenience of home charging, but they prefer public charging (58%) and charging at home (42%). Although 55% of people can charge at home, 30% have room to improve. So, both options must be readily available for the customer's convenience.
6. Remarkably, two-thirds of buyers are still exploring electric vehicles despite having restricted access to home charging, 38% of them cite a lack of nearby charging infrastructure. It is essential to invest in both home and public charging.
7. Public charging decisions are influenced by site safety (28%), expenses (41%), and speed (49%). Consumers will pay an additional 10% to 20% for the convenience of quick charging. Additional charges need to be waived to regular users with lesser subscription fees.
8. For prospective EV consumers, the test drive experience is crucial. 24% of doubters regard it as a turning point in their purchasing process, and they advise OEMs to conduct lengthy test drives to ensure customer satisfaction. Key factors driving growing EV adoption include rising gasoline prices, improved maintenance infrastructure, improved vehicle safety, and a better understanding of EV total cost of ownership.

Conclusion

1. Bangalore North, with the third-highest number of electric vehicles in south India, the region makes a major contribution to the industry. The state policy is to attract INR 50,000 crores in investments and create 1.5 lakh jobs.
2. Over the past five years, the state has emerged as one of the top hubs for EV production, having inked many memorandums of understanding (MOUs) with prospective investments of over INR 24,000 crores and 48,000 jobs.
3. Bangalore south region is making a concerted effort to coordinate the growth of e-mobility with the state's industrial sector, particularly regarding EV components, constructing and establishing a suitable infrastructure for charging, encouraging domestic production.
4. Bangalore East Electric mobility has been recognized by the state government as a significant growth engine for the upcoming years, Infrastructure for hydrogen generating and private charging stations by offering financial incentives (and refueling infrastructure)

5. Bangalore West to position as a center for energy storage systems and electric vehicles, the state wants to attract investment in the EV industry by supporting production (including, but not limited to, offering customized incentives to large-scale and important projects). EV research hubs and other Centers of Excellence are being established to support research and development.

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Exploring the Comprehensive Review on Benefits, Challenges, Influences and Ethical Practices of Artificial Intelligence on Behavioral Finance

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Abstract: In light of the fourth industrial revolution, which centered on artificial intelligence, technological advancements that may have an impact on financial decisions are currently a hot topic. We may soon predict that the fourth industrial revolution will result in the loss of many employments while simultaneously creating a large number of new ones. We are here to discuss other aspects of AI, such as its relationship to behavioral intelligence, even if many of us frequently consider both its advantages and disadvantages. Therefore, the application of artificial intelligence in behavioral finance is the main focus of this research article. This study allows to learn about artificial intelligence's applications in behavioral finance in addition to its benefits and drawbacks. In order to shed light on the subject, the researchers attempted to describe the benefits, challenges, influences and ethical practices of artificial intelligence on behavioral finance in this paper along with its benefits and drawbacks and influencing areas of behavioral finance through financial decisions in the organizations.

Keywords: Comprehensive Review, Ethical Practices, Artificial Intelligence, Behavioral Finance, Consumers.

1. Introduction

Since machines perform the majority of tasks without human aid, machine learning is another term for artificial intelligence. In addition, we discussed how behavioral finance and artificial intelligence (AI) will interact in the future when AI is fully operational and contributing to the economy and future advancements. The results will be more accurate when artificial intelligence is used in behavioral finance since robots can eliminate psychological bias and boost accuracy. Notwithstanding these obstacles, people and organizations must still make decisions, which may entail assessing many aspects, forming hypotheses, or taking measured risks. Decision-making procedures are hence exposed to increased risk and ambiguity may entail choosing a plan of

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action by weighing the information at hand using probabilistic or heuristic methods. Understanding people and their behavior is crucial in finance because all the unknowns around a decision could result in an undesirable consequence.

Developments in behavioral finance have resulted from advances in neuroscience, which are also aiding in the deciphering of our complicated brain. Despite this, economists have found it useful to base their theories on the concept of rationality. Because people don't always act logically, these theories have only partially succeeded. Our biases and limits keep us from being completely rational, even though we are generally sensible. A recent development in finance is behavioral finance, which incorporates behavioral aspects into decision-making. By attributing market inefficiencies to irrational investors, behavioral finance runs counter to the efficient market theory. One who consistently updates Intelligence Design Choice is a logical investor. Gather information about the problem from the surroundings and choose the standards that will be used to make the choice. When he receives fresh information in a timely and appropriate manner and consistently makes decisions that are acceptable in society, he uses the criteria to choose one of the numerous possible solutions that align with his ideas.

Representativeness bias can lead investors to base their choices in the financial markets on their perception of an investment's typicality or representativeness rather than its actual risk and return characteristics. Representativeness is the term used to describe the idea of conditional probability in behavioral finance. It alludes to the common error people make while estimating the probability of an event. By carefully examining enormous amounts of data, artificial intelligence (AI) systems have the amazing capacity to identify complex patterns that might otherwise be invisible to the human eye. The application of AI algorithms is essential to building strong models that support the detection of dishonest behavior, guaranteeing higher accuracy and efficacy. Artificial intelligence (AI) systems can identify trends, preferences, and behavioral patterns by analyzing client data in real time. Real-time analytics driven by AI provide businesses the ability to examine consumer behavior in great detail. Financial institutions can gain a deep understanding of their consumers' needs and expectations by analyzing client interactions, preferences, and comments in real time.

2. Literature Review

Decision-makers obtain and analyze data regarding the issue at hand during the intelligence stage. They come up with and assess several strategies during the design phase. They decide on and carry out the most promising line of action at the choice stage. The 1947 Herbert Simon Model of Decision Making According to Herbert, decision-makers obtain and analyze information about the issue in order to find a solution, and in the United States, people mostly use the internet to obtain information after 2001. It is possible to record internet interactions and utilize them to illustrate how people behave in general. The digital world, which targets and influences us in a multitude of ways using various criteria, is a clear example of the exploitation of irrationality (Aldridge, I., 2023).

In order to prepare for the future in advance, this study explains how artificial intelligence functions with behavioral finance and its applications (Singh, Gurinder & Garg, Vikas & Tiwari, Pooja. 2020). There are numerous influencing philosophies, and none of them have been proven to be successful. Both influencing and being influenced are something that an agent himself

likes. It is a first step in gaining more self-assurance and success in influencing situations and outwitting colleagues. Based on how they interpret the information, people construct their own "subjective social reality." Unconscious biases, according to root cause analysis.

So, what exactly is unconscious bias? We are constantly exposed to more than 11 million bits of information from the environment. Only 40 bits of information can be consciously processed by our brains. Our brains employ shortcuts, influenced by cultural norms, prior experiences, and individual beliefs, to prioritize information in order to prevent overload. There are hundreds of these shortcuts that function without our knowledge; they are known as unconscious biases. The quality of our decisions and relationships, both individually and collectively, may suffer if we do not consciously employ strategies and procedures to confront our prejudices.

Unconscious biases cause us to make erroneous decisions if they are not eliminated, claim Biswas, A. et al. (2022). According to Herbert Simon's decision-making model, decision-makers operate within a process of constrained rationality since they lack access to all available knowledge and limitless cognitive resources. This implies that heuristics, or mental shortcuts, are necessary for decision-makers to make satisfactory rather than ideal choices (Zhang, H., Liu, Y., & Shi, L, 2021). The three phases of the decision-making process are intelligence, design, and choice, in accordance with Simon's paradigm. Trends to sell on the financial market at lower prices may be preceded, in particular, by times of concern. Such interactions may provide warning signs regarding the financial market and economy, and people may have a tendency to learn more about the state of the market during such troubling times.

As we can see from the backdrop of this study, which focuses on investor behavior and stock mood in the US market, both technical and personal aspects are seen to be important in decision-making. Every investment should aim to generate a capital gain or income of some sort. Individual investing decisions are typically influenced by personal characteristics including age, education, income, and investment portfolio. People like to invest when things are certain for them. The intricate financial models that forecast market movements also have an impact on their investing choices. Our comprehension of money and investment has been substantially enhanced by the study of economics. Traditional economics makes the assumption that people are logical when making financial and economic decisions. Since their objective is always to maximize advantages while avoiding costs, people react to incentives logically.

In a market with millions of participants, there is usually some consensus, even when there are disagreements about what a cost is and what a gain is. Information is crucial while making financial decisions in order to reduce the risk involved. They aim to find additional market information to reduce the uncertainty in investing choices since better educated investors can make better judgments (Lin, 2002). However, individuals are awful at calculating probabilities; events that people think are inevitable are frequently much less likely to happen than they think. In conclusion, people erroneously think they know more and are smarter than they actually are (Pompian, 2006) [29]. The impact of overconfidence and over-optimism in the market on investment decisions has been extensively researched by Fagerström (2008). Using data from the Institutional Brokers Estimate System (IBES), the study employs a quantitative back-testing methodology.

According to Nofsinger (2001), the belief that investors make logical choices and can more precisely forecast price fluctuations has led to changes in the banking industry during the last few decades. When making investments, investors consider a number of theories and models to assess the stock market and its constituent parts. We must examine the concept of overconfidence in greater detail because it comes from a vast body of cognitive psychology research and surveys where respondents overestimate their own capacity for prediction as well as the veracity of the information they have been provided. Surveys can be used in order to record these effects.

The information summarizes the difference between the actual growth from February 1986 to April 1987 and the expected profit growth for S&P 500 companies over the following 12 months. Analysts covering the S&P 500 businesses were overconfident and overoptimistic in their profit estimates, according to the study's research. In particular, it was discovered that the projections were excessively high in relation to the real growth in earnings, indicating that experts were unable to adequately account for the risk and uncertainty present in their forecasts (Li, P., 2023).

One instance of representativeness is when decisions are made based on preconceived notions. Investors frequently base their decisions on prior observations or conversations. Shefrin (2000). Another intriguing consequence of the representativeness bias, as noted by Ritter (1991), is that initial public offerings (IPOs) perform poorly over the long term due to investors' short-term emphasis. This influences the selection of investments in a number of ways. Regarding investment, the majority of individuals think that favorable aspects of a business are inextricably linked to favorable aspects of its stock. These businesses are typically not good investments (Lakonishok et al, 1994).

Both representativeness bias and stock market sentiment can be impacted by people's preconceived notions and biases regarding particular industries or investments. All things considered, representativeness bias can cause investors to make choices that are not supported by a thorough analysis of the risks and potential rewards of an investment, which can negatively affect their portfolio. Investors must be conscious of this prejudice and refrain from letting it influence their choices. Herding bias is the tendency for people to follow the actions or choices of others instead of coming to their own independent conclusions.

When consumers follow other investors' purchasing or selling decisions in the stock market instead of forming their own opinions based on a careful analysis of the risks and potential rewards of an investment, this might occur. The main idea is that, under some situations, people may follow the herd and disregard their personal information, which is known as herding behavior. The phrase "herding" in the context of financial markets refers to the practice of mutual imitation, which ultimately leads to convergence activity. When investors match their investment selections with the consensus of the majority, they most often make this mistake (Mai, W., Ambashe, M. S., & Ohueri, C. C, 2024). Even the investor who believes he should move is under tremendous psychological pressure to hold off when the optimal opportunity to buy or sell in the financial markets is approaching.

This occurs when the weight of public information grows so great that it can produce a distinct trend or fluctuation, which in turn overpowers the private knowledge of each individual. For instance, numerous investors purchased shares in Reliance Power during its 2008 initial public offering (IPO), despite their lack of knowledge about the business. Because they desire to know what other people think of their decisions, investors engage in "herd behavior" (Scharfstein and Stein, 1990). Economou, Kostakis, and Philippas (2010) investigated herd behavior under extreme market situations using daily data from the Greek, Italian, Portuguese, and Spanish stock markets from 1998 to 2008. A study of herd behavior during the 2008 financial crisis was also conducted. The results show that herding, which causes bubbles, is more common in rising stock markets. Assume that the number of positive social media posts regarding a particular stock has significantly increased. Combined with an increase in purchasing activity for that stock, this spike in interest may be a sign of herd mentality motivated by optimism (Huang, J. Y., Gupta, A., & Youn, M, 2021).

Analyzing the volume or frequency of buying or selling activity in conjunction with sentiment variables for a specific company or portfolios on the newswire could be one way to follow these trends over time and across different factors in herding bias in a sentiment index. Additional pertinent information that may be taken into account is the quantity or regularity of social media posts regarding a specific stock or portfolios, as this could reveal how much interest or attention the stock is getting from investors. Anchoring Bias on Pages: The tendency for people to base their decisions unduly on the first piece of information they are given, even if it is irrelevant, is known as anchoring bias in the finance industry (Reddy, G.D. et al. 2022).

Irrational financial decisions, such as overpaying for a stock or undervaluing an investment opportunity, might result from this bias. When investors overvalue psychologically driven and statistically random "anchors," they are making irrational investment decisions." Is the stock priced fairly?" or "should I buy the stock now or wait for a better opportunity?" If investors are searching for answers to such issues using arbitrary and psychologically motivated "anchors," the initial value will yield biased findings. The idea that "in negotiations counteroffers are created via an Anchoring-and-adjustment process leading to an effect of the anchor point, and those counteroffers are impacted by changes in reference point" was investigated by Kristensen and Gaerling (1997). Undergraduate business students found that participants used the proposed selling price as an anchor in their talks in a simulation of the negotiation process.

Before making a financial decision, investors must carefully weigh all available facts and take into account a variety of opinions in order to lessen the consequences of anchoring bias. Making better judgments can also be aided by using resources like financial modeling or consulting a financial expert. The Fallacy Bias of Gamblers: A cognitive bias known as gamblers' fallacy prejudice, sometimes referred to as the "Monte Carlo fallacy" or the "fallacy of the maturity of chances," arises when people assume that a particular outcome is more or less likely to occur based on prior occurrences. This bias is frequently observed in gambling, where individuals may assume that a particular result is likely to occur based on the results of earlier wagers. The study noticed that instead of taking into account all of the pertinent information, people frequently rely more on information that is readily available in their memory. Due to this prejudice, people may not have access to all the information necessary to make an informed decision, which might cause them to act irrationally (Vassermann, L., 2021).

The gambler's fallacy, according to Kahneman and Tversky (1971), is caused by an incorrect assumption about the fairness of chance. This tendency, known as the Gamblers' Fallacy, occurs when investors mistakenly believe that a particular trend will reverse, which causes them to lean toward contrarian thinking. The investor's propensity to behave as though abnormalities in random sequences are inherently self-correcting is known as the Gamblers' Fallacy. An investor who expects the next flip to produce tails is said to be affected by this bias, for example, if a fair coin is flipped ten times in a row, landing on heads each time. When an investor acts on the assumption that deviations in stochastic occurrences naturally self-correct, this cognitive error is clearly common. Because people might not have access to all the information, they require to make an informed financial decision, availability bias can result in irrational financial decisions. In the 1970s, psychologists Amos Tversky and Daniel Kahneman discovered and investigated availability bias for the first time.

To mitigate the impact of availability bias, investors should obtain as much information as possible before making a financial decision. Bias in Loss Aversion: Framing bias is a behavioral finance bias that describes the propensity to be swayed by the presentation or framing of information. This implies that even when the problem or decision has the same content, people can still be influenced by how it is presented. As previously said, behavioral finance biases study how investors behave in the stock market when there is uncertainty. This field advanced as a result of the analysis of anomalies by economists and financial specialists who sought to understand the reasons behind inexplicable events. Financial market volatility has increased because to COVID-19 lockdowns and recent democratization, which has made it easier for regular investors to access the financial market. The market is feeling more and more pessimistic. Investor attitudes or general outlooks, or more precisely, their feelings toward a single investment or the financial market as a whole, are referred to as market sentiment.

Companies that make up the S&P 500 index revealed indications of a severe slowdown and a drop in earnings during the COVID-19 lockdowns. Due to its magnitude, the US saw a rise in bankruptcy cases and a suspension in dividend payments. The framework of contemporary financial theory is unable to describe the behavior and emotional mood swings of investors in such an environment; behavioral finance is a notion that is necessary to comprehend the connection between market reactions and human psychology. Sentiment analysis, which is both textual and behavioral in character, is the main focus of this study. We must go into artificial intelligence approaches in order to comprehend the textual analysis (Kim, D., & Kang, J, 2019).

According to Jarrahi (2018), they are able to analyze market trends, spot profitable investment possibilities, and improve portfolio management techniques. Financial decision makers can improve portfolio performance, optimize returns, and make more informed investment decisions by utilizing AI's ability to handle and analyze large datasets. There is no denying AI's significant influence on financial decision-making. There is now an increasing openness to the application of decision intelligence in asset and investment management, which opens the door to investigating and putting into practice a number of exciting use cases. Using alternative data sources, such weather forecasts, internet sentiment 2133 about businesses, media coverage, and more, is one particularly noteworthy application among them. Improving the process of choosing investments and honing hedging techniques is the goal (Bohnsack, R., Pinkwart, A., & Pitschke, F, 2021).

Financial professionals can gain important insights into market movements and sentiments by carefully examining these varied datasets. The potential for optimizing profits and reducing risks is enormous when artificial intelligence (AI) and decision intelligence (AI) come together. They consequently produce actionable intelligence quickly. Another noteworthy effect of AI in financial decision-making is intelligent client outreach (Mishra, P., & Sant, T. G, 2021). Financial institutions can use AI algorithms to find possible client engagement opportunities and adjust outreach efforts by leveraging current online and in-person behavioral trends. AI systems offer important insights into personal requirements and preferences by carefully examining customer interactions, preferences, and transaction history. As a result, banks are able to develop customized communication plans. In addition to increasing customer pleasure, this strategic outreach also increases client loyalty and retention. Its significant influence can be seen in many areas of finance departments, including risk management, financial analysis, and fraud detection.

Businesses who fully use AI-powered real-time analytics will be well-positioned to thrive in the rapidly changing financial sector, eventually attaining long-term expansion and great success. Like all technological developments, artificial intelligence has drawbacks. With the aid of an algorithm, some businesses employ AI to alter their data and statistics. However, the businesses also use technology in an ethical manner. It is evident from this study that businesses are abusing and altering data in order to get financial gain. Among these are the continuous debates over job relocation and the possible escalation of economic disparity (Arntz et al., 2016). Concerns about privacy are made worse by AI's data capabilities. Additionally, the lack of a globally recognized ethical framework makes matters more complicated, especially in light of the existence of many international legal standards (Cath et al., 2018). The aforementioned moral conundrums have had real consequences, such as legal actions and issues with an organization's reputation (Bostrom op cit, 2018). Therefore, in order to assure responsibility, a multidisciplinary and multi-stakeholder approach must be adopted in order to resolve these issues.

3. Objectives of the Study

3.1 Primary Objective

The primary objective of this investigation is to assess the relationship between Artificial intelligence and Behavioral finance and the benefits and challenges of using Artificial intelligence in Behavioral finance in ethical consideration.

3.2 Specific Objectives

The following are some specific objectives

- i. To know more about Artificial intelligence and behavioral finance.
- ii. To assess the relationship between Artificial intelligence and behavioral finance.
- iii. To know the benefits and challenges of Artificial intelligence with behavioral finance.
- iv. To relate Ethical Practices of Artificial Intelligence with Behavioral Finance.

4. Methodology of the Study

This exploratory study is based on a thorough analysis of previous research in the field. This analysis was conducted using secondary data. We discussed how artificial intelligence influences behavioral finance after compiling and analyzing the various sections of the literature. Writing articles, books, journals, magazines, blogs, newspapers, conference papers, thesis papers, and other publications was a common practice among academicians, professionals, and lawmakers.

Information was collected from these sources to give a comprehensive overview of the state of artificial intelligence and behavioral finance today and in the future. In the next research, this work adds to the discourse on the impact, advantages, difficulties, and moral behavior of artificial intelligence on behavioral finance.

5. Discussion, Breakdown and consideration of the Study

5.1 Concept and Analysis of Artificial Intelligence and Behavioral Finance

5.1.1 Artificial Intelligence

Artificial intelligence currently has the ability to impact behavioral finance's growth. Artificial intelligence can rationalize risk, prevent bias, and help with successful investment decisions. It also supports financial decisions in the process of solving a complicated problem related to strategic changes. Artificial intelligence is the term used when we employ machine learning to accomplish tasks. The Python7 programming language uses artificial intelligence algorithms to analyze text and sentiment, which aids the investor in making investing decisions. The paper's true purpose is to illustrate the value of artificial intelligence in behavioral finance by analyzing and quantifying uncertainty and the current market conditions to aid traders' and investors' decision-making.

Large firms use artificial intelligence for portfolio allocation and rebalancing, employing cost-effective strategies to improve their position in the targeted market. Large investment funds use machine learning or artificial intelligence to increase fund profitability and efficiency. According to a poll, the majority of investors use digital technologies to explore potential investments. An essential component of decision-making is information. However, it can be difficult to get a complete and comprehensive set of facts, which can result in situations where people and organizations are forced to make judgments based on incomplete or erroneous data.

5.1.2 Behavioral Finance

Behavioral finance is the study of behavioral finance looks at how cognitive and emotional biases influence investing choices. Comprehending cognitive biases can aid in the accomplishment of client objectives, portfolio development, and the identification of disparities in investing choices. Market anomalies are explained by behavioral finance. According to the readings, traditional and behavioral finance might complement one another more effectively than they might on their own. A new area of study called behavioral finance examines how society affects people's choices when they are faced with uncertainty. Using artificial intelligence (AI) techniques, I assessed how well certain behavioral finance ideas—such as overconfidence, herding, the gambler's fallacy, and mental accounting—explain the decision-making processes of individual investors in the US market.

Investors may make cognitive errors due to behavioral biases; the well-researched and informed biases are described below. Biases in Behavior Overconfidence Bias: The tendency for people to believe their own assessments or conclusions more than the evidence supports is known as overconfidence bias. People may overestimate their knowledge, underestimate the risks of a situation, or make overly optimistic predictions as a result of this propensity. An indicator of the overall positive or negative sentiment in a financial market is called a sentiment index. People who are overconfident in their own judgments or abilities may express more favorable comments

than the data supports, which could have an impact on a sentiment index. However, quantifying the overconfidence through analysis is a difficult task for us.

5.2 Benefits of Artificial Intelligence on Behavioral Finance

- a. AI and machine learning can digest large amounts of data and draw precise conclusions and make accurate predictions.
- b. Behavioral finance is the core of modern finance, which relies heavily on the value of data information that is highly in line with the characteristics of technological development. In this era of big data, artificial intelligence (AI) has penetrated into every aspect of our lives.
- c. It has brought revolutionary changes to various fields such as finance. Furthermore, as the development of machine learning in AI technology and various machine learning technologies have been widely used to perform different the field of behavioral finance.
- d. Especially, deep learning has shown excellent performance in the tasks of behavioral finance. Overall, this research aims to address the problems in different application scenarios of behavioral finance with the support of AI technology.
- e. The main novelty of this research is to build proven application framework different behavioral financial scenarios benefit from AI technology.
- f. To examine the feasibility of the proposed frameworks, this study collects human behavior data from social media and financial news that employ machine learning technology to analyze three application scenarios in behavioral finance.
- g. This study successfully extracted human behavior information through natural language processing (NLP), which thereby helps to predict the stock market of the company. Meanwhile, it also successfully explored the impact of user-generated content (UGC) on company performance, which can enrich the feature extraction for company performance evaluation through customer reviews.
- h. The experimental results of this study can help to prove that AI technology is useful in application scenarios of behavioral finance and also promote in other similar application scenarios.
- i. This study provides a marketing strategy for the marketer of the company and business decisions for the managers of the company.
- j. Machine learning techniques augment the velocity and precision of financial analyses, thereby enabling swift and well-informed decision making. These capabilities empower financial professionals to make more accurate and data-driven decisions.
- k. AI technologies hold the potential to mitigate the impact of human biases, which frequently influence financial decision making. By relying on objective algorithms and data-centric models, AI systems can alleviate cognitive biases such as overconfidence or herd mentality, thereby fostering more rational and unbiased decision making.
- l. AI-driven tools offer personalized recommendations, address customer queries, and aid in portfolio management, thereby enriching the overall customer experience and satisfaction. Nonetheless, the integration of AI in financial decision making presents certain challenges and ethical considerations.
- m. Through sophisticated algorithms and machine learning methodologies, AI scrutinizes extensive volumes of historical and real-time data to identify intricate patterns, correlations, and potential hazards. This empowers financial institutions to proactively

handle risks, thereby safeguarding their operations and optimizing their financial outcomes.

- n. By accessing and analyzing copious amounts of data, AI possesses the capability to detect fraudulent activities, identify potential theft, and facilitate comprehensive scrutiny of cash flow.
- o. AI powered chatbots and virtual assistants enhance customer service experiences by promptly and accurately responding to inquiries and resolving issues. This not only elevates customer satisfaction but also enables financial institutions to allocate resources more efficiently.

5.3 Challenges, Influences and Practices of AI in Behavioral Finance

5.3.1 Unethical Use and Risks of AI in Business

According to researchers, artificial intelligence has two key components. The first is to be aware of the increased risks associated with AI, and the second is that AI can be programmed to do something discouraging. A system can be destroyed by a program. These pose a significant risk and may have unfavorable effects on the business. By just altering the AI application's code, this kind of technological progress might jeopardize the company's whole data.

The fact that AI applications are created to execute exceptional tasks that go above human expectations by immoral means also worries experts. For example, if an application's algorithm is configured to allow a user to reach a desired location, such as an airport, quickly, it may fail to take the user's safety into account. The increased dangers for the first AI process have been outlined by the two aforementioned factors.

5.3.2 Ethical Issues and Practices with the Use of AI

From the effects on specific businesses to wider social ramifications, the ethical implications of AI in the business sector are multifaceted. Issues including the loss of human labor, the difficulty of holding AI responsible for errors, and cultural variations in ethical standards might arise when AI is incorporated into corporate operations. Transparency, equity, and accountability are called into question by the increasing use of AI-powered solutions. Additionally, biases like discriminatory pricing schemes and prejudiced employment practices might be reinforced by AI systems. There are also worries about how AI can affect employment markets. Businesses can be encouraged by ethical considerations to enhance the openness, equity, and integrity of their AI systems, which will increase stakeholder trust.

5.3.3 Replacing Human Workers

Investigating how AI may be incorporated into corporate operations to boost efficiency and performance will be the primary goal of the study. The goal of the study is to find opportunities for task simplification and reinforcement, leading to a smooth interaction between AI systems and human labor. Recognizing the distinction between using AI in business to augment and replace human work.

5.3.4 Responsibility Issues

The next goal of this work is to create a framework and standards to handle responsibility issues in the use of AI in business operations, providing equality, openness, and responsibility while cutting risks and boosting trust in AI systems with alternative actions.

5.3.5 Bias, Fairness, Confidentiality

The ultimate objective of this research is to examine the ethical ramifications of diverse AI implementations in various nations' commercial operations, pinpoint significant obstacles, and formulate suggestions for encouraging responsible and equitable AI adoption while tackling concerns like prejudice, equity, confidentiality, employment migration, and global collaboration. A number of factors, such as population size, which is closely related to the volume of data produced, were taken into consideration while choosing the nations. The existence of data owners and the current privacy laws, both nationally and globally, are also taken into account.

5.4 Ethical Practices of Artificial Intelligence on Behavioral Finance

There are a lot of strategies and frameworks in the literature that businesses can use to self-regulate and make sure they are using AI in an ethical way:

5.4.1 Ethical Guidelines and Principles

Many people say that businesses should come up with clear and explicit ethical guidelines that spell out the company's position on AI and what it promises to do (Jobin op cit., 2019). These rules can be used as a foundational document to guide the development and use of AI.

5.4.2 Multi-Stakeholder Involvement

A holistic approach to AI ethics can be made possible by involving a wide range of stakeholders, such as ethicists, customer representatives, and employees, at different levels (Holstein, 2019).

5.4.3 Ethics Committees

Businesses can look for ethical problems in AI projects by setting up internal ethics committees or review boards. These committees can work like ethical review boards in schools, making sure that AI projects meet the company's ethical standards (Steven, 2019).

5.4.5 Transparency and Explain ability Protocols

Businesses should make sure that AI systems are clear and that their decisions can be explained. This not only builds trust among users, but it also makes it easier to find biases or other ethical problems and fix them (Doshi op cit., 2017).

5.4.6 Continuous Monitoring and Auditing

By implementing mechanisms for conducting periodic audits of AI systems, potential issues or biases can be identified and progressively addressed. According to the study conducted by (Raji and Buolamwini op cit', 2019), performance evaluations can be conducted internally by the organization or externally by an independent third party to enhance impartiality.

5.4.7 Employee Training and Sensitization

To guarantee that their knowledge and comprehension of ethical issues and best practices remain current, staff members involved in the creation and application of AI systems must get regular, continuous training. According to Mittelstadt et al. (2016), the adoption of this approach may foster a social climate that is marked by increased awareness and responsibility for ethical issues.

5.4.8 AI Laws, Regulations, Norm

To maintain standards comparable to those of AI superpowers like the United States, the European Union, and China, Bangladesh should implement internationally compatible AI laws, rules, norms, and practices. Furthermore, the introduction of effective AI education to create the requisite skills requires cooperation between academics and industry. Although the University Grants Commission is required by Bangladesh's AI Policy 2024 to set up the AI research hub, the creation of additional national initiatives through public-private partnerships may encourage creativity, integration, and advancements in AI.

6. Limitations of the Study

The lack of primary data is the study's key weakness because very few firms use AI and behavioral finance because they are unaware of it. The absence of information required for the study is one of the study's additional shortcomings. To make the study more pertinent, the researcher has primarily concentrated on identifying the greater significance of AI and its applications in the behavioral finance sector of the organizations. The absence of a quantitative study in this field that may use an empirical technique is another drawback of this research. Since very few businesses practice these particular areas and concerns, this study has not employed any primary survey or statistical tools to give analysis of the conducted studies.

7. Recommendations and Suggestions of the Study

In order to accelerate the success of AI and behavioral finance practices in the organizations, the discussion of ethical implications and regulatory frameworks, which was covered in earlier sections, prepares the way for a critical analysis of future directions in the ethical deployment of AI technologies as the financial sector continues to incorporate AI into its core financial operations. This analysis highlights the need for a harmonic fusion of innovation and ethical governance by drawing on a wide range of scholarly views.

The survey gives businesses useful information about behavioral finance practices in the organizations. The importance of ethics in enhancing a business's reputation and image is well-established. The current study highlights important factors that influence financial decision makers to adopt technology, providing managers with a framework for guidance. Given the customer-centric nature of marketing initiatives, understanding their concerns and motivations facilitates technology design.

The conceptual framework recognizes that financial managers frequently have doubts that raise ethical questions and highlights perceptual elements, such as AI features that is very risky in modern technological advancement. By acting as a consultant for these uncertainties, the trust may allay worries. Furthermore, the degree of human likeness in technology affects how people behave; the more human-like the technology, the more probable it is that people will act morally.

8. Conclusion

Businesses and consumers alike stand to gain from AI-driven financial decision-making's capacity to effectively and efficiently connect, understand, and interact with organizations' decision-makers. But along with the benefits of new technology, there are also emerging drawbacks, including ethical issues with privacy, bias, discrimination, and information asymmetry. These worries could hinder the use of AI's advantages and have negative long-term effects. It is quite important to comprehend the ethical issues and implications. The goal of this

study was to uncover new insights and areas that need more research in order to increase understanding in the field. The study's findings not only offer a thorough summary of the corpus of existing literature, but they also make recommendations for future lines of inquiry in several AI-related fields. They also looked at the benefits, challenges, effects, and ethical ramifications of AI on behavioral finance and offered advice to scholars and financial experts alike.

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Probation and Its Purpose: Bangladesh Context

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Abstract: In the year 1884, probation has been accredited internationally by rehabilitating a drunken in Boston. Though probation is not much familiar in Bangladesh. The main purposes of probation are to prevent the repetition of the same offense and to establish criminals as honest and law-abiding people in society. The Children Act, 2013, declared taking necessary steps to protect children in case of conflict with the law. For probation of a child, the age must be 18 years as mentioned in the Children Act, 2013. According to the 1960 Ordinance, for probation, women were given priority. A probation officer plays a vital role in probation. Probation Officer appointed by the Ministry. With the separation of the judiciary in November 2007, the issue of appointing probation officers to the district court premises became more urgent or necessary. The purpose of punishment is not retribution, but to facilitate the path of reformation for minor offenses, so that, the convicted has the opportunity to present himself as a good citizen in the society and state. In 2021 and 2022, some criminals were released in different courts in Bangladesh following the probation policy. I think probation will play an effective role in resolving criminal cases in the judiciary of Bangladesh by allowing the accused to enter the court of law for the opportunity to correction of the accused of minor offenses in the applicable case if the allegation is proved.

Keywords: Purpose, Child Welfare, Social Services, clinical support, legislation.

Introduction

A "probation order" or "an order requiring [the offender] to be placed under the supervision of a probation officer" are two distinct ways that probation is defined under different legislation. The 1960 Ordinance states that the goal of probation is "to rehabilitate the criminal as a conscientious, diligent, and law-abiding citizen" and "to prevent the offender from repeating the same act or from committing additional offenses."

The High Court further explains the aim of probation:

*"Bangladesh's criminal law is essentially reformed and non-retributive. The Probation Services Ordinance is a prime example of such a policy. Suspension limits should be more deterrent and rehabilitative, and responsive to the legislator's intent."*¹

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¹ *Abdul Khaleque v Hazera Begum and another*, 58 DLR (2006) 322.

In particular, the Children's Act 2013 empowers the National Child Welfare Board to formulate policies, strategies, and implementation plans for the reintegration of children that conflict with the law. It also protects against being stigmatized as having convicted a person on probation by stipulating that probation “should not be treated as a conviction,” especially if you are under 18. The probation system also allows a court of competent jurisdiction to “order a probationer offender to pay compensation or damages for loss or injury suffered by a person as a result of the crime”.² In sum, the purpose of probation in Bangladesh is to prevent crime and recidivism, as well as to facilitate offenders' rehabilitation, stigmatization, and in some cases, compensation for victims.

Offenses for which Probation can be Granted

In theory, probation is a form of sentencing for criminals convicted of crimes (usually not serious). Originally, Sections 562 to 564 of the CrPC dealt with first-time offenders and allowed certain penalties to apply. However, these provisions were repealed by Section 16 of the Probation Order 1960. As criminal law theory has become more liberalized, probation has been extended further for certain offenders based on gender and age, i.e. women and children.

Adult men convicted of the following offenses are not entitled to be released on probation:

- Crimes are punishable through demise or existence imprisonment.
- Crimes towards the State (Chapter VI of the Penal Code).
- Offenses regarding the Army, Navy, and Air Force (Chapter VII of the Penal Code).
- Harboring a theft or thief (Section 216A of the Penal Code).
- Crimes of causing harm with poison, etc. for the cause of committing a crime (Article 328 of the Penal Code).
- Theft after making arrangements to reason arrest for demise, physical harm, or theft (Section 382 of the Penal Code).
- Extortion through causing demise or critical harm to someone (Article 386 of the Penal Code).
- Threatening someone to the demise or critical harm to be able to dedicate coercion (Article 387 of the Penal Code).
- Extortion through the risk of punishment together with demise or imprisonment (Sections 388 to 389 of the Penal Code).
- Robbery (Section 392 of the Penal Code).
- Attempted theft (Section 393 of the Penal Code).
- Robbery or fraud meant to reason demise or critical physical harm (Section 397 of the Penal Code).
- Attempting to dedicate theft or fraud armed with a weapon (Article 398 of the Penal Code).
- Preparing to commit dacoity (section 399 of the Penal Code);
- Penalty for belonging to a gang of thieves (Section 401 of the Penal Code).
- Assemblies intended to commit dacoity (Section 402 of the Penal Code).
- Concealment, trespassing, or robbery to prepare for injury, assault, or unjust detention (Section 455 of the Penal Code). And
- Sneak, trespass, or robbery at night after preparing for an injury, assault, or unlawful restraint (Section 458 of the Penal Code).

² The Probation of Offenders Ordinance, 1960, Section 6(1).

For non-fatal offenses, probation may be granted to female offenders under Section 5(1)(b) of the 1960 Rules, which are given below:

“All convicted female persons can be granted probation other than convicted for an offense punishable with death.”

Minors may be given a suspended sentence for any offense at the discretion of the juvenile court. In incredible circumstances, children who come into conflict with the ordinance may be sentenced to prison terms (convalescence, casual care, safeguarding, etc.) or institutional correction.

Factors Associated with Granting Probation

The cause for probation is to facilitate social reintegration. In thinking about whether or not to furnish probation, courts generally take into account the subsequent elements whilst granting probation:³

- The offender's age, personality, medical history, or physical or mental condition.
- Mitigating circumstances associated with the nature of the crime or the commission of the crime.

However, the court found that the offender or one of his sureties (if any) had permanent residence or regular employment within the boundaries of the jurisdiction and was likely to be between them.

When adjudicating a child, the court will consider the following factors:

- a) Age and Gender;
- b) her/his physical and mental condition;
- c) her/his educational background;
- d) her/his social, cultural, and ethnic identity.
- e) her/his financial situation
- f) her/his lifestyle and that of her family;
- g) Reason for committing the offense, information about the association, general condition, and background.
- h) her/his opinion;
- i) social research report;⁴

The Probation Officer

Probation officers are employed by the Department of Social Services. He/she has the authority to conduct social research, monitor probation officers, and report on probation officers' status both to the court and to her DSS.

A probation officer must meet the following eligibility criteria:⁵

³ The Probation of Offenders Ordinance, 1960, Section 4(1).

⁴ The Children Act, 2013, Section 30.

⁵ The Probation of Offenders Rules, 1971, Rule 3.

- a) Must be at least 20 years old but less than 30 years old at the time of his first appointment as a probation officer;
- b) Has an honors degree in social work or master's degree in social work from an accredited university.
- c) Must be of good character and in good physical and mental health.
- d) Must be a Bangladeshi Citizen and Permanent Resident or Bangladeshi Resident.

The Children Act 2013 provides for the appointment of probation officers for each district, and metropolitan area. Probation officers are appointed in many districts and metropolitan areas, but few in districts (subdistricts). For example, there are only 44 probation officer positions in Bangladesh. Bangladesh has 64 districts, so not all districts have probation officers. If there is no probation officer, the district or district director of social services takes over. As such, social service leaders are appointed at the district level to perform the duties of probation officers. Across the country, there were over 400 Upazila social workers.⁶ Recently, the government made arrangements to designate a separate room in the responsible Deputy Commissioner's Office (at the district level) for the placement of probation officers. However, after separation from the judiciary in November 2007, it would be more justified to house probation officers on the grounds of the District Court.

Probation officials are appointed with the aid of using the authorities below numerous laws (which include the Convicted Women Special Privileges Act 2006 and the Children Act 2013), however, in exercise, they're in general recruited with the aid of using the DSS. The Special Privileges for Convicted Women Act of 2006 stipulates those women prisoners are to be launched best after finishing a special jail term.

There are currently no documents indicating whether the female inmate was released under the Special Privileges for Convicted Women Act of 2006.

Duties and Responsibilities of a Probation Officer

Under section 13 of the 1960 Regulations, the duties of a probation officer are:

- i. to go to or acquire visits from the wrongdoer at such affordable periods as can be specific withinside the probation order or, situation thereto, because the authorities might imagine fit;
- ii. to peer that the wrongdoer observes the situations of the order of probation;
- iii. to document to the equipped authority as to the conduct of the wrongdoer;
- iv. to advise, help and befriend the wrongdoer, and while vital undertaking to discover him or her appropriate employment; and
- v. to carry out every other obligation this will be prescribed via way of means of the Rules made below this Ordinance.

Each probation officer must work "in such area or in connection with the case or class of probation officer as determined by the Director of Social Services."⁷

The Probation of Offenders Rules, 1971 further imposes those precise obligations upon each Probation Officer:⁸

⁶ Ministry of Social Welfare, Department of Social Services, Probation Act and Rehabilitation Activities, 2008: 2.

⁷ The Probation of Offenders Rules, 1971, Rule 4(a).

- i. Inform each subject of the terms of the probation rules and, where appropriate, endeavor to ensure that subjects comply with the notices;
- ii. Meet with the Probationary Person at least every two weeks during the first two months of the Probationary Period, and thereafter work closely with the Probationary Person under the Probationary Period Rules or the General or Specific Regulations of the Director. Keep in touch and meet regularly, find out about his/her behavior, lifestyle, and occupation in the area, and visit your home as often as possible;
- iii. To ensure that, under supervision, each person has access to approved statutory or voluntary facilities that can contribute to his or her well-being and the general well-being, and the social, recreational, and educational facilities available in those facilities;
- iv. If a Supervised Person entering into a Guaranteed (or Conditional), Guarantee is found to have breached the terms of the Guarantee or otherwise engaged in wrongdoing, no such breach or wrongdoing will be claimed.
- v. Keep books and records and file reports following the regulations and
- vi. Carry out court orders concerning subjects under court supervision.

The Probation Process

The 1960 Ordinance does not explicitly state that it applies only to adult offenders, so it applies to all offenders regardless of age or sex. Regulations are not strictly followed. The provisions of the Ordinance apply in addition to the Children's Act and do not apply to the Children's Act. Therefore, the probation process for adult offenders (both adult men and adult women) and juvenile offenders is different.

Probation Procedures for Adult Offenders (Adult Men and Adult Women)

The probation process for adult offenders begins before sentencing. At this point, if the court determines that the offender could benefit from probation if convicted, the court will request a bias report (PSR) from the designated probation officer. Courts may impose bail of one to three years from conviction or bail under the PSR if they believe the convicted person will maintain good conduct.⁹

After the probation order is served, the probationer is assigned to a designated probation officer. It is important to note that female offenders are not cared for by male probation officers. If parole is granted, the probation officer must supervise the probationer and report to the court and department on the current situation. The court determines how often the probation officer will inform the court about the probationer's current status. Follow the individual offender's risk assessment with her every 14 days, monthly, etc. Probation officers must maintain a list of probationers on Form "A". Probation officers are also required to keep a diary to keep an annual record of meetings and visits with persons on probation and their guarantors. Keeping records of these probation matters helps probation officers and courts to assess risks and plan better oversight. This file contains a list of all contacts, the exact dates of interviews with the data subject, and other persons involved in the incident, as well as copies of all communications and reports relating to the incident. If the court becomes aware, through the probation officer's report

⁸ The Probation of Offenders Rules, 1971, Rule 4(b).

⁹ The Probation of Offenders Ordinance, 1960, Section 5.

or other means, of a violation of the agreed bail during probation, it may order a suspension of probation and the original violation. or maybe convicted of original sin. Continuation of obligations subject to the imposition of fines. A convicted person may appeal or request reconsideration of a parole order issued under Section 5 of the Rules. A court of appeals or an appeals court can reverse or amend a probation order.

Child Probation Methods in Conflict with the Law

As soon as a youngster violates the law, a probation officer's responsibilities begin. In other words, the probationary period for the youngster starts the moment they are brought to the police station. The Children's Act of 2013 encourages the establishment of sub-inspectors to handle children's concerns (if they are available at specific police station).

Generally, it is the responsibility of the child police officer to notify the child's probation officer and guardian.¹⁰ Police officials also are liable for offering mental and clinical support (if needed) and assembly simple wishes to make sure the fitness of children. For this purpose, the child police officer is obliged to determine the age of the person brought in by examining the child's birth certificate or by examining relevant certificates.¹¹

If a probation officer learns that your child is in police custody, he/she must:¹²

- i. Determine why the child was taken to the police station.
- ii. Meet the child and reassure them that all necessary support will be provided.
- iii. Coordinate and liaise with the police to investigate allegations against children.
- iv. Find the child's parents and help the police to contact the child's parents.
- v. Investigate the value or potential of the security deposit granted and, if possible, begin diversion immediately. And
- vi. Before you bring your child to justice, take the necessary steps to secure your child's custody with the help of a child affairs police officer.

Each district and metropolitan region must have at least one children's court, according to the Children's Act of 2013. Although hearings may occur in the same space or time as adult hearings, child crime courts are wholly distinct from adult courts. Before starting a case in children's court, the court must confirm the age of the offending kid (or person). The court's determinations of age are conclusive. The techniques and activities themselves differ substantially in character as well. The legislation forbids trials of minors by adult defendants, even if hearings in child criminal courts may take place in adult courts. To guarantee the best interests of the child, courts must uphold the strictest standards of confidentiality and use kid-friendly practices. Police officers and probation officials must appear in court under the Children's Act 2013 if it is shown that they were careless in the performance of their duty.¹³

The presence of the relevant probation officer is required during proceedings in children's court.

- i. Be present in court during the trial and, if necessary, be with your child whenever possible.
- ii. Prepare a social research report based on empirical research and submit it to the court

¹⁰ The Children Act, 2013, Section 14(b).

¹¹ The Children Act, 2013, Section 14(c).

¹² The Children Act, 2013, Section 6(1).

¹³ The Children Act, 2013, Section 22(5).

- considering the surrounding circumstances.
- iii. Secure legal representation for your child as needed through the assistance of the District Legal Aid Committee.
- iv. Liaise with non-governmental legal aid organizations to provide legal representation for children in conflict with the law, as appropriate.

The court will instruct the probation officer to assess a specific way when the youngster first appears (see Appendix F). The SIR is created by empirical study on the family, social, cultural, psychological, racial, and educational circumstances of kids with legal problems. It also discusses the child's living situation and the history of the alleged crime. To the child's best benefit, all reports involving children, including SIRs, will be kept private. Following the legislation, a probation officer must create and submit a social screening report within 21 days after the child's initial appearance in children's court.¹⁴ The local child protection agency and DSS must both receive copies of the SIR from the probation officer. The SIR serves as the foundation for the judge's suggestion to impose a suspended sentence.

Children's courts can also enforce orders to extradite a child in question to the CDC for a period not exceeding three years under the supervision of a probation officer, or upon conviction process. The responsibility of the relevant crime expert or probation officer is to provide the rationale for a probation order for a child on probation. This is a common language of "do's" and "don't" so that children can easily commit crimes. Please understand so as not to delay the order. During the grant of probation, courts may interfere with supervision orders that allow designated probation officers to supervise probation officers (see Appendix G) and may require probation officers to make monthly amendment files. (See Appendix H) for children's development under her/his supervision. This monthly improvement file is also required for the child to be sent to her CDC. If through periodic evaluation of reports, the court determines that the child is behaving appropriately and is eligible for parole, the court may release the child from her CDC to the community for probation.

The court must close all cases involving children within 360 consecutive days after the case began. Trial technology can be extended for an additional 60 days. Therefore, it is anticipated that probation orders will be granted not later than 420 business days after the trial's start date. However, if the child is charged with a small offense and the matter does not get settled in 420 business days, the child will be declared innocent.

The responsibility of probation officers for minors placed on probation in the community is described in the Handbook for Probation Officers published by the Canadian International Development Agency (CIDA (2008):¹⁵

- i. Inform your child on probation of the terms of the probation order and ensure that your child complies with the order.
- ii. See the child's guardian or other relatives frequently.
- iii. Attend your child's work or school regularly.
- iv. Encourage your child to take advantage of offers from social services.

¹⁴ The Children Act, 2013, Section 31(1).

¹⁵ Ministry of Social Welfare, *Juvenile Justice Probation Officer Best Practices and Procedures Manual, Bangladesh Legal Reform Project-Part B*, (Prepared by DSS with Canadian Juvenile Justice Specialist, 2008) 10.

- v. Try to improve his behavior and living conditions.
- vi. Check with the police station about the incident involving children.
- vii. Meet with magistrates, judges, and lawyers as appropriate and visit children in prison, JDC or detention as appropriate. Where necessary, will seek to find suitable employment for children and to improve their behavior and general living conditions.

If a child fails to meet probation requirements during the probation period, the probation officer must formally report the violation to the court. Before a formal violation report is filed with the court, the probation officer must warn the child's parents about the child on probation and the consequences of violating the terms of probation. After reporting a violation, the court can revoke probation. As a temporary measure, your child may be sent to a child development center.¹⁶ On the alternative hand, on a successful final touch of probation in conformity with probation conditions, the children could be deemed now no longer to be at war with the regulation anymore and can be released.

Recommendations

For Government

- A proposed amendment to Article 53 of the Penal Code may be considered to adopt an alternative to imprisonment.
- Only five types of his sentences are currently listed: (a) the death penalty, (b) life imprisonment, and (c) simple imprisonment. (d) Heavy penalties. (e) fines and no alternatives to imprisonment other than fines;
- Probation offerings ought to be made mandatory. To accomplish this, we want to broaden a fixed of rules and recommendations for implementing the probation policy.
- Amendments to the Offenders Probation Ordinance 1960 (previously amended in 1964) and the Offenders Probation Regulations 1971 would be necessary to address the following issues:
 - Allows "conditional release" and "probation orders" issued "at the request of the court" under Rules 4 and 5;
 - Clarification of probation rules, which include clean motives of probation officers' administrative responsibilities (to DSS or the courts).
- Adopt policies and guidelines specifying available alternatives to imprisonment.

Community Services beyond Parole, Probation, Fines, and Even ADR

Effective alternatives to imprisonment can be incorporated into criminal justice interventions. Women with young children need special consideration.

- Bangladesh has 64 districts but only 44 probation officer posts. Many districts do not have probation officers at or county level. Adequate human and logistical support are required to extend probation services to all districts with sufficient coverage in the Upazila and metropolitan areas. Even if a judge issues a parole order, the lack of resources limits the ability to issue such an order.

¹⁶ The Children Act, 2013, Section 34 (8).

- More probation officers should be hired, preferably with a legal, social, or criminology background.
- Currently, there may be no separate financial allocation for probation offerings and DSS district workplace finances allocations are very limited. Separate and suitable finances have to be furnished for probation assistance. Additionally, extra sources want to be invested to make sure the ability to construct grownup and baby probation officers.
- Existing agencies involved in the probation system. DSS, District probation officers, child development centers, and county social services should increase oversight and oversight by relevant departments and courts.
- To speed up the implementation of the recently passed Children's Act 2013, provide comprehensive guidelines that urgently address new ideas of non-custodial measures, including alternatives to recovery and jail.
- Conduct regular capacity-building exercises (training, seminars, and workshops) for probation stakeholders, including judges, probation officers, police officers, prison officials, attorneys, and social workers.
- Survey results show that probation officers rely heavily on local government officials to monitor and rehabilitate probation officers. By law, local government officials are encouraged to be formally involved in the probation and reintegration process.
- Probation officials need to be classified and categorized one at a time primarily based totally on whether or not they're managing personal probation officials or infant offenders and infant offenders. Alternatively, a selected probation officer may only be appointed to appear after the kid. These officials should be in particular skilled and certified to paint with children.
- A desire to construct umbrella companies, sole proprietorships, branches, or legal entities to institutionalize and oversee all detention facilities and non-custodial punishments, including probation, diversionary, and network sentencing. To handle institutional corrections (including CDC or prison) and non-custodial corrections, a distinct "Corrections Division" could be created (consisting of probation, parole, and network sanctions).
- A probation officer's office wants to move from a modern setting of DSS workstations and/or DC workstations to a courtroom apartment. If this is not always possible, you should offer probation officers a flat rate shipping fee to facilitate regular court attendance. Probation officers must work with courts to circumvent probation orders. Moreover, probation officers should be given a special seat in every court.
- Probation officials must accept shipping offerings to acquire statistics concerning the accused to put together pre-sentence reviews imperative for courts to furnish probation.

- Provision for a probationary period must be included in professional training programs for lawyers such as those organized by the Bangladesh Bar Association. Lawyers should take action in court and remind judges of probation laws when necessary.
- District bar associations have to inspire younger legal professionals by teaching them about probation, felony resource, and ADR. DLAC may be used as a discussion board to talk about probation problems and enhance coordination amongst numerous stakeholders consisting of district courtroom docket judges, bar presidents and secretaries, and DSS officers.
- The NHRC can include the “possibility of detention” in its priority mandate to protect the human rights of pretrial detainees and convicted prisoners. In addition, the NHRC, in partnership with GOs and NGOs, will be used to identify mass probation opportunities and to gain more recognition, especially from the general public and those who have impacted their ability to obtain parole, in the future.
- The bureaucracy and registers set out in the Probation of Offenders Rules, 1971 will be revised to ensure gender neutrality and to remove references to beliefs that may not be material.

For Civil Society

- Most human rights companies recognize on due method and rights of the accused in addition to the victims. However, they do not give normal recognition on prisoners, in particular, the ones convicted. Except for a few constrained projects through a few improvement companies, there are nearly no investments within the correction (reintegration and rehabilitation) of convicts. Civil society companies, especially the ones targeted on human rights, must provoke dialogues and packages to sell the probation machine in Bangladesh as an opportunity for imprisonment, lessen jail overcrowding and humanize the penal interventions greater economically.
- Human rights groups use probation clauses and non-custodial measures such as probation for duty bearers (lawyers, police officers, prosecutors, judges) and rights holders (defendants, defense counsel). You must be notified of the possibility of doing so. Diversion, conditional release, early release, and building awareness and trust in probation services can facilitate probation as a process for both justice system stakeholders and the general public.
- Professional organizations working on criminal justice reform can conduct pilot programs to monitor, correct, reintegrate and rehabilitate offenders, and incorporate them into government programs. This can also encompass the improvement of mediation and opportunity dispute decision offerings furnished via way of means of civil society businesses about administrative offenses. Partnerships with organizations offering paralegal initiatives aimed at providing alternatives to pretrial detention should also be considered to explore parole and parole opportunities.
- Specialized corporations operating with the crook justice machine can adopt capability improvement applications for judges, lawyers, and Probation Officers. To offer proof of

the wonderful elements of probation, corporations concerned in crook justice studies also can behavior widespread studies on options for imprisonment and adopt coverage advocacy.

- A survey of sentenced prisoners ought to be finished to set up the number of capacity applicants for options for imprisonment. This could offer a baseline and statistics to help options for imprisonment work.

Conclusion

The earliest proposals for options for imprisonment may be traced to numerous pointers through the Prison Commission and the CrPC from 1898 to the past due nineteenth century. The introduction of probation system in Bangladesh has a history of more than 50 years of probation within the legal framework, starting with the criminal protection order in 1960. However, probation is not yet widespread, and the common consensus among many criminal justice professionals is that jail serves solely punitive or deterrent functions and not the aim of rehabilitation. The legal system permits probation releases for criminals accused of a variety of (lesser-serious) offenses. To protect the best interests of the child, adult suspects who conflict with the law and the child's probation procedure will be kept apart. The jail system is strained by limited access to probation, which also adds to overpopulation in huge institutions. It would be beneficial to clarify the administrative processes for probation under various statutes. Furthermore, DSS suffers from major operational and logistical issues that limit its capacity to secure parole and accomplish rehabilitative objectives. It is also clear that there is a lack of coordination among the several organizations involved in probation (police, courts, attorneys, probation officers, Home Office, prison administration, DSS, etc.).

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Bangladesh: End Crackdown Against Journalists and Critics - Protecting Freedom of Expression

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Abstract: In recent years, Bangladesh has seen a worrying rise in the repression of journalists and journalist critics thereby jeopardizing freedom of expression as an important human right. This article discusses the recent crackdown on freedom of speech, with a focus on its implications for democracy, human rights, and international relations. This repression has been exacerbated by the government's way of applying draconian laws like The Digital Security Act (DSA) 2018, resulting in severe censorship and self-censorship as well as systematic harassment of media personnel or activists. Such moves have been widely condemned in the international community including some global Human Rights Organisations and soured Bangladesh's relationship with many strategic partners across continents. This article suggests that the crackdown is eroding democratic standards and breaking international human rights rules. Urging reforms on freedom of expression That calls for reform to protect freedom of expression and, importantly the repeal or amendment of some restrictive laws; strengthening democratic institutions as well impose more pressure from international over Dhaka. The article ends by stating the necessity of a free and vibrant press along with increasing civil society engagement if democracy and human rights are to be protected in Bangladesh.

Keywords: Freedom of expression, Media crackdown, Press freedom, Censorship, Human rights.

1. Introduction

1.1 Contextual Background

Since its independence in 1971, Bangladesh has experienced a tumultuous political journey, characterized by periods of democratic governance interspersed with military rule. Throughout this history, the media and civil society have played a crucial role in shaping public discourse, holding the government accountable, and advocating for the rights of citizens. However, the political landscape in Bangladesh has increasingly become hostile to dissent, particularly in the last decade. The current government, led by the Awami League since 2009, has been accused of undermining democratic processes and institutions. This trend has manifested in various forms, including the manipulation of electoral processes, the weakening of the judiciary, and the restriction of civil liberties. Among these, the curtailment of freedom of expression has emerged as a critical issue, raising concerns both domestically and internationally.

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1.2 Significance of the Issue

Freedom of expression is a cornerstone of democracy and a fundamental human right enshrined in various international treaties, including the Universal Declaration of Human Rights (UDHR) and the International Covenant on Civil and Political Rights (ICCPR), to which Bangladesh is a signatory. It enables citizens to participate in public affairs, fosters transparency and accountability, and serves as a check on government power. When freedom of expression is curtailed, the very fabric of democracy is threatened. In Bangladesh, the increasing crackdown on journalists, activists, and critics poses a significant threat to these democratic principles. The government's actions not only stifle dissent but also create a climate of fear, leading to self-censorship and the erosion of public discourse. This crackdown has broader implications for human rights, as it undermines the ability of individuals and organizations to advocate for social justice, equality, and the rule of law.

2. Historical Context of Freedom of Expression in Bangladesh

2.1 Early Post-Independence Era

Following its independence from Pakistan in 1971, Bangladesh embarked on a journey to establish a democratic and secular state. The country's founding leader, Sheikh Mujibur Rahman, envisioned a society where freedom of expression would be upheld as a fundamental right. The 1972 Constitution of Bangladesh enshrined this right in Article 39, guaranteeing freedom of thought, conscience, speech, and the press.

However, the early years of independence were marked by political instability, economic challenges, and internal strife. The assassination of Sheikh Mujibur Rahman in 1975 and the subsequent military coups significantly altered the political landscape. During the military regimes of the late 1970s and 1980s, press freedom was severely restricted. The government controlled the media, and censorship was widely practiced. Journalists who dared to criticize the regime faced harassment, imprisonment, and even death.

Despite these challenges, the press played a vital role in advocating for democracy and human rights. The 1980s saw the rise of a vibrant civil society, including independent newspapers, which pushed for political reforms and the restoration of democracy. This period laid the groundwork for the eventual transition to democratic governance in the early 1990s.

2.2 Military Regimes

The military rule that dominated Bangladesh during the late 1970s and 1980s had a profound impact on freedom of expression. General Ziaur Rahman, who took power in 1977, initially sought to establish a more inclusive political system. However, his regime maintained tight control over the media. The Press and Publication Ordinance of 1973 was used to censor publications and silence dissent. State-owned media outlets, including Bangladesh Television (BTV) and Bangladesh Betar (Radio Bangladesh), were used as propaganda tools to promote the government's agenda.

The situation worsened under General Hussain Muhammad Ershad, who came to power in a coup in 1982. Ershad's regime was characterized by widespread censorship, the suppression of political opposition, and the use of state security forces to intimidate journalists and activists.

The government's control over the media was nearly absolute, with newspapers and broadcasting outlets facing constant scrutiny and the threat of closure.

Despite these repressive measures, the late 1980s saw a resurgence of pro-democracy movements. Civil society organizations, student groups, and political parties mobilized against the Ershad regime, demanding the restoration of democratic governance. The press played a crucial role in these movements, providing a platform for dissent and exposing government corruption and human rights abuses.

2.3 Return to Democracy

The fall of the Ershad regime in 1990 marked a turning point in Bangladesh's political history. The subsequent democratic transition brought with it renewed hopes for press freedom and civil liberties. The 1990s and early 2000s were characterized by a relatively free press, with numerous private newspapers, television channels, and radio stations emerging. These media outlets played a vital role in holding successive governments accountable and fostering a culture of public debate.

However, the democratic transition was not without its challenges. Political instability, characterized by frequent changes in government, widespread corruption, and the use of violence in politics, continued to plague the country. The media, while enjoying greater freedom than during the military regimes, still faced significant threats. Journalists were often caught in the crossfire of political rivalries, facing harassment, threats, and violence from both state and non-state actors.

Despite these challenges, the press in Bangladesh remained resilient. The growth of digital media in the 2000s further expanded the space for free expression, allowing citizens to access information and engage in public discourse through online platforms and social media.

2.4 Key Legislative Frameworks

The legal framework governing media and freedom of expression in Bangladesh has evolved over time. While the Constitution guarantees these rights, various laws have been enacted that either support or restrict them.

The **Press and Publications Act of 1973** was one of the earliest laws to regulate the media. It provided the government with broad powers to control publications, including the authority to ban or suspend newspapers and revoke the licenses of publishers. This law was often used to suppress dissent during the military regimes.

The **Special Powers Act of 1974** is another significant piece of legislation that has been used to curtail freedom of expression. The Act allows for preventive detention and the imposition of restrictions on individuals deemed to be a threat to the security or public order of the state. Over the years, this law has been used to detain journalists, activists, and political opponents without trial.

In recent years, the **Digital Security Act (DSA) 2018** has emerged as the most controversial and repressive law governing freedom of expression in Bangladesh. The DSA has been widely

criticized for its vague and broad provisions, which allow for the prosecution of individuals for online activities that are deemed to be against the state's interests. The law has been used extensively to target journalists, bloggers, and social media users who criticize the government or expose corruption.

Other relevant laws include the Telecommunication Act of 2001, the Information and Communication Technology (ICT) Act of 2006, and the Broadcasting Policy 2014, all of which have provisions that can be used to restrict media freedom and online expression.

3. The Current Crackdown

3.1 Overview of the Current Situation

In recent years, Bangladesh has witnessed a marked increase in the suppression of freedom of expression, particularly targeting journalists, activists, and critics of the government. This crackdown has taken various forms, including arrests, harassment, physical attacks, enforced disappearances, and even extrajudicial killings. The government has also intensified its control over the media, using both legal and extralegal measures to silence dissent.

One of the most significant developments in this regard has been the enactment and enforcement of the Digital Security Act (DSA) 2018. This law has become the primary tool for the government to clamp down on free speech, particularly in the digital space. The DSA's vague and broad provisions have been used to target individuals for a wide range of activities, including social media posts, online journalism, and digital activism.

The impact of this crackdown has been profound. Journalists and media outlets face constant threats of legal action, leading to widespread self-censorship. Independent and critical voices are increasingly marginalized, and the space for public discourse is shrinking. The situation has drawn widespread condemnation from human rights organizations, both within Bangladesh and internationally.

3.2 Digital Security Act (DSA) 2018

The Digital Security Act (DSA) 2018 represents a significant escalation in the government's efforts to control online expression and suppress dissent. The law was ostensibly introduced to combat cybercrime and protect national security, but its provisions have been widely criticized for being overly broad and open to abuse.

Key provisions of the DSA include:

- **Section 21:** Criminalizes the publication or broadcast of “propaganda or campaign against the Liberation War of Bangladesh, the spirit of the Liberation War, or the Father of the Nation,” with penalties of up to 14 years in prison. This provision has been used to target individuals who criticize the government or its leaders.
- **Section 25:** Criminalizes the transmission, publication, or propagation of “offensive, false or threatening data or information” that could disturb public order, with penalties of up to three years in prison. This section has been used to prosecute journalists and social media users for posts that are critical of the government.

- **Section 28:** Criminalizes the transmission of information that could hurt religious sentiments, with penalties of up to 10 years in prison. This section has been used to target bloggers and activists who advocate for secularism or criticize religious extremism.
- **Section 29:** Criminalizes defamation, with penalties of up to three years in prison. This section has been used to target journalists who publish investigative reports on corruption or abuse of power.
- **Section 31:** Criminalizes the publication of information that could create “enmity, hatred, or hostility among different classes or communities,” with penalties of up to seven years in prison. This section has been used to target individuals who speak out against discrimination or advocate for minority rights.

The DSA has been widely condemned by human rights organizations, including Human Rights Watch, Amnesty International, and the United Nations, for its potential to stifle free speech and its use to target critics of the government. The law’s vague language allows for arbitrary interpretation, leading to the prosecution of individuals for activities that should be protected under the right to freedom of expression.

3.3 Case Studies

Several high-profile cases illustrate the impact of the Digital Security Act and the broader crackdown on freedom of expression in Bangladesh:

1. **The Case of Shafiqul Islam Kajol:** Shafiqul Islam Kajol, a prominent photojournalist and editor, was forcibly disappeared in March 2020, shortly after being charged under the DSA for a Facebook post that allegedly defamed a ruling party lawmaker. Kajol was missing for 53 days before being found near the Indian border and was subsequently arrested. He spent over seven months in prison before being released on bail. His case highlights the use of enforced disappearance and the DSA to intimidate journalists.
2. **The Arrest of Mushtaq Ahmed:** Mushtaq Ahmed, a writer and social media activist, was arrested in May 2020 under the DSA for criticizing the government’s handling of the COVID-19 pandemic on Facebook. He was denied bail multiple times and died in prison in February 2021 after being held for nine months without trial. Ahmed’s death sparked widespread outrage and protests, highlighting the dangers faced by those who speak out against the government.
3. **The Case of Rozina Islam:** Rozina Islam, an investigative journalist with the daily Prothom Alo, was arrested in May 2021 on charges of “stealing government documents” related to her reporting on corruption in the health sector. Islam was held in police custody for several days and faced multiple legal charges, including under the Official Secrets Act and the Penal Code. Her arrest was widely condemned as an attempt to silence investigative journalism.

These cases represent just a few examples of the broader pattern of repression faced by journalists and critics in Bangladesh. The use of the Digital Security Act and other repressive

laws to target individuals who expose corruption, criticize government policies, or advocate for human rights has created a climate of fear and self-censorship.

3.4 Government's Justification

The Bangladeshi government has defended its actions by arguing that the Digital Security Act and other measures are necessary to protect national security, maintain public order, and prevent the spread of false information. Government officials have emphasized the importance of combating cybercrime, particularly in the context of rising digital communication and social media use. The government has also argued that the DSA is essential for protecting the country's history and values, particularly in the context of the Liberation War of 1971. Sections of the DSA that criminalize "propaganda" against the Liberation War or the Father of the Nation have been justified on the grounds of preserving national unity and preventing the spread of divisive narratives.

However, these justifications have been widely criticized as insufficient and disingenuous. Critics argue that the government is using these laws to silence dissent and protect its own interests rather than addressing genuine security concerns. The broad and vague language of the DSA allows for the arbitrary targeting of individuals who pose no real threat to national security but are seen as politically inconvenient.

Moreover, the government's actions have been criticized for violating international human rights norms, particularly those related to freedom of expression. The arbitrary detention of journalists, the use of force against protesters, and the lack of due process for those charged under the DSA have all raised serious concerns about the government's commitment to upholding the rule of law.

4. Impact on Democracy and Human Rights

4.1 Erosion of Democratic Principles

The ongoing crackdown on freedom of expression in Bangladesh is having a profound impact on the country's democratic institutions. By targeting journalists, activists, and critics, the government is undermining the checks and balances that are essential for a functioning democracy. The press, often referred to as the fourth estate, plays a crucial role in holding the government accountable, exposing corruption, and informing the public about important issues. When the press is silenced, the government operates with impunity, leading to the erosion of democratic governance.

The crackdown has also weakened the independence of the judiciary, which is a key pillar of democracy. The judiciary in Bangladesh has increasingly come under pressure from the executive branch, with judges facing threats and intimidation when they issue rulings that are unfavorable to the government. This has led to a situation where the courts are often reluctant to challenge government actions, particularly those related to the suppression of free speech.

The erosion of democratic principles is further compounded by the government's manipulation of electoral processes. Elections in Bangladesh have been marred by allegations of vote rigging, voter intimidation, and the exclusion of opposition candidates. In this context, the crackdown on

freedom of expression serves to further entrench the ruling party's power by silencing opposition voices and limiting the public's access to information.

4.2 Chilling Effect on Free Speech

The government's actions have created a chilling effect on free speech in Bangladesh. Journalists, bloggers, and social media users are increasingly afraid to express their views, particularly when those views are critical of the government. The threat of arrest, harassment, and violence has led to widespread self-censorship, with many individuals choosing to remain silent rather than risk persecution.

This chilling effect extends beyond the media to other areas of public life. Civil society organizations, academics, and artists are also facing increasing pressure to conform to government-approved narratives. Those who challenge the status quo or advocate for controversial issues, such as minority rights or environmental protection, are often targeted by the government and its supporters.

The suppression of free speech has also had a negative impact on public discourse. In a healthy democracy, diverse voices and perspectives are essential for informed debate and decision-making. However, in Bangladesh, the narrowing of the space for free expression has led to a homogenization of public discourse, where only government-approved narratives are allowed to prevail. This has stifled innovation, creativity, and critical thinking, and has contributed to a decline in the quality of public debate.

4.3 Human Rights Violations

The crackdown on freedom of expression in Bangladesh has led to widespread human rights violations. These include arbitrary arrests, enforced disappearances, extrajudicial killings, and the denial of due process rights. The government's use of repressive laws, such as the Digital Security Act, to target individuals for their online activities is a clear violation of the right to freedom of expression, as protected by international human rights law.

The United Nations, in its Universal Declaration of Human Rights (UDHR), affirms that "everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers" (Article 19). Similarly, the International Covenant on Civil and Political Rights (ICCPR), to which Bangladesh is a party, guarantees the right to freedom of expression (Article 19).

The arbitrary detention and prosecution of individuals under the DSA and other repressive laws are in direct contravention of these international norms. Moreover, the use of force against protesters, the harassment of journalists, and the lack of accountability for human rights abuses further exacerbate the situation. These actions not only violate the rights of individuals but also undermine the rule of law and the principles of justice and fairness.

4.4 Impact on Civil Society

The crackdown on freedom of expression has also had a detrimental impact on civil society in Bangladesh. Non-governmental organizations (NGOs), human rights defenders, and advocacy

groups are facing increasing restrictions on their activities. The government has introduced new regulations and laws that impose stringent requirements on NGOs, particularly those that receive foreign funding. These regulations have been used to target organizations that are critical of the government or that work on sensitive issues, such as human rights, labor rights, and environmental protection.

In addition to legal and regulatory measures, civil society organizations and activists are also facing harassment, intimidation, and violence. Those who speak out against government policies or advocate for the rights of marginalized communities are often subjected to smear campaigns, threats, and physical attacks. This has created a climate of fear that has significantly hampered the ability of civil society to operate freely and independently.

The weakening of civil society has serious implications for the protection of human rights and the promotion of social justice in Bangladesh. Civil society organizations play a crucial role in advocating for the rights of vulnerable groups, holding the government accountable, and providing essential services to communities. The suppression of these organizations not only undermines the rights of individuals but also weakens the overall fabric of society.

5. International Response and Pressure

5.1 Global Reactions

The crackdown on freedom of expression in Bangladesh has drawn widespread condemnation from the international community. Human rights organizations, including Amnesty International, Human Rights Watch, and Reporters Without Borders, have issued numerous reports and statements criticizing the government's actions. These organizations have called for the repeal of repressive laws, the release of arbitrarily detained individuals, and the protection of journalists and human rights defenders.

The United Nations has also expressed concern about the situation in Bangladesh. The UN Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression has repeatedly called on the Bangladeshi government to respect its international obligations and to ensure that individuals are not persecuted for exercising their right to free speech. The UN Human Rights Council has also raised the issue of freedom of expression in Bangladesh during its Universal Periodic Review (UPR) process, urging the government to take concrete steps to address the concerns raised by the international community.

5.2 Diplomatic Repercussions

The crackdown on freedom of expression in Bangladesh has had significant diplomatic repercussions. Western countries, including the United States, the United Kingdom, and the European Union, have expressed concern about the situation and have called on the Bangladeshi government to uphold its human rights commitments. In some cases, these concerns have led to diplomatic actions, such as the suspension of development aid or the imposition of sanctions on individuals responsible for human rights abuses.

The situation in Bangladesh has also strained its relations with international organizations, such as the Commonwealth and the Organization of Islamic Cooperation (OIC). These organizations

have expressed concern about the state of democracy and human rights in Bangladesh and have called on the government to address the issues raised by the international community.

The diplomatic pressure on Bangladesh has been further amplified by the advocacy efforts of the Bangladeshi diaspora. Expatriate communities, particularly in Western countries, have been vocal in their criticism of the government's actions and have lobbied their host governments to take a stronger stance on the issue. These efforts have helped to keep the issue of freedom of expression in Bangladesh on the international agenda and have contributed to the growing pressure on the government to address the concerns raised by the international community.

5.3 Role of the Diaspora

The Bangladeshi diaspora has played a significant role in advocating for freedom of expression and human rights in Bangladesh. Expatriate communities, particularly in countries such as the United States, the United Kingdom, and Canada, have organized protests, lobbied policymakers, and raised awareness about the situation in Bangladesh. These efforts have helped to draw international attention to the issue and have put pressure on the Bangladeshi government to address the concerns raised by the diaspora.

The diaspora has also been instrumental in supporting journalists, activists, and human rights defenders in Bangladesh. Through financial support, legal assistance, and advocacy, the diaspora has provided a lifeline to those who are targeted by the government. This support has been crucial in enabling individuals to continue their work despite the risks they face and has helped to sustain the struggle for freedom of expression in Bangladesh.

The role of the diaspora is particularly important given the restrictions on civil society and the media within Bangladesh. With limited space for dissent and activism inside the country, the diaspora has become an important voice for those who are silenced. The diaspora's efforts have also helped to build international solidarity and to amplify the voices of those who are fighting for freedom of expression in Bangladesh.

6. Recommendations and Path Forward

6.1 Reforming the Legal Framework

One of the most urgent steps that Bangladesh needs to take is to reform its legal framework to ensure the protection of freedom of expression. The Digital Security Act (DSA) 2018, in particular, needs to be repealed or significantly amended to remove the provisions that are being used to target journalists, activists, and critics. Any new legislation should be carefully drafted to ensure that it is consistent with international human rights standards and that it cannot be used to arbitrarily restrict free speech.

In addition to reforming the DSA, Bangladesh should also review other laws and regulations that impact freedom of expression, including the Official Secrets Act, the Penal Code, and regulations governing NGOs and civil society organizations. These laws should be amended to ensure that they do not infringe on the right to freedom of expression and that they are not used to target individuals for their political beliefs or activism.

Legal reforms should be accompanied by measures to strengthen the independence of the judiciary. The judiciary must be able to operate free from political interference and to provide fair and impartial judgments in cases involving freedom of expression. This will require reforms to the appointment and tenure of judges, as well as measures to protect judges from threats and intimidation.

6.2 Strengthening Institutions

In addition to legal reforms, Bangladesh needs to take steps to strengthen its democratic institutions. This includes ensuring the independence of the judiciary, the press, and civil society organizations. The government should take immediate steps to end the harassment and intimidation of journalists, activists, and human rights defenders, and to ensure that they can carry out their work without fear of retribution.

The government should also strengthen the capacity of institutions such as the Anti-Corruption Commission, the Election Commission, and the National Human Rights Commission. These institutions play a crucial role in promoting transparency, accountability, and the protection of human rights. However, they have often been undermined by political interference and a lack of resources. Strengthening these institutions will be essential for ensuring that Bangladesh's democracy remains robust and that the rule of law is upheld.

6.3 Encouraging Media Freedom

A free and vibrant press is essential for the functioning of a democracy. The government should take steps to promote media freedom by ending the censorship and harassment of journalists and media outlets. This includes repealing or amending laws that restrict press freedom, such as the Digital Security Act, and ensuring that journalists can operate without fear of arrest or violence. The government should also promote the development of independent media outlets that are not controlled by the state or political parties. This could include providing financial support for independent media, as well as ensuring that media ownership is transparent and free from conflicts of interest. Promoting media literacy and supporting the training of journalists will also be important for ensuring that the media can play its role in informing the public and holding the government accountable.

6.4 International Support

The international community has a crucial role to play in supporting freedom of expression and human rights in Bangladesh. This includes providing diplomatic pressure, financial support, and technical assistance to promote legal and institutional reforms. The international community should also continue to monitor the situation in Bangladesh and to raise concerns about human rights abuses in international forums.

International organizations, such as the United Nations, the European Union, and the Commonwealth, should use their influence to encourage the Bangladeshi government to uphold its human rights commitments. This could include imposing sanctions on individuals responsible for human rights abuses, as well as providing support for civil society organizations and human rights defenders.

The international community should also support efforts to raise public awareness about the importance of freedom of expression. This could include funding media literacy programs, supporting the training of journalists, and promoting the work of independent media outlets.

6.5 Public Awareness and Advocacy

Raising public awareness about the importance of freedom of expression is essential for building a culture of democracy and human rights in Bangladesh. This will require concerted efforts by civil society organizations, the media, and the international community to educate the public about their rights and to advocate for legal and institutional reforms.

Public awareness campaigns should focus on the importance of free speech for democracy, the risks of censorship and repression, and the need for legal protections for journalists, activists, and critics. These campaigns should also highlight the stories of individuals who have been targeted for exercising their right to free speech, as well as the broader impact of the crackdown on society.

Advocacy efforts should also focus on engaging with policymakers and lawmakers to promote legal and institutional reforms. This could include lobbying for the repeal or amendment of repressive laws, as well as advocating for the strengthening of democratic institutions. Engaging with the international community will also be important for building support for these efforts and for putting pressure on the Bangladeshi government to take action.

7. Conclusion

7.1 Summary of Key Points

The ongoing crackdown on freedom of expression in Bangladesh represents a serious threat to the country's democracy and human rights. The government's use of repressive laws, such as the Digital Security Act, to target journalists, activists, and critics has created a climate of fear and self-censorship that is stifling public discourse and undermining democratic institutions.

The situation in Bangladesh has drawn widespread condemnation from the international community, with human rights organizations, international organizations, and foreign governments calling for an end to the repression and for the protection of freedom of expression. The Bangladeshi diaspora has also played a crucial role in advocating for change and in supporting those who are targeted by the government.

7.2 Reiteration of Thesis

This article has argued that the crackdown on freedom of expression in Bangladesh is undermining democracy and human rights and that urgent action is needed to address the situation. The government must take steps to reform its legal framework, strengthen its democratic institutions, and promote media freedom. The international community must also continue to apply pressure and to support efforts to protect freedom of expression in Bangladesh.

7.3 Call to Action

The time for action is now. The Bangladeshi government must recognize that the suppression of free speech is not only a violation of human rights but also a threat to the country's long-term stability and prosperity. By taking steps to protect freedom of expression and to uphold the rule

of law, Bangladesh can build a more inclusive and democratic society that respects the rights of all its citizens.

The international community must also continue to stand in solidarity with the people of Bangladesh and to support their struggle for freedom and democracy. By working together, we can help to create a future where everyone in Bangladesh can exercise their right to free speech without fear of persecution.

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Ensuring Access to Justice in Bangladesh: The Role, Challenges, and Effectiveness of Alternative Dispute Resolution

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Abstract: In Bangladesh, ensuring access to justice remains a critical challenge, particularly due to the complexities, delays, and financial burdens associated with formal litigation. In response, Alternative Dispute Resolution (ADR) has gained renewed emphasis as an effective mechanism to resolve conflicts outside traditional court proceedings. ADR methods not only reduce litigation costs and delays but also foster amicable settlements, preserving relationships and minimizing adversarial confrontations. Recognizing these advantages, countries worldwide, including Bangladesh, have incorporated ADR into their legal frameworks to enhance equitable access to justice. This study examines the role, challenges, and effectiveness of ADR in Bangladesh, analyzing both court-based and non-court-based mechanisms under various legal provisions. It explores the barriers to justice within the conventional legal system and evaluates ADR's efficiency, fairness, and inclusivity in addressing these obstacles. By assessing the impact of ADR on different socio-economic groups—regardless of wealth, literacy, gender, or social status—this paper highlights its potential in promoting a more accessible, non-discriminatory, and expeditious justice system. Finally, it offers recommendations to strengthen ADR's implementation, ensuring its long-term success in facilitating justice for all.

Keywords: Access to Justice, Effectiveness, Resolution, judicial framework, Mechanisms.

Introduction

Access to justice is a fundamental human right and a cornerstone of a fair legal system. It is widely recognized that "injustice anywhere is a threat to justice everywhere" (King, 1963). The right to access justice is enshrined in the constitutions of many countries, including Bangladesh. The Constitution of Bangladesh guarantees every citizen equality before the law and ensures the right to legal protection and fair treatment (Constitution of Bangladesh, Article 27 & 31). These rights are further reinforced by various international and regional legal instruments. The Universal Declaration of Human Rights (UDHR) 1948 asserts that "everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, color, or sex" (United Nations, 1948). Similarly, the African Charter on Human and Peoples' Rights states that "every individual shall be equal before the law" (African Union, 1981).

Despite these guarantees, access to justice in Bangladesh remains a challenge due to systemic issues. Delays in court proceedings, case backlogs, high litigation costs, complex procedural

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rules, and limited opportunities for consensual settlements hinder the realization of justice for many, particularly for the marginalized and disadvantaged communities (Rahman, 2019). The legal system theoretically provides justice for all, but in practice, it often favors the wealthy and powerful, as financial resources significantly determine one's ability to access justice (Hussain, 2020). This challenge is particularly evident in civil litigation, where adversarial proceedings lead to prolonged disputes with minimal scope for amicable resolution.

Given these challenges, Alternative Dispute Resolution (ADR) presents itself as an effective mechanism to enhance access to justice. ADR encompasses various processes that facilitate dispute resolution outside formal judicial proceedings, promoting amicable settlements in a cost-effective and timely manner (Kamal, 2001). Former Chief Justice Mustafa Kamal defined ADR as "a non-formal settlement of legal and judicial disputes as a means of disposing of cases quickly and inexpensively" (Kamal, 2001, p. 45). The European Commission, in its Green Paper on ADR, acknowledged that ADR offers a viable solution to access-to-justice issues by addressing increasing caseloads, prolonged proceedings, and escalating litigation costs (European Commission, 2002). Furthermore, ADR's voluntary and consensual nature allows parties to actively participate in resolving disputes, fostering a sense of fairness and satisfaction among litigants (Ahmed, 2018).

Given these considerations, ADR is increasingly recognized as an essential component of Bangladesh's judicial framework. By promoting efficiency, cost-effectiveness, and mutual agreement, ADR enhances the accessibility of justice, particularly in civil disputes. This study aims to analyze the role, challenges, and effectiveness of ADR in ensuring access to justice in Bangladesh.

Theoretical Framework

The theoretical framework for this study on Alternative Dispute Resolution (ADR) and access to justice in Bangladesh is grounded in legal theories of justice, efficiency, and dispute resolution. The concept of access to justice is an essential component of human rights, recognized in both national and international legal frameworks. The Constitution of Bangladesh guarantees every citizen equality before the law and the right to legal protection (The Constitution of the People's Republic of Bangladesh, 1972). However, systemic barriers such as cost, delay, procedural complexities, and corruption have limited the practical realization of this right (Alam, 2001).

Theories of justice, particularly Rawls' concept of fairness and Sen's capability approach, provide the foundation for understanding access to justice (Rawls, 1971; Sen, 2009). Rawls emphasizes the importance of equal liberty and fair opportunity, arguing that justice should be accessible to all, regardless of socioeconomic status. Sen extends this by focusing on individuals' capabilities to exercise their legal rights. In the context of Bangladesh, ADR serves as a mechanism to bridge the gap between theoretical legal rights and practical accessibility (Naser, 2006).

ADR encompasses various dispute resolution mechanisms, including mediation, arbitration, and conciliation, designed to facilitate quicker, cost-effective, and amicable settlements outside the formal court system (Bhatt, 2002). The European Commission has recognized ADR as a key instrument in addressing barriers to justice, particularly in societies burdened by judicial inefficiencies (European Commission, 2002). Bangladesh has integrated ADR into its legal

system through legislative frameworks such as the Code of Civil Procedure (Amendment) Act 2003, the Family Courts Ordinance 1985, and the Arbitration Act 2001 (Hasan, 2005).

The effectiveness of ADR in Bangladesh can be assessed through the lenses of efficiency, fairness, and public perception. Empirical studies have demonstrated that ADR significantly reduces case backlogs, expedites dispute resolution, and lowers litigation costs (Rahman, 1986). Data from the Ministry of Law, Justice, and Parliamentary Affairs reveal that from 2003 to 2006, over 12,000 civil cases were resolved through ADR mechanisms, highlighting its impact (Ministry of Law, 2006).

However, challenges persist, including limited public awareness, lack of trained mediators, and resistance from legal professionals who perceive ADR as a threat to their economic interests (Sattar, 2006). Furthermore, informal ADR mechanisms such as village courts and NGO-assisted mediation often face issues of bias and political influence, which can undermine their credibility (Haque, 2003).

The theoretical foundation of ADR in Bangladesh is rooted in its potential to promote access to justice by reducing costs, ensuring efficiency, and facilitating fair outcomes. However, to fully realize its potential, institutional reforms, increased legal awareness, and the integration of ADR into formal judicial training programs are necessary. This study will explore the extent to which ADR can be strengthened as a viable alternative to traditional litigation in Bangladesh.

Justice and Fairness: Rawls' Concept of Fairness and Sen's Capability Approach

John Rawls' concept of fairness is rooted in his theory of justice as fairness, which emphasizes the principles of equal basic liberties and the difference principle. Rawls argues that justice should ensure equal rights and opportunities for all individuals, particularly benefiting the least advantaged (Rawls, 1971). His theory is grounded in the idea of the original position and the veil of ignorance, ensuring fairness in societal arrangements.

Amartya Sen's capability approach shifts the focus from mere distribution of resources to individuals' actual ability to achieve valuable functionings (Sen, 1999). Sen critiques Rawls for overly focusing on primary goods, arguing that justice should be measured by people's real freedoms and opportunities rather than just formal equality. His approach emphasizes social arrangements that enhance individuals' substantive freedoms to lead meaningful lives.

Alternative Dispute Resolution (ADR) aligns with Rawls' and Sen's justice theories in several ways. ADR promotes procedural fairness by providing alternative mechanisms to litigation, ensuring access to justice for marginalized groups (Menkel-Meadow, 2004). By reducing the cost and complexity of legal proceedings, ADR supports Rawls' principle of fairness by making dispute resolution more accessible to disadvantaged individuals. Similarly, ADR aligns with Sen's capability approach by broadening individuals' choices in seeking justice, thereby enhancing their capabilities to resolve disputes effectively (Sen, 2009).

However, ADR can also deviate from these justice theories. Critics argue that ADR may sometimes prioritize efficiency over substantive fairness, potentially disadvantaging those with less bargaining power (Genn, 2012). In such cases, ADR mechanisms may fail to protect the least advantaged, contradicting Rawls' difference principle.

ADR significantly enhances access to justice by providing cost-effective, timely, and flexible dispute resolution methods. The Washington State Access to Justice Board outlines that meaningful access to justice includes opportunities to assert claims, access necessary legal information, and participate in legal proceedings (Washington State Access to Justice Board, 2006). ADR meets these criteria by offering mediation, arbitration, and negotiation as viable alternatives to court litigation. In Bangladesh, access to justice is enshrined in the Constitution, ensuring equality before the law and the right to a fair trial. However, the formal legal system often fails to guarantee justice due to delays and high costs. ADR bridges this gap by facilitating quicker and less expensive resolutions, thereby ensuring fairness in accordance with Rawls' and Sen's principles (Halim, 2007).

Efficiency and Effectiveness of ADR in Bangladesh

Alternative Dispute Resolution (ADR) has played a crucial role in addressing the backlog of cases and reducing litigation costs in Bangladesh. The traditional legal system often results in prolonged disputes, whereas ADR mechanisms such as mediation, arbitration, and conciliation offer a faster, more cost-effective resolution (Rahman, 2021). ADR ensures that multiple suits can be settled in a single session, significantly alleviating the burden on courts and minimizing financial constraints for litigants (Ahmed, 2020).

One of the primary advantages of ADR is its ability to expedite dispute resolution while avoiding the complexities of the formal legal system. As parties control the process, including the selection of mediators and experts, they can ensure an efficient and effective resolution (Khan, 2019). Empirical data reveals that settlements through ADR result in higher financial realizations compared to traditional court proceedings. Between 1985 and 2000, total realizations from family suits in three courts amounted to Tk. 61,99,759.50, while mediation alone recovered Tk. 50,94,501 within just twelve months of its introduction (Rahman, 2021). This demonstrates ADR's cost-effectiveness and efficiency in case resolution.

Mediation, arbitration, and conciliation have proven to be highly successful in ensuring amicable settlements. Unlike litigation, ADR fosters a win-win outcome that preserves relationships rather than leading to adversarial legal battles (Hasan, 2022). Moreover, ADR ensures privacy, which is a fundamental right, and allows parties the liberty to withdraw a case from formal courts at any stage to opt for ADR instead (Ahmed, 2020). As a result, ADR has gained credibility among litigants and legal practitioners, with its settlements bearing the weight of judicial decrees (Khan, 2019).

Empirical studies support ADR's effectiveness in Bangladesh, with data indicating that settlements through mediation lead to higher financial recovery than court trials (Rahman, 2021). The informality and accessibility of ADR, especially through NGO-supported mediation initiatives, have allowed marginalized communities to seek justice efficiently (Hasan, 2022). This inclusivity ensures equitable access to dispute resolution, strengthening confidence in ADR as a viable alternative to litigation (Ahmed, 2020).

Barriers in the way of Access to Justice

There are several obstacles to achieving effective justice in Bangladesh, including:

Delay in Judicial Process

The phrase "justice delayed is justice denied" holds particularly true in Bangladesh, where court cases can take 12-15 years or more to be resolved. Delays in legal proceedings create social and human problems, as illustrated by cases where the final judgment is rendered irrelevant due to prolonged litigation (Law Commission of Bangladesh, n.d.).

Prohibitive Cost of Litigation

Equal justice is a cornerstone of any legal system, yet the high costs associated with litigation—such as court fees, lawyers' fees, and other incidental expenses—create disparities between the rich and the poor. This contradicts the principle of justice inscribed in the Magna Carta: “To no man will we deny, to no man will we delay, justice or right” (Henry II, 1215).

Procedural Complexities

The complex and lengthy legal procedures act as a major hindrance to justice. Justice Krishna Iyer of India has criticized the inefficiencies in the legal system, noting that unnecessary delays waste judicial time and resources (Iyer, n.d.).

Backlog of Cases

The judiciary in Bangladesh is burdened with an overwhelming backlog of cases, which slows down the adjudication process. Professor M. Shah Alam described this backlog as "eating Bangladesh judiciary," making it difficult for new cases to be resolved in a timely manner (Alam, n.d.).

Corruption in the Judiciary

Corruption is one of the primary reasons for the inefficiency of the judiciary, leading to a lack of public trust in the system (Bangladesh Legal Study Group, n.d.).

Inefficiency and Lack of Independence among Judges and Lawyers

An effective legal system requires honest, efficient, and independent judges and lawyers. If these legal professionals fail to uphold their duties, even well-crafted laws will not ensure justice (Bangladesh Legal Study Group, n.d.).

Additional Barriers

Other significant barriers include:

- Lawyers' economic interest in prolonged litigation,
- Lack of legal aid,
- Absence of specialized courts for specific subject matters,
- Centralization of the judiciary,
- Lack of accountability and discipline in the litigation system,
- Absence of alternative mechanisms to full trials (Bangladesh Legal Study Group, n.d.).

Alternative Dispute Resolution (ADR) as a Solution

Many countries, including the USA, UK, India, Australia, and Germany, have adopted ADR to mitigate judicial inefficiencies (Institute for the Study and Development of Legal Systems, n.d.). Recognizing its potential, Bangladesh took initiatives to reform its legal system by incorporating ADR mechanisms.

Reforms in Bangladesh's Legal System

In 1996, Justice Mustafa Kamal initiated reforms in Bangladesh's legal system, collaborating with the Institute for the Study and Development of Legal Systems (ISDLS) in the USA. In January 2000, Judge Clifford Wallace's visit to Dhaka led to the formation of a five-member Bangladesh Legal Study Group (BLSG), which recommended introducing mediation in family courts. Based on this recommendation, a pilot project was launched, leading to the successful integration of mediation into various legal frameworks (Bangladesh Legal Study Group, 2000).

ADR Mechanisms in Bangladesh

ADR provides an alternative to court litigation and can be classified into two major forms:

Determinative ADR

This involves a third party (such as an arbitrator, adjudicator, or expert) making a binding decision on the dispute (Bangladesh Legal Study Group, n.d.).

Elective ADR

This method facilitates discussions and negotiations without binding judgments, helping parties to voluntarily reach settlements (Bangladesh Legal Study Group, n.d.).

Types of ADR in Bangladesh

ADR in Bangladesh is categorized into three main types:

- Formal/Judicial ADR – Court-referred ADR mechanisms, such as mediation in family courts.
- Quasi-Formal/Statutory ADR – ADR methods incorporated into specific statutes.
- Informal/Non-Formal ADR – Community-based mechanisms such as traditional Salish and village courts (Bangladesh Legal Study Group, n.d.).

Bangladesh's judiciary faces numerous challenges, including case backlog, corruption, procedural complexities, and prohibitive litigation costs. ADR offers a viable solution to these problems by providing a faster, cost-effective, and community-friendly approach to dispute resolution. The successful implementation of ADR in Bangladesh requires further institutional support, legal reforms, and increased public awareness to ensure widespread adoption and effectiveness.

Formal /Judicial ADR

This form of ADR indicates those processes of dispute resolution which have been enumerated in the statutes and conducted either by the court or by the third person upon the reference of the court. ADR processes in the formal ways are conducted by the following Statutes of Bangladesh.

The Code of Civil Procedure (Amendment) Act, 2003 introduced mediation and arbitration through Sections 89A and 89B. Mediation is available for all civil suits except those under the Artha Rin Adalat Ain 2003. Section 89A allows courts to mediate disputes at any stage after the filing of the written statement if all contesting parties agree. Courts may mediate themselves, refer disputes to pleaders, or appoint a mediator from a panel prepared by the district judge in consultation with the president of the District Bar Association (Code of Civil Procedure (Amendment) Act, 2003).

Mediation under Section 89A is described as a flexible, informal, non-binding, confidential, non-adversarial, and consensual process. The court has discretionary power to refer cases to mediation, unlike in the United States, where pre-trial mediation is mandatory. This voluntary nature has led to its limited practice due to a lack of motivation among judges, ignorance among parties, and reluctance from lawyers (The Code of Civil Procedure (Amendment) Act, 2003).

Section 89B allows parties to withdraw cases from the court and settle through arbitration under the Arbitration Act 2001. This provides parties with an alternative mechanism to resolve disputes outside the judicial system, thereby reducing court backlog and expediting justice (The Code of Civil Procedure (Amendment) Act, 2003).

Challenges in Implementing ADR

Despite its potential benefits, ADR in Bangladesh faces several challenges. One major obstacle is the voluntary nature of judicial mediation, which limits its effectiveness. The lack of awareness among litigants and reluctance among legal practitioners to engage in ADR further hinders its implementation. Additionally, the absence of a structured mechanism for monitoring and evaluating mediation outcomes reduces its reliability (The Code of Civil Procedure (Amendment) Act, 2003).

Another challenge is procedural uncertainty. The Code of Civil Procedure (Amendment) Act, 2003 provides that mediation procedures and mediator fees are determined by the parties and their pleaders rather than the court. However, when the court mediates directly, no fees are charged, and procedures are determined by the court. This lack of uniformity can create confusion and discourage participation (The Code of Civil Procedure (Amendment) Act, 2003).

Effectiveness of ADR Mechanisms

To ensure timely justice, a time-frame has been established for mediation proceedings. Within 10 days of reference to mediation, parties must inform the court whether they agree to mediation. The mediation must be completed within 60 days, with a possible 30-day extension upon joint application by the parties. The mediator must submit a report on the outcome, and if a settlement is reached, an agreement signed by the parties, pleaders, and mediator is submitted to the court for an order or decree. Court fees are refunded upon successful mediation, and no appeal or revision is permitted against the order (The Code of Civil Procedure (Amendment) Act, 2003).

If mediation fails, the case resumes from the pre-mediation stage. If a judge mediates unsuccessfully, the case is transferred to another competent court to avoid bias. Furthermore, failure in mediation does not preclude parties from pursuing settlement through withdrawal, adjustment, or compromise under Order 23 of the Code of Civil Procedure 1908 (The Code of Civil Procedure (Amendment) Act, 2003).

The success of mediation at the trial stage led to its introduction at the appellate stage through the Code of Civil Procedure (Amendment) Act, 2006. Section 89C applies the same mediation procedures at the appellate level, further promoting ADR as an effective dispute resolution method (The Code of Civil Procedure (Amendment) Act, 2006).

ADR, particularly mediation and arbitration, has been institutionalized in Bangladesh to enhance

access to justice. While its voluntary nature presents challenges, structured implementation and awareness campaigns can improve its effectiveness. The inclusion of ADR at both trial and appellate levels demonstrates the government's commitment to reducing court congestion and promoting alternative dispute resolution.

The Family Courts Ordinance, 1985

The Family Courts Ordinance 1985 introduced ADR mechanisms such as conciliation in family matters, including divorce, dower, maintenance, restitution of conjugal rights, and child custody. According to Section 10, courts must attempt conciliation before proceeding to trial. Furthermore, Section 13 mandates another attempt at conciliation before pronouncing judgment (Family Courts Ordinance, 1985).

However, these provisions remained largely unpracticed due to a lack of judicial motivation and adherence to the adversarial system. A pilot project in 2000 in the Family Courts of Dhaka demonstrated the success of ADR in family disputes, leading to its expansion nationwide (Family Courts Ordinance, 1985). The process benefits women, allowing them to voice grievances in a confidential setting.

ADR in Commercial Disputes

The Artha Rin Adalat Ain 2003 incorporates two ADR mechanisms—Settlement Conference and Arbitration. Section 21 defines the Settlement Conference as an informal, non-binding, and confidential method presided over by the judge. Section 22 mandates that courts must refer cases to arbitration if parties agree (Artha Rin Adalat Ain, 2003). These provisions contribute to improving investment by facilitating quick dispute resolution.

Quasi-Formal ADR Mechanisms

Quasi-formal ADR is conducted by non-judicial bodies but regulated by statutes. Examples include:

- **The Muslim Family Laws Ordinance, 1961:** Mandates arbitration councils for reconciliation in divorce proceedings. Talaq is ineffective until 90 days after notification to the chairman, ensuring attempts at reconciliation (Muslim Family Laws Ordinance, 1961).
- **The Conciliation of Dispute (Municipal Areas) Board Act, 2004:** Establishes municipal boards for dispute resolution without applying CPC, CrPC, or the Evidence Act, ensuring an informal conciliation process (Conciliation of Dispute (Municipal Areas) Board Act, 2004).
- **The Arbitration Act, 2001:** Governs both domestic and foreign arbitration agreements, ensuring mandatory arbitration for applicable disputes (Arbitration Act, 2001).
- **The Village Court Act, 2006:** Provides dispute resolution at the local level through a five-member village court, bypassing formal legal procedures (Village Court Act, 2006).
- **The Labour Code, 2006:** Sections 210(1)–(19) outline mediation, conciliation, and arbitration in labor disputes (Labour Code, 2006).

ADR in Criminal Justice System

Bangladesh's criminal justice system has not fully embraced ADR. However, Section 345 of the Code of Criminal Procedure, 1898 lists compoundable petty offenses that can be resolved through ADR (CrPC, 1898). NGOs such as Bangladesh Legal Aid and Services Trust (BLAST) and Ain o Salish Kendra (ASK) also facilitate informal ADR in criminal matters at the community level.

Informal ADR Mechanisms

Several NGOs, including the Madaripur Legal Aid Association (MLAA) and Banchte Shekha (BS), play a crucial role in resolving disputes through informal ADR mechanisms at the community level. These efforts are particularly significant for marginalized groups who may face barriers in accessing formal legal systems.

Other Legislative Provisions Supporting ADR

Additional statutes that incorporate ADR provisions include:

- **Section 28 of The Contract Act, 1872** (Contract Act, 1872).
- **Section 21 of The Specific Relief Act, 1877** (Specific Relief Act, 1877).
- **Section 76 of The Bank Companies Act, 1991** (Bank Companies Act, 1991).
- **Section 6 of The Parbatto Chattagran Birod Nispoti Commission Ain, 2001** (Parbatto Chattagran Birod Nispoti Commission Ain, 2001).

The integration of ADR into various legal frameworks has significantly enhanced access to justice in Bangladesh. By resolving disputes efficiently and affordably, ADR provides a viable alternative to traditional litigation, benefiting both individuals and businesses. Expanding its implementation, especially in criminal justice, could further improve the justice system's effectiveness.

The Role of ADR in Ensuring Access to Justice

The incorporation of ADR in various legal frameworks in Bangladesh has significantly contributed to the resolution of disputes efficiently. Court-annexed ADR mechanisms, introduced in 2000, have provided an alternative avenue for litigants to settle their disputes amicably. The success of ADR can be observed through its impact in different courts and legal provisions:

1. **Family Courts:** Since the activation of ADR in family courts, the average rate of substantive disposal through mediation has increased to **60%**, significantly reducing contested decrees (Hossain, 2018).
2. **Pilot Project in 13 Districts:** From 2000 to 2004, a total of **2,418 cases** were disposed of through mediation, realizing an amount of **Tk. 77,770,455** (Chowdhury, 2017).
3. **Civil Procedure Code (C.P.C.) Section 89A:** From July 2003 to June 2006, **12,402 cases** were resolved through mediation under this provision (Islam, 2019).
4. **Artha Rin Adalat Ain:** Between May 2003 and February 2006, ADR facilitated the resolution of **24,945 cases** across the country (Khan, 2021).

These statistics illustrate the effectiveness of ADR in alleviating the burden on the judiciary and ensuring timely justice for disputants.

Challenges Hindering the Effectiveness of ADR

Despite its potential, ADR in Bangladesh faces several challenges that hinder its full effectiveness:

1. **Lack of Awareness and Knowledge:** Many individuals, especially in rural areas, remain unaware of ADR processes (Rahman, 2010).
2. **Limited Role of Legal Professionals:** Many lawyers perceive ADR as a threat to their practice and do not actively promote its use (Ahmed, 2015).
3. **Absence of Institutional Framework:** A dedicated institutional framework for ADR implementation is lacking.
4. **Inadequate Training for Judges and Lawyers:** Mediation requires specialized training, which is currently insufficient.
5. **Negative Perception Among Lawyers:** Lawyers often discourage clients from opting for ADR due to financial interests.
6. **Non-application in Older Cases:** Section 89A of the C.P.C. does not apply to old cases, limiting its scope.
7. **Limited Scope in Criminal Cases:** Certain petty offenses are not included in the compounding provisions of the Cr.P.C.
8. **Absence of a Separate ADR Legislation:** A unified legal framework for ADR is yet to be developed.
9. **Deep-rooted Faith in Traditional Systems:** Many communities still rely on traditional dispute resolution mechanisms.
10. **Corruption and Political Influence:** Community-based ADR is often weakened by corruption, local politics, and illiteracy (Hossain, 2018).

Recommendations for an Effective ADR System

To overcome these challenges and enhance the effectiveness of ADR in ensuring access to justice, the following measures should be taken:

1. **Awareness Campaigns:** Government ministries, NGOs, media, and civil society should promote ADR mechanisms.
2. **Judicial Support:** Both civil and criminal courts should actively endorse ADR.
3. **Institutional Framework:** A separate ADR institution should be established and properly equipped.

4. **Training and Specialization:** Trained mediators should be appointed exclusively for ADR services.
5. **Legislative Reforms:** A separate ADR code should be enacted for effective implementation.
6. **Mediation Courts:** Establishment of dedicated mediation courts for civil and criminal cases.
7. **Pre-Trial Mediation in Civil Cases:** The family court pre-trial hearing model should be extended to all civil suits.
8. **Amendment of Artha Rin Adalat Ain 2003:** The limitation under Section 23 should be removed.
9. **Changing Attitude of Legal Professionals:** Lawyers and judges should be trained to encourage ADR.
10. **Legal Aid for the Poor:** The Aingoto Sohayota Prodan Ain 2000 should be amended to provide better legal aid.
11. **Statutory Body for ADR Oversight:** A regulatory body should be established to formulate and monitor ADR policies.
12. **Regulation of Mediation Fees:** The fees for mediators, arbitrators, and conciliators should be statutorily determined.
13. **Review of Section 345 of Cr.P.C. 1898:** The list of compounding offenses should be expanded.
14. **ADR in General Register (G.R.) Cases:** ADR should be applied beyond current limitations to include G.R. cases.
15. **Local-Level Mediation Courts:** Mediation courts should be established in every Upazila/Thana.

Conclusion

ADR has played a transformative role in improving access to justice in Bangladesh by offering a viable alternative to traditional litigation. While the introduction of ADR in various legal provisions has brought significant success, several challenges need to be addressed to maximize its effectiveness. Ensuring a strong institutional framework, increasing awareness, and providing adequate training for legal professionals will further enhance ADR's contribution to justice delivery. If properly implemented, ADR has the potential to revolutionize Bangladesh's judicial landscape by making justice more accessible, affordable, and efficient.

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Women-Initiated Divorce in Bangladesh: Legal Framework, Societal Implications, and Cultural Dynamics

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Abstract: The legal framework in Bangladesh grants Muslim women specific rights concerning dower, maintenance, and inheritance. However, a significant gap exists between the legal provisions and their practical implementation. Many women remain unaware of their rights, and even those who are informed often face socio-economic barriers that prevent them from exercising them. This study examines the extent to which women in Bangladesh are deprived of their economic rights within a sociological context, emphasizing the interplay between law, culture, and societal norms. Drawing on empirical research, this paper highlights the challenges faced by women in securing their rights and explores potential avenues for legal and social reform. The findings contribute to the broader discourse on women's rights, gender equality, and socio-legal dynamics in Bangladesh.

Keywords: Women's Rights, Muslim Personal Law, Dower, Maintenance, Inheritance, Gender Equality, Socio-Legal Barriers, Bangladesh.

1.1 Introduction

Women are an integral part of society, playing a crucial role in social, economic, and cultural development. Their contributions are indispensable, and no progress can be achieved without their active participation. As the national poet of Bangladesh, Kazi Nazrul Islam, aptly stated, the creation of the world and all its great achievements are equally shared between men and women (Islam, n.d.). Despite this, women in Bangladesh continue to face significant challenges in achieving independence and equality in various aspects of life.

According to the Bangladesh Bureau of Statistics (BBS), women constitute nearly 50% of the country's population (BBS, 2022). Consequently, national development cannot be fully realized without ensuring their equal participation alongside men. The concept of rights is fundamental in this regard, as it encompasses the legal entitlements and privileges to which individuals are inherently entitled. Women's rights include access to education, economic opportunities, and freedom of movement, all of which are enshrined in international human rights declarations (United Nations, 1948).

Women, particularly in rural areas, often work longer hours than men, engaging in both domestic and agricultural labor. Their responsibilities include caring for children, tending livestock, and cooking, in addition to farming activities such as boiling, drying, and husking paddy (Rahman, 2021). Despite their substantial contributions, much of their work remains unrecognized, as household activities such as caring for elderly relatives and the sick are not considered economic

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labor due to the absence of direct monetary compensation (Kabeer, 1994). Studies indicate that women earn approximately 40% of the wages that men receive for similar agricultural labor (Rahman, 2021). Furthermore, research by the Bangladesh Institute of Development Studies (BIDS) reveals that women work an average of 21 hours more per week than men (Rahman, 2021). Similarly, data from the United Nations Children's Fund (UNICEF) suggests that boys who do not attend school spend only 12 minutes daily on household chores, while girls in similar situations spend nearly five hours per day on domestic work (UNICEF, 2020).

Historically, divorce has been recognized in many ancient civilizations, including among the Romans, Hebrews, and Israelites. Although various religions acknowledge the concept of divorce, Islam was one of the first to explicitly establish legal provisions for the dissolution of marriage (Ali, 2002). In Islamic law, a husband has the right to divorce his wife at will, but women are also granted the right to initiate divorce under specific circumstances. A wife may seek divorce through **Talaq-e-Tafwid**, a provision where the husband delegates his right of divorce to his wife, which is often stipulated in the marriage contract (*Kabin Nama*) (Nasir, 2015). Additionally, under the *Dissolution of Muslim Marriages Act* of 1939, women can seek divorce through legal proceedings.

This research will examine women's right to initiate divorce in Bangladesh, its legal framework, socio-economic implications, and case studies highlighting its application in practice.

2. Law for Muslim Women's Rights in Bangladesh

2.1 Basic Concepts

The legal framework for Muslim women in Bangladesh encompasses rights related to dower, maintenance, and inheritance. However, there is a significant gap between the rights granted by law and their practical implementation. Many women are either unaware of their legal entitlements or, even if aware, face socio-economic barriers that hinder their ability to exercise these rights (Kabeer, 1994).

Empirical studies have demonstrated that women in Bangladesh often struggle to claim their economic rights due to social norms and systemic legal barriers. The issue of women's rights must be examined within a sociological framework, as gender inequality is deeply rooted in cultural and societal structures (Jahan, 2018). Various studies highlight the real-life challenges faced by women, shedding light on the gap between legal provisions and social realities (Haque, 2021).

2.2 Sharia and Muslim Women's Rights

The rights of Muslim women under Sharia law have been subject to extensive debate in both legal and sociological contexts. While Islamic law provides certain legal protections for women, the practical enforcement of these rights varies significantly across different societies. In Bangladesh, legal reforms and judicial activism have played a critical role in shaping women's economic empowerment (Nasir, 2015).

The Constitution of Bangladesh (1972) guarantees gender equality under Articles 27, 28, and 29. However, the persistence of personal law alongside constitutional law creates legal inconsistencies. While personal laws based on religious traditions continue to govern family matters, they are often in conflict with the constitutional principle of gender equality (Monsoor,

2008). This tension is evident in areas such as marriage, divorce, and inheritance, where women's rights under religious law may not align with their constitutional protections (Ali, 2002).

2.3 Dower and Muslim Women's Rights

Dower (*mahr*) is an essential component of Islamic marriage that aims to provide financial security to women. However, in Bangladesh, dower is often confused with dowry, which is a separate and socially exploitative practice (Huda, 2006). The legal framework surrounding dower is meant to ensure economic empowerment for Muslim women, yet in practice, many women struggle to claim their rightful dues.

Recent judicial rulings have addressed the issue of post-divorce maintenance, reinforcing women's rights to financial support after marriage dissolution (Rahman, 2021). Legal precedents have clarified the obligations of husbands regarding dower and maintenance, yet challenges remain in enforcing these rights effectively. Several cases, both reported and unreported, highlight the difficulties women face in securing financial entitlements after divorce (Nasir, 2015).

2.4 Inheritance and Muslim Women's Rights

Islamic inheritance law provides specific entitlements for women, yet in Bangladesh, the practical implementation of these laws remains inconsistent. Many women do not receive their rightful share of inheritance due to patriarchal social norms and family pressures (Hossain, 2017). Studies indicate that women's access to inheritance could play a vital role in poverty alleviation and economic empowerment (Jahan, 2018).

Despite legal provisions ensuring women's inheritance rights, cultural practices often prevent them from claiming their share. Unpaid dowers, lack of maintenance support, and unequal inheritance distribution highlight the disparity between law and practice (Ali, 2002). The question arises: *why should Muslim women, who are legally entitled to protection through dower, still fall victim to the exploitative practice of dowry?* (Huda, 2006). Addressing this issue requires both legal reforms and social awareness initiatives to bridge the gap between statutory rights and their practical enforcement.

2.5 Alternative Dispute Resolution and Women's Rights

One of the key mechanisms for resolving family disputes in Bangladesh is the informal *Shalish* system, which is recognized by Family Courts (Monsoor, 2008). Legal aid centers offer mediation services, allowing women to seek redress outside formal court proceedings. However, *Shalish* has limitations, as it lacks the binding authority of Family Courts, and parties may refuse to comply with settlements (Haque, 2021).

Despite these challenges, alternative dispute resolution (ADR) methods have had a positive impact on securing women's financial rights. Studies indicate that mediation through Family Courts has led to significant monetary settlements for dower and maintenance claims in recent years (Rahman, 2021). However, concerns remain that informal dispute resolution may lead to women receiving fewer remedies than they would through formal legal channels (Hossain, 2017).

2.6 Judicial Perspectives and Legal Reforms

Judicial decisions in Bangladesh have shown a mixed approach towards women's rights. While some rulings reflect progressive interpretations of gender equality, others remain rooted in traditionalist views that limit women's legal entitlements (Nasir, 2015). Courts have, at times, taken an enlightened stance by emphasizing women's rights and protection from economic deprivation (Ali, 2002). However, in other cases, judges have interpreted laws rigidly, failing to consider the broader socio-economic implications of their rulings (Monsoor, 2008). It is essential for the judiciary to be more sensitized to the specific needs of women to ensure greater protection of their rights. Strengthening legal enforcement mechanisms and promoting gender-sensitive judicial interpretations can help bridge the gap between statutory provisions and real-life experiences of women in Bangladesh (Haque, 2021).

3. Rights Relating to Marriage & Divorce in Bangladesh

3.1 Legal Status of Muslim Women

The legal status of Muslim women in Bangladesh is defined by the principles of Sharia through Muslim Personal Law, alongside general laws that are non-religious and secular in character. Muslim Personal Law covers matters such as marriage, divorce, maintenance, guardianship of children, and inheritance, whereas general law includes constitutional rights, penal codes, civil and criminal procedure codes, and the evidence act (Sobhan, 1994, p.10).

It is necessary to examine the legal status of Muslim women in Bangladesh within the framework of these two legal systems. While women are theoretically granted legal rights, there remains a significant disparity between the law in theory and its actual implementation. One of the primary obstacles to the practical application of women's legal rights is the deeply ingrained patriarchal attitudes, often reinforced by religious interpretations (Fyzee, 1974, p.56). Despite progressive elements in legal reforms, certain statutes and provisions continue to treat men and women differently. Matters not covered in the following discussion should be understood to adhere to egalitarian principles, granting women the same rights and obligations as men.

Before discussing specific rights, it is essential to note that the majority of Bangladesh's population adheres to the Hanafi school of thought, with only a small minority belonging to other sects. Therefore, when referring to Muslim law in Bangladesh, it generally pertains to Hanafi jurisprudence. Many legal provisions regarded as Islamic Law are, to a large extent, Qur'anic pronouncements intended to reform pre-Islamic Arabian customary laws (Sobhan, 1994, p.11). According to Fyzee (1974, p.59), "The Qur'anic reform came as a superstructure upon ancient tribal laws: it corrected many of the social and economic inequalities then prevalent."

Similarly, Fazlur Rahman (1982, p.88) notes, "Whereas the spirit of the Qur'anic legislation exhibits an obvious direction towards the progressive embodiment of fundamental human values... nonetheless, the actual legislation of the Qur'an had partly to accept the then-existing society as a term of reference."

In the South Asian context, these laws have been modified through statutory enactments, judicial precedents, and customary practices. Another important consideration is that, although the Qur'an significantly improved the status of women, societal customs often maintained existing inequalities. Over the years, various legal amendments have sought to mitigate gender

disparities, yet social customs frequently undermine Qur'anic principles of justice (Sobhan, 1994, p.13).

3.2 Succession and Right to Property

The Muslim law of inheritance comprises two distinct elements: the pre-Islamic Arabian customs and the reforms introduced by the Qur'an and Prophet Muhammad (Rahman, 1982, p.92). In pre-Islamic Arabia, women were entirely excluded from inheritance. The Qur'an significantly altered this situation, granting women a share of the inheritance, though not on equal terms with men.

Under Muslim law, heirs are classified into three categories:

1. **Sharers** – those entitled to a fixed share of the inheritance,
2. **Residuaries** – those who inherit the remaining portion after the sharers' claims are satisfied,
3. **Distant Kindred** – blood relatives who inherit in the absence of sharers and residuaries (Mulla, 1977, p.320).

The principles of succession among sharers and residuaries follow two fundamental rules:

1. The closest blood relation excludes more distant ones,
2. A person related through another individual cannot inherit while that individual is alive (Mulla, 1977, p.322).

The Qur'an provides that women—daughters, mothers, and wives—must receive a share of inheritance under all circumstances. However, they are not treated equally to their male counterparts. For example, a wife receives one-eighth of her husband's estate if there are children and one-fourth if there are no children, whereas a husband receives double this share (Sobhan, 1994, p.16).

Additionally, the inheritance rights of sisters are discriminatory. According to traditional rules, the children of a predeceased son or daughter do not inherit if the deceased left another son. The Muslim Family Laws Ordinance, 1961, addressed this inequity by allowing children of a predeceased child to inherit their parent's share. However, the widow of a predeceased son remains without inheritance rights under this law (Pakistan Code, 1966, Vol. IX, p.716).

3.3 Marriage, Divorce, and Related Matters

In Islam, marriage is a contract. A Muslim of sound mind who has attained puberty may enter into a marriage contract (Mulla, 1977, p.250). Puberty is presumed at the age of 15 unless proven otherwise. Until puberty, a minor may be married by a guardian. Although the Child Marriage Restraint Act prohibits such marriages, it does not render them void (D.L.R., 1957, p.45).

Under Hanafi law, a girl given in marriage before puberty can repudiate the marriage upon attaining puberty and up to the age of 18, provided the marriage has not been consummated (D.L.R., 1957, p.47). However, the law does not ensure that minors are informed of this right.

A Muslim man may marry a Muslim, Jew, or Christian, whereas a Muslim woman may only marry a Muslim. A marriage between a Muslim woman and a non-Muslim man is considered void, rendering any children from such a union illegitimate (Mulla, 1977, p.256). Additionally, a Muslim man may have up to four wives, but a Muslim woman may only have one husband. Even if a man marries a fifth wife, the marriage is irregular rather than void (Sobhan, 1994, p.22).

Recognizing the injustices of polygamy, the Muslim Family Laws Ordinance, 1961, introduced a requirement for men to obtain written permission from an Arbitration Council before contracting a second marriage. However, the law has been ineffective due to societal reluctance to enforce it and the male-dominated Arbitration Councils granting permission too easily (Pakistan Code, 1966, Vol. XIV, p.67).

One of the essential elements of a Muslim marriage is **dower**, a financial obligation of the husband towards the wife. This should not be confused with **dowry**, which consists of gifts from the bride's family (Mulla, 1977, p.277). Dower is classified as either **prompt dower** (payable immediately upon demand) or **deferred dower** (payable upon divorce or death). Under the Muslim Family Laws Ordinance, the entire amount is now treated as prompt dower.

Regarding divorce, significant inequality exists between men and women. A husband can unilaterally divorce his wife without cause, whereas a wife must seek judicial separation under specified grounds (Mulla, 1977, p.310). The **triple talaq** (instant divorce) was traditionally effective immediately upon pronouncement. The Muslim Family Laws Ordinance, 1961, changed this by requiring the husband to notify the local Union Parishad chairman and observe a 90-day reconciliation period before the divorce takes effect (Pakistan Code, 1966, Vol. IX, p.716).

Women can seek divorce through **khula** (initiated by the wife with compensation) or **mubarrat** (mutual consent). The Dissolution of Muslim Marriage Act, 1939, allows women to seek judicial divorce on grounds such as non-maintenance, cruelty, or false accusations of adultery (Pakistan Code, 1966, Vol. IX, p.716). However, enforcement of these rights remains inconsistent.

3.4 Maintenance

According to Muslim law, a father is obligated to maintain his daughter until she is married (Mulla, n.d.). The fact that the mother has custody of the daughter until she attains puberty does not relieve the father of his obligation to maintain the child (Mulla, n.d.). If the father is impoverished, but the mother is financially well-off, the mother assumes the responsibility of maintaining the daughter (Mulla, n.d.). However, a father is not required to maintain a daughter who is capable of supporting herself from her own property (Mulla, n.d.).

A Muslim mother is entitled to maintenance from her son if she is poor, provided that the son is financially solvent (Mulla, n.d.). A Muslim husband is required to maintain his wife as long as she remains faithful to him and complies with his reasonable orders. If the wife refuses her husband without a lawful excuse, deserts him, or willfully neglects her marital duties, she forfeits her right to claim maintenance (Mulla, n.d.). However, if the wife refuses to perform her marital obligations due to the husband's failure to pay the prompt dower, the husband remains liable for her maintenance (Mulla, n.d.).

A Muslim woman, upon divorce, is entitled to maintenance by the husband until the expiry of the iddat period (90 days, or in the case of a pregnant wife, until the end of her pregnancy) (Mulla, n.d.). A Muslim father is expected to maintain his daughter according to his financial capacity, and a husband must maintain his wife to the best of his ability. However, in cases of estrangement, a wife faces significant difficulties due to the social milieu and cumbersome court procedures, which complicate her pursuit of maintenance through legal channels (Mulla, n.d.).

The Muslim Family Laws Ordinance of 1961 sought to simplify the process through which a wife could claim maintenance, but it has not resulted in significant improvements. The Family Courts Ordinance of 1985 was later introduced to address divorce and related issues, aiming to resolve cases more expeditiously (Ali, 1998).

A Muslim widow often relies on her son for support, as her share in her husband's property is frequently controlled by the son. The fate of the widow can sometimes depend on the attitude of her daughter-in-law. If a widow has no son, she may have to depend on her husband's relatives, which often leads to financial difficulties (Ali, 1998).

3.5 Guardianship of Children

Regarding guardianship, a Muslim woman faces significant disadvantages. Under Muslim law, a mother has custody of her minor child up to a certain age, determined by the child's gender. However, she is not the natural guardian of the child's person or property; the father, or in his absence, his executor, serves as the legal guardian (Fyzee, 2005).

Some jurists differentiate between custody and guardianship, likening the former to possession and the latter to ownership. This distinction implies that while a mother may care for her children, she does not have legal authority over them (Fyzee, 2005).

A mother is entitled to the care and custody of her young children: sons until the age of seven and daughters until puberty. The father remains responsible for their maintenance during this period. However, if a mother remarries a man who is not within the degrees of prohibited relationship to the child, she may lose custody, particularly of her daughters (Ali, 1998). These provisions have been modified by the Guardian and Wards Act of 1890, and case law on the subject has generally upheld child welfare as paramount (20 D.L.R. 1968, p.1).

Some jurists have argued that remarriage outside the permitted degrees should not automatically deprive a mother of custody, particularly if the father has remarried and the stepmother may not ensure the child's best interests (Dhaka Law Reports, 1955, 1958, 1964). The father's obligation to maintain his children ceases only if they are unlawfully withheld from him. Furthermore, a mother's poverty is never a sufficient reason to deprive her of custody (Guardian and Wards Act, 1890).

Under the Guardian and Wards Act, 1890, a mother can apply to the court to be appointed as the guardian of her children (Ali, 1998).

3.6 Grounds for Divorce

The Hindu Marriage Act 1955 does not apply to Bangladesh. In India, divorce may be granted on the grounds of adultery, cruelty, desertion (for at least two years), conversion to another religion, insanity, leprosy, venereal disease, renunciation, or presumption of death (if a spouse is missing for seven years) (Sharma 2018). A wife may seek divorce for pre-act polygamous marriage, rape, sodomy, bestiality, non-resumption of cohabitation, or repudiation of marriage before eighteen years of age. However, in Bangladesh, Hindus lack legal divorce rights, leading to increased marital issues due to the absence of a formal legal framework (Rahman 2020).

3.7 Widow Remarriage

The Hindu Widow's Remarriage Act 1856 permits widow remarriage in Bangladesh without religious ceremonies, though remarried widows forfeit their late husband's property if customs dictate (Ali 2019). India follows similar provisions, but the Hindu Marriage Act 1955 equates widow remarriage with maiden marriage, ensuring broader social acceptance (Sen 2021).

3.8 Definition of Divorce

In Islamic law, talaq refers to the husband's right to repudiate marriage, which can be delegated to another person (Rafiq 2016). Sunni law allows oral and written talaq, while Shia law requires it to be spoken in Arabic in front of two male witnesses. Talaq is effective upon the wife's knowledge, with iddat observed and dower paid during this period.

3.9 Kinds of Divorce

Marriage can be terminated by death, mutual consent, judicial decree, or unilateral action by either spouse. The husband can initiate talaq, ilya, or zihar, while the wife may seek talaq-e-tafwid. Divorce by mutual consent includes khula and mubarat. Judicial intervention applies in cases like lian and faskh (Hassan 2018).

3.10 Divorce by Wife

Talaq-e-tafwid allows a wife to dissolve marriage if the right is delegated in the marital contract. This ensures protection if the husband violates marriage conditions or takes another wife without consent (Ahmed 2020).

3.11 Grounds of Divorce by Wife

Under the Dissolution of Muslim Marriage Act 1939, a wife may seek divorce if the husband is missing for four years, neglects maintenance for two years, marries another wife unlawfully, is imprisoned for seven years, fails marital duties for three years, is impotent, suffers from insanity or leprosy, or treats her cruelly (Khan 2017). Judicial provisions ensure protection for the wife while granting opportunities for reconciliation where applicable.

3.12 Reasoning Behind Divorce by Wife

Court rulings affirm a wife's right to divorce if the husband's whereabouts are unknown (Mst. Daulan vs. Dosa, 8 DLR (WP) 77), he fails to provide maintenance (Nuruddin Ahmed vs. Masuda Kharun, 9 DLR 8), or is sentenced to seven years' imprisonment (Amena Khatun vs. Serajuddin Sardar, 17 DLR 687). The law also recognizes conditions like cruelty, failure to perform marital duties, or contracting another marriage unjustly as valid grounds for dissolution (Feroze Din vs. Wazir Begum, AIR 126 Lah. 218).

3.14 Family Courts Act, 2023

The Family Courts Act, 2023 aims to resolve legal disputes related to the dissolution of marriage, restitution of conjugal relations, dower, maintenance, and the guardianship and custody of children. This Act, which replaced the Family Courts Ordinance, 1985, was enacted to provide a more structured approach to family law matters. The contents of the Act are compiled from various legal sources, including Muslim law, Hindu law, the Civil Procedure Code, the Evidence Act, the Dissolution of Muslim Marriage Act, and the Muslim Family Law Ordinance. The Act applies throughout Bangladesh, excluding the hill districts of Rangamati, Khagrachhari, and Bandarban. It designates all Munsif courts as Family Courts, with Munsifs serving as judges. The Family Courts have exclusive jurisdiction to entertain, try, and dispose of cases relating to marriage, conjugal relations, dower, maintenance, guardianship, and custody of children.

Dissolution of Marriage or Talak

The dissolution of marriage under Muslim law is detailed in Sections 307 and 308 of the Family Courts Act, 2023. According to Muslim law, a marriage contract may be dissolved in one of the following ways:

- i. By the husband at his discretion, without the intervention of the court;
- ii. By mutual consent of the husband and wife, without the intervention of the court;
- iii. By a judicial decree at the suit of either the husband or the wife. A wife cannot divorce herself from her husband without his consent unless this right is granted to her in the Nikah Nama. This form of divorce is known as talak-e-toufiz. When the divorce is effected by mutual consent, it is referred to as khula or mubara'at, depending on the terms of the contract between the parties.

The dissolution of marriage by the husband at his will, without court intervention, is known as talak. Talak may be pronounced orally or in writing. In oral talak, the husband, in sound mind, pronounces a few words that are clearly understood as indicating a divorce. Written talak, or talaknama, is the documented version of the oral talak, and it may be executed in the presence of a kazi, the wife's father, or other witnesses. However, the deed must follow a customary format and be appropriately superscribed, showing the name of the writer and the person addressed.

Under Muslim law, a wife has limited rights to dissolve her marriage judicially. She may seek dissolution on the grounds of:

- i. The husband's whereabouts being unknown for four years;
- ii. The husband's failure to provide maintenance for two years;
- iii. The husband's imprisonment for seven years or more;
- iv. The husband's failure to fulfill marital obligations without reasonable cause;
- v. The husband's impotence;
- vi. The husband's insanity or suffering from a contagious venereal disease;
- vii. The wife's repudiation of the marriage;
- viii. Cruelty on the part of the husband; and
- ix. Marriage without her consent. This form of divorce is known as talak-e-toufiz.

Restitution of Conjugal Relations

A husband may sue for the restitution of conjugal life if the wife, without lawful cause, ceases to cohabit with him. However, this suit is only maintainable against a legally married wife. A husband cannot file such a suit if the marriage contract has been dissolved.

3.15 Hindu Women's Right to Separate Residence and Maintenance Act, 1946

Under the Hindu Women's Right to Separate Residence and Maintenance Act, 1946, a Hindu married woman is entitled to separate residence and maintenance from her husband on one or more of the following grounds:

1. If he is suffering from any loathsome disease not contracted from her;
2. If he is guilty of cruelty towards her, making it unsafe or undesirable for her to live with him;
3. If he is guilty of desertion, i.e., abandoning her without her consent or against her wish;
4. If he marries again;
5. If he ceases to be a Hindu by conversion to another religion;
6. If he keeps a concubine in the house or habitually resides with a concubine;
7. For any other justifiable cause.

The court determines the amount of maintenance to be paid by the husband, considering the social standing of the parties and the husband's financial means.

3.16 Dowry Prohibition Act, 1980

Under the Dowry Prohibition Act, 1980, anyone who gives, takes, or abets the giving or taking of dowry, or demands it directly or indirectly from the parents or guardians of a bride or bridegroom, is punishable by imprisonment or fine. Every offence under this Act is non-cognizable, non-bailable, and compoundable. Despite this, the practice of dowry continues in some marriages. The provisions of this law indirectly address some aspects of the divorce issue.

4. Causes and Remedies of Divorce in Bangladesh

In Bangladesh, divorce is a complex and multifaceted issue shaped by various socio-cultural, religious, and legal influences. The causes of divorce in Bangladesh can range from personal disagreements and financial instability to more severe issues such as domestic violence and failure to fulfill marital obligations. This chapter discusses the key causes of divorce in Bangladesh, focusing on the legal grounds and remedies available under the country's laws, particularly the Family Courts Act, 2023, and relevant religious and statutory provisions.

4.1 Causes of Divorce in Bangladesh

The causes of divorce in Bangladesh can be broadly categorized into personal, social, economic, and legal factors. While personal differences between spouses are a common cause, cultural norms and practices also play a significant role.

1. Personal and Emotional Factors

The most common cause of divorce in Bangladesh is emotional incompatibility or a breakdown of the marital relationship. Personal differences, misunderstandings, and failure to communicate effectively often lead to irreconcilable differences. These issues can evolve into conflicts over minor or major matters, eventually leading to marital discord and divorce.

2. **Financial Instability**

Economic stress is another prominent cause of divorce in Bangladesh. Financial difficulties, such as unemployment, debt, or income inequality between spouses, can place a strain on relationships. Financial disagreements, particularly those concerning the management of household finances, often lead to tension and ultimately divorce (Islam, 2020).

3. **Domestic Violence and Abuse**

Domestic violence is a critical and severe cause of divorce in Bangladesh. Violence, whether physical, emotional, or psychological, is a significant issue that often leads to the dissolution of marriage. Under the Domestic Violence (Prevention and Protection) Act, 2010, abuse is grounds for seeking legal separation. Women who face abuse are legally entitled to seek divorce and other legal remedies such as protection orders (Jahan, 2019).

4. **Infidelity and Marital Unfaithfulness**

Infidelity, or the act of one spouse engaging in extramarital affairs, is a leading cause of divorce in many cultures, and Bangladesh is no exception. In many cases, adultery becomes the defining factor that pushes spouses to seek divorce, as trust is eroded and reconciliation becomes difficult (Rahman, 2021).

5. **Religious and Legal Grounds for Divorce**

Divorce laws in Bangladesh are influenced by both religious and secular legal frameworks. The Family Courts Act, 2023, allows for divorce under various legal grounds, which align with religious laws such as Muslim law, Hindu law, and the laws governing other communities.

- **Muslim Law:** Divorce under Muslim law can occur through several methods, such as *talak* (unilateral divorce), *khula* (divorce initiated by the wife), and *mubara'at* (mutual divorce). A husband has the right to unilaterally divorce his wife, while the wife can seek divorce through *talak-e-toufiz* (where the right to divorce is delegated to the wife in the marriage contract). Grounds for divorce under Muslim law include cruelty, failure to provide maintenance, impotence, and desertion (Family Courts Act, 2023).
- **Hindu Law:** Under the Hindu Marriage Act, 1955, a Hindu wife may seek divorce on the grounds of cruelty, desertion, or adultery. The Hindu Women's Right to Separate Residence and Maintenance Act, 1946, also provides for maintenance and separate residence in cases of cruelty, desertion, or the husband's failure to provide for the wife (Hindu Women's Right to Separate Residence and Maintenance Act, 1946).

4.2 Remedies for Divorce in Bangladesh

Bangladesh offers a range of remedies for individuals seeking to resolve marital issues, whether through divorce or reconciliation. Legal remedies are grounded in the Family Courts Act, 2023, and religious laws, with the overarching aim of ensuring justice for all parties involved, particularly women and children.

1. **Mediation and Reconciliation**

The Family Courts Act, 2023, emphasizes the importance of reconciliation in divorce cases. Family courts are mandated to encourage mediation between spouses to resolve marital disputes and, where possible, save marriages. Mediation often involves a neutral third-party facilitating communication between the parties to resolve their differences amicably. This approach is particularly important in divorce cases involving children, where the well-being of the child is prioritized (Family Courts Act, 2023).

2. **Judicial Divorce (Talaq and Khula)**

Under Muslim law, judicial divorce can be granted through the courts in cases where the husband or wife has reasonable grounds. A wife can petition for divorce under *talak-e-toufiz* if the marriage contract grants her this right. If the husband is abusive, neglectful, or fails to provide for the wife, she may also seek divorce on the grounds of cruelty, desertion, or other legal violations under Muslim law (Family Courts Act, 2023). Hindu women, under the Hindu Marriage Act, 1955, can seek judicial separation or divorce on similar grounds. The court may grant divorce if one spouse has been cruel or has deserted the other for a prolonged period (Hindu Marriage Act, 1955).

3. **Maintenance and Alimony**

One of the most crucial remedies available in divorce cases is the provision for maintenance and alimony. Under both the Family Courts Act, 2023, and religious laws, a spouse who is financially disadvantaged post-divorce is entitled to seek maintenance. Women, particularly those without independent means, are entitled to alimony to ensure their financial security after divorce. In Muslim law, maintenance is typically paid by the husband, while in Hindu law, the husband may be ordered to provide for the wife's maintenance (Hindu Women's Right to Separate Residence and Maintenance Act, 1946).

4. **Protection Orders and Domestic Violence**

Women who suffer from domestic violence have the right to seek protection orders under the Domestic Violence (Prevention and Protection) Act, 2010. This law aims to safeguard women from abuse and provides a legal avenue for them to seek protection, separation, and, if necessary, divorce. The Act allows women to request immediate protection orders, residence orders, and orders for maintenance and compensation for the abuse suffered (Jahan, 2019).

5. **Property Rights**

Divorce often involves disputes over the division of property, and in Bangladesh, both men and women have rights to property in marriage. The Family Courts Act, 2023, allows for the division of marital property during divorce proceedings. In the case of Muslim women, the dowry given at the time of marriage is a significant element in property division. In Hindu marriages, property rights are often governed by the Hindu Succession Act (Hindu Succession Act, 1956).

Conclusion

The causes and remedies of divorce in Bangladesh reflect a blend of religious norms and modern legal frameworks. While personal incompatibility and financial stress are common triggers, societal pressures and the lack of legal awareness often exacerbate the situation. The legal remedies available, including mediation, judicial divorce, maintenance, and protection from domestic violence, aim to provide justice and safeguard the rights of individuals involved in marital disputes. With the enactment of the Family Courts Act, 2023, the legal system seeks to address these issues more effectively, offering avenues for both reconciliation and separation, as required.

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Teacher Education Development in Bangladesh: A Critical Analysis

Md. Salimuzzaman*

Abstract: Bangladesh, a unitary and sovereign republic situated in the delta region with a long coastal belt, lies in the north-eastern part of South East Asia. It has different languages, cultures, traditions, and historical backgrounds. Hence, to accelerate the education norms of Bangladesh; the government has institutionalized several Teacher Training Institutes and Academy like Teachers' Training College (TTC), higher Secondary Teacher Training Institutes (HSTTI), Bangladesh Open University (BOU), and the National Academy for Educational Management (NAEM) which are the center of excellence in the arena of enhancing the quality of education. They are responsible for initiating the process, policies, and programs of preparing teachers and education administrators with knowledge, skills, and leadership to teach young learners focusing on modern methods most effectively. All these institutions equip and foster the prospective teacher-educators offering Formal and Non-formal teacher education like Bachelor of Education (Bed), Master of Education (Med), and also imparting training to the Secondary and Higher Secondary level teachers of all subjects.

Keywords: MDG= Millennium Development Goal, SDG= Sustainable Development Goal, BANBEIS= Bangladesh Bureau of Educational Information and Statistics, NAEM= National Academy for Educational Management.

1. Introduction

The Constitution of the People's Republic of Bangladesh enjoins upon the Government of Bangladesh the obligation to ensure the literacy of all the country's citizens within the shortest possible time (article 17). Keeping this noble view, Bangladesh has already achieved MDG and SDG with all its features and components; therefore, the education percentage has increased dramatically. No Quality and Inclusive Education is possible without imparting regular teacher training. This is why the concerned authority should step forward to materialize teacher education to build a better Bangladesh to meet the demands of the 21st century.

1.1 Statement of the Problem and Research Question

Education in Bangladesh has three major tiers: primary, secondary, and higher education. Primary education is a 5-year cycle while secondary education is a 7-year one with three sub-stages: 3 years of junior secondary, 2 years of secondary, and 2 years of higher secondary. The entry age for the primary is 6 years. The junior secondary, secondary, and higher secondary

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stages are designed for age groups 1-13, 14-15, and 16-17 years. Higher secondary is followed by baccalaureate-level education in general, technical, technology, and medical streams requiring 5-6 years to obtain a Master's degree. In the general education stream, higher secondary is followed by college/university level education through the Pass/Honors Bachelor Degree Courses (3/4 years). The Master's Degree is one year long for holders of a Bachelor's Degree (Honors) and two years long for holders of (Pass) Bachelor's Degree. Higher education in the technical area also starts after the higher secondary level. The primary technical and technological education areas are engineering, agriculture, business, medicine, and information and communication. In each of the courses, except medical education, students are required to complete a 4-year course work, while for medical education, a 5-year course of study is required for the first degree.

Table -1
Education structures and Pre-service Teacher Education Systems in Bangladesh

Education Layers		Grade Level	Type of pre-service teacher education	Offered by
Primary		Grade I-V	One-and-a-half-year long Diploma in Primary Education	Primary Teachers' Training Institutes
			One-and-a-half-year long Certificate in Education	Bangladesh Open University
Secondary	Junior Secondary	Grade VI-VIII	1- yearlong B.Ed. 2- yearlong B.Ed. 4- yearlong B.Ed. (Honors)	Teachers' Training colleges through the National University and other public and private universities
	Secondary	Grade IX-X		
Higher Secondary		Grade XI-XII	Not Compulsory	Not Compulsory
Tertiary		XII +	Not Compulsory	Not Compulsory

Source: Teacher Education Program in Bangladesh: Inclusiveness for Children with Disabilities (February 2016)
Published by Action Aid Bangladesh

1.2 International Commitment

Bangladesh is a signatory to the Declaration at the World Conference on Education for All (WCEFA) held in March 1990 in Jomtein, Thailand as the same commitment was reiterated in the World Summit for Children held in New York in September 1990, in the summit of the Nine High Population Countries held in Delhi in December 1993. The same commitment was reiterated in the Education for All (EFA) ministerial review meeting of Indonesia held in September 1995, Pakistan in September 1997 and China in August 2001. The Government of Bangladesh has made commitments in the World Education Forum (Dakar, April 2000) towards the achievement of Education for All goals and targets setup including:

- i. Enactment of the Compulsory Primary Education Act in 1990.
- ii. Creation of a separate Primary and Mass Education Division in 1992. It has recently been upgraded as Ministry of Primary and Mass Education in 2003.
- iii. Introduction of compulsory primary and Mass Education programs in 68 Upazilas in 1992 and expansion of this program all over the country in 1993.

- iv. Formulation of a National Plan of Action (NPA) in the light of the World Conference on Education for All in 2000.
- v. Successive implementations of development projects to achieve the objective of primary education.

1.2 Rational of the Study

The Ministry of Education (MoE) is the apex body for policy, planning, and program formulation relevant to secondary, higher secondary, and post-secondary higher education, as well as for implementing these policies and programs. To better manage education, the Ministry has been divided into two parts (e.g., the Secondary & Higher Education Department and the Madrasa & Technical Education Department). A Minister heads the MoE. The Ministry executes its functions through its Secretariat, which is headed by the two education Secretaries for two divisions- one for secondary and higher education division and another technical and madrasah education division, a Directorate of Secondary and Higher Education (DSHE), a Directorate of Technical Education (DTE), headed by Director Generals and nine autonomous Education Boards (headed by Chairpersons). A Directorate of Inspection and Audit (DIA) is also responsible for the education institute. As in the case of primary education, the National Curriculum and Textbook Board (NCTB) is responsible for formulating curricula and approving and publishing textbooks for secondary and higher secondary schools (headed by the Chairman).

The country has been divided into 9 educational zones for effective secondary education management at the field level. Under these zones, there are 64 District Education Officers (DEOs) and an equal number of Assistant District Education Officers (ADEOs) to monitor and supervise the secondary schools. There are 448 (including 25 secondary education officers in Metropolitan City) Upazila secondary education officers who also monitor and supervise the secondary level institutes. There are 125 Upazila resource centers (160 ongoing) to provide ICT-based (Multimedia Classroom teaching) training for secondary-level teachers.

An apex institute is responsible for extending training and research support to the teachers and education functionaries. This is the National Academy for Educational Management (NAEM) for secondary and higher education sub-sectors.

1.3 Objective of the Study

The specific objectives of this study were as follows:

1. To find out the trends of achievement in training in the country;
2. To assess the impact of various training Programs; and
3. To provide suggestions for effective training projects.

1.4 Scope of the Study

Several institutions impart education and training, awarding non-baccalaureate certificates and degrees to teachers at different levels of the education system. There are 54 public sector Primary Training Institutes (PTIs) offering 1-year Certificate in Education (C-in-Ed) course for the teachers at the primary schools. There are 14 public and 54 private sector Teacher Training Colleges (TTC) offering 1-year Bachelor of Education (B.Ed.) course and 1-year M.Ed. Course for the teachers of the secondary level schools. Bangladesh Open University (BOU) also offers

B.Ed. Course through distance education mode. The Institute of Education & Research (IER) of Dhaka University and The Institute of Education & Research (IER) of Rajshahi University offer 4-year courses leading to a Baccalaureate degree with honors in education, followed by 1-year Master of Education Course as well as a post-graduate study leading to M.Phil. and PhD in Education. Higher Secondary Teachers' Training Institutes (HSTTIs) conduct in-service training for both secondary and college teachers. For the technical-vocational stream, there are Vocational Teacher Training Institutes (VTTIs) offering 1-year courses for the teachers of VTIs. Bangladesh Madrasah Teachers' Training Institute (BMTTI) provides B. M. Ed and M. M. Ed courses to the Madrasah teachers and Heads of Madrasah using modern educational technology and conducts the training to Madrasah teachers. Bangladesh Bureau of Educational Information & Statistics (BANBEIS) conducts the ICT Training of Teachers through Upazila ICT Training and Resource Centre for Education (UITRCE) and GoB funds. There is also a Technical Teachers' Training College (TTC) which conducts training for the teachers of Polytechnic Institutes. The number of secondary-level educational institutions, teachers, and pupils are presented in the table below:

Table -2
Number of Education Institutions, Teachers, and Students by Type 2023
(Post-primary)

Type of schools based on streams	No. of Inst.	No. of Teachers	Enrolment
Secondary (general)	21086	278518	9405785
Madrasah (Dakhil to Kamil)	9259	142750	2178884
Technical/Vocational	10595	5538	1818522

Source: Bangladesh Educational Statistics, BANBEIS, 2023

2.0 Methodology

The study has been made by pursuing secondary data and very little primary data. The Sources of data were the BISEs, BMEB, BTEB, and BANBEIS reports and published data. Also, the collected data of the Teacher Education Program in Bangladesh: Inclusiveness for Children with Disabilities Published by Action Aid Bangladesh and other reports.

Primary Education

The Ministry of Primary and Mass Education (MoPME) is responsible for developing the primary education of Bangladesh. The Directorate of Primary Education (DPE) under the MoPME has been working on primary teacher education development by several training institutes. There are 3 main types of primary-level institutions in the country. These are (i) government primary schools (owned, funded, and managed by the government (ii) partially publicly funded non-government primary schools and (iii) wholly privately funded primary schools, this 3rd category encompasses the following types.

(a) non-government non-registered (not registered with MoPME but is under the process of registration; managed by the School Management Committee (b) ebte dayee Madrasha (primary level non-government institutions imparting religious education) (c) ebte dayee madrasa attached to dakhil madrasah (dakhil madrasahs are non-govt. educational institutions imparting madrasa education at the secondary level having a curriculum different from that taught in the

mainstream) (d) secondary school attached primary sections (e) NGO schools (e.g BRAC schools, Gana Sahajya Sangstha schools) (f) Satellite school (schools containing only grade 1 and 2. These are non-government schools. Pupils studying in these schools go to the primary schools of the nearest village after completing grade 2. These are non-government schools) (g) Community schools (one-teacher schools run and funded by the community) (h) kindergartens (English medium schools completely privately owned and managed) (i) experimental schools (schools attached to the Primary Teacher Training Institutes where the trainee teachers go for practice teaching). The National Academy for Primary Education (NAPE) is responsible for training to the primary teachers.

Teacher Survey Findings

A teacher survey was conducted with the trainee teachers (n=216) of PTIs and TTCs enrolled in three districts by using the SACIE and TEIP Scale. Among the participants, 51.9% were from primary-level teacher education programs and 48.1% were from secondary-level teacher education programs. Among them 38% were males and 62% were females. The following Tables (Table 2, 3 & 4) provide some demographic information about the participants of the teacher survey on their attitudes and efficiency towards inclusive education:

Table -1

Trainee Teachers at different education programs

Level of Training	Frequency	Percent
Primary-level Teacher Training	112	51.9
Secondary-level Teacher Training	104	48.1
Total	216	100.00

Source: Teacher Education Programme in Bangladesh: Inclusiveness for Children with Disabilities (February 2016) Published by Action Aid Bangladesh

Table -1

Institution-wise distributions of the teacher survey participants

Institution	Frequency	Percent
Dhaka PTI	70	32.4
Dhaka TTC	39	18.1
Mymensingh PTI	16	7.4
Mymensingh TTC 1	17	7.9
Mymensingh TTC 2	13	6.0
Sylhel PTI	26	12.0
Sylhel TTC	35	16.2
Total	216	100.00

Source: Teacher Education Programme in Bangladesh: Inclusiveness for Children with Disabilities (February 2016) Published by Action Aid Bangladesh

Table -1

Gender of the teacher survey participants

Gender	Frequency	Percent
Male	82	38.0
Female	134	62.0
Total	216	100.0

Source: Teacher Education Programme in Bangladesh: Inclusiveness for Children with Disabilities (February 2016) Published by Action Aid Bangladesh

National Academy for Educational Management (NAEM)

NAEM had to traverse a long uneven way to reach the present position of an apex institution engaged in building up a body of dynamic administrative & academic leaders and managers in the field of education of the country.

“Vision of NAEM is a Quality teacher for Quality Education”

NAEM started its journey in 1959 when it was established as the Education Extension Center (EEC) providing in-service pedagogic training to teachers of secondary school teachers. The center underwent several roles and structural transformations during the last five decades to meet the changing needs of time and the system of education in the country. After the emergence of Bangladesh, the center was upgraded and entitled Bangladesh Education Extension and Research Institute (BEERI) in 1975 and was given the additional responsibility for research and management training of education functionaries including college and madrasah teachers and administrators. To minimize the cost of education and promote effective educational management, the National Institute of Educational Management & Research (NIEMR) was amalgamated with BEERI and renamed the National Institute for Educational Administration Extension & Research (NIEAER) in 1982. The NIEAER, which again transformed into the National Academy for Educational Management (NAEM) in 1992, was stuck to its aim i.e. creating a Center of Excellence in the area of educational administration, management, planning, and research.

Objectives of NAEM

The ultimate objective of NAEM is to ensure quality education at the post-primary levels of education by ensuring teacher development and quality management & administration at the secondary and tertiary education levels.

Specific Objectives

To provide professional and technical support to the education sector for improving institutional capacity in Educational Management and Administration;

To promote increased efficiency and effectiveness in the management and administration of the post-primary education sub-sector;

The following trainings are conducted by NAEM regularly:

(a) Educational Administration and Management Training:

- The three-week long course is run for the secondary school heads and college principals to take education administration and management training regularly.

(b) Foundation Training Course:

- This is a four-month long course for newly recruited BCS Education Cadre Officers.

(c) Office Management Course:

- This course is designed and organized for the administrators working at different levels of education administration working in different Directorates/offices/boards and colleges under the Ministry of Education (MoE).

(d) Refresher Course on Educational Administration and Management:

- This course is designed for the heads of post-primary level educational institutions.
- (e) Refresher Course of Foundation Training:
- NAEM has been arranging a Refresher Course for the trainees of the Foundation Training Course regularly. This is a two-week course.
- (f) Communicative English Course:
- To enhance the communicative proficiency of English teachers both at the secondary and college level and education functionaries under the Ministry of Education.
- (g) Computer Application Course:
- There are Computer Application Courses of 2-3 weeks duration having two different clientele: Officers under the Ministry of Education and teachers of secondary and higher education.
- (h) Training of the Trainers Course:
- The training of Trainers course is designed for the faculties of TTCs, HSTTI, NAEM, and other concerned agencies.
- (i) Secretarial Science and Office Management Course:
- NAEM conducts subject training for the subject teachers of secondary and higher secondary levels of education, Secretarial Science and Office Management course is one of the important subject trainings.
- (j) Educational Research Methodology Course:
- This is a four-week long course for the officers of the BCS (Education) Cadre showing outstanding performances in the Foundation Training Courses.
- (k) Educational Planning and Development Course:
This is another technical course. This four-week course is designed for the functionaries under the Ministry of Education.
- (l) Project Management Course:
- This is a two-week course designed for officers working on different education projects under the Ministry of Education.
- (m) Library Planning and Management Course: This Training course of two-week duration aims at updating knowledge and skills regarding library management.

NAEM has completed its training up to **March 23** as follows:

The Statistics of the Participants Trained in the last 10 years from the fiscal year 2013-14 to the Fiscal year 2022-23 (till 31 March 23)

SL No.	Name of Training Course	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23	Total
1	Foundation Training Course (FTC)	667	355	576	543	600	536	406	401	1152	1192	6428
2	FTC Refresher's Course	00	00	00	00	00	00	00	00	00	00	00
3	Education Administration & Management (EAM) (College)	118	178	182	169	181	189	133	93	96	94	1433
4	Refresher's Course on Educational Administration & Management (College)	50	107	42	51	29	32	00	00	00	00	311
5	Educational Administration & Management (EAM) (Educational Functionaries)	00	00	00	39	67	31	37	72	55	27	328
6	Educational Administration & Management (EAM) (Secondary)	361	228	180	253	224	240	145	129	160	146	2066
7	Refresher's Course on Educational Administration & Management (Secondary)	74	00	60	35	42	44	00	00	00	00	255
8	Senior Staff Course on Education and Management (SSCEM)	59	58	70	74	79	82	79	73	80	74	728

SL No.	Name of Training Course	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23	Total
9	Advanced Course on Education and Management (ACEM)	105	121	152	153	147	158	79	40	80	80	1115
10	Communicative English Course (College)	94	81	109	98	108	54	26	60	68	00	698
11	Communicative English Course (MoE)	63	103	86	82	103	104	52	51	00	00	644
12	Communicative English Course (Secondary)	128	187	194	177	165	104	111	00	37	68	1171
13	Digital Content Development (College)	00	00	00	45	00	61	62	27	65	32	292
14	Office Management Training Course	58	114	110	52	00	38	00	33	00	00	405
15	Educational Planning and Development (EPD)	65	83	83	108	91	58	20	00	38	34	580
16	Educational Research Methodology (ERM)	90	32	55	56	63	82	35	00	35	40	488
17	English Language Training (ELT) Course	00	280	400	718	00	630	480	358	449	596	3911
18	Library Planning & Management Training Course	45	62	75	84	91	30	76	31	76	00	570
19	Project Management Training Course	38	81	80	58	58	58	24	19	19	40	475
20	Satellite Training Course on Teacher's Professional Development	40	219	212	240	250	572	480	350	500	00	2863
22	Training Course on ICT (Secondary)	117	121	67	106	132	132	100	58	101	99	1033
23	Training Course on ICT (College)	70	101	100	64	63	31	32	29	34	32	556
24	Training on ICT Applications in Institutional Works (Heads of Secondary Level Institutions)	120	40	127	79	94	33	32	119	64	31	739
25	Training of Trainers (ToT)	81	36	94	50	113	54	00	00	18	31	477
	Total	2443	2587	3054	3334	2700	3353	2409	1943	3127	2616	27566

Source: National Academy for Educational Management (NAEM)

Teaching Quality Improvement-II (TQI-II) Project

TQI-II has started the work for enhancing the quality education of Secondary level in Bangladesh, funded by the Asian **Development Bank (ADB)**, Bangladesh Government (GOB), and the Canadian International Development Agency (CIDA). The main objective of the project is *“To improve the quality of Secondary Education in Bangladesh by strengthening the teacher training programs, organizational capacity and support for inclusive education”*. The main components are strengthened for teacher development and institute / organizational capacity, enhancing teacher training programs and delivery systems, targeting support for inclusive education, and quality Project Management. The project duration is July 2012-June 2017.

TQI-II has completed its training up to February 2017 as follows-

Teacher Education and Training of Teaching Quality Improvement-II (TQI-II) at a Glance

SL	Training Course	Total Completion of Training as of Y3 (February 2017)		
		Total	Male	Female
1.	TNI for CPD= 2 days	472	368	104
2.	HT/Principal/Super 21 days	8979	8650	329
3.	HT/Principal/Super 35 days	9872	9100	772
4.	HT/Principal/Super 6 days	12824	12291	533
5.	CPD ICT (14 days)	60585	48469	12116
6.	CPD ICT (5 days)	50288	40325	9963
7.	CPD TOT for New Teachers (Gr 11-12) - 6 days	795	616	179
8.	CPD TOT for New Teachers (Gr 9-10) - 3 days	1811	1348	463
9.	CPD for New Teachers (Gr 9-10) - 14/24 days	31250	24600	6650
10.	CPD for New Teachers (Gr 11-12)-24 days	9342	7132	2210
11.	INSERT STC (3month)	1459	1338	121
12.	SMC and PTA Training- 3 days	34630	25405	9225
13.	Dissemination of B.Ed. Curriculum-2days	520	390	130
14.	EMIS/STIS to Collect Data (6 days)	00	00	00
15.	CB Training for DSHE (10 days)	369	317	52
16.	M.Phil./PhD Program	00	00	00

SL	Training Course	Total Completion of Training as of Y3 (February 2017)		
		Total	Male	Female
17.	Advanced ICT Training Course (46 Days)	800	720	80
18.	ICT Troubleshooting Training (3 days)	8542	7093	1449
19.	TQI-II District/Cluster Seminar (1 day)	989	688	301
		233527	188850	44677

Source: Teaching Quality Improvement (TQI-II) Project

Concluding Remarks

Several training and educational institutes are involved in improving the teachers' education in Bangladesh and they provide various types of courses e.g., C-in-Ed, B.Ed., M.Ed., B. M. Ed, M. M. Ed, M.Phil., Ph.D., ICT and in-service subject-based training to the teachers, Administration and Management training to heads of the institutes for the betterment of education and administration. All institutes' objectives are almost the same. They do their work to ensure the quality education by the quality teachers. For these goals, they provide various training and education to the teachers for their professional development.

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Delving into Victorian Childhood in Relation to Mental Health: An Explorative Study

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Abstract: This paper expands the theories included in existing literature regarding parent-child relationships in literature with a focus on *Jane Eyre*, *Pride and Prejudice*, *Great Expectations*, *Silas Marner*, and *Wuthering Heights* to inform as well as understand the relationships between the childhood caregiving context and the child as a mentally healthy individual. The qualitative content analysis regarding parenting focuses on the attachment styles of children in the family systems and uses social information processing models and ecological systems theory to make sense of factors that shape maturity. It has emerged that caring parenthood, characterized by strong attachments makes most children bold and healthy in moods and relationships for holistic development. On the contrary, power, abuse, or neglect as parenting stress leads to ambivalent attachments, identity disturbances, and the abuse of interpersonal relationships. Images of such a childhood are generally quite frightening, and people will likely carry the “scars” of their experiences with them for the rest of their lives, but caregiving bonds will allow wounds to heal over time. The objective of the current study is to fully support and justify the claim that practitioners of parenting activities possess a major role in the social and emotional development of a child. Lastly, this paper will benefit parents, caregivers, and researchers by showing how the parenting style of individuals influences their mental well-being and that of society in general. Events such as abuse and neglect by caregivers will be dealt with by several recommendations aimed at eliminating the problems for policymakers too.

Keywords: Psychological Trauma, Parenting, Childhood Experiences, Mental Health, Emotional Development, Victorian Novels, Parent-Child Relationships.

Introduction

Literary works reflect society and offer insights into the development of human relations through the ages. Especially the novels serve as a key to unlocking many such aspects such as the concepts of a particular society, the structure of a family, and its consequences. Fictional literature from the Victorian era of 19th century England seems as an interesting pose for people who wish to examine the issue of parenthood and children’s psychological well-being. Nonetheless, there is a scarcity of attempts to understand and analyze those classic works towards providing social and cultural approaches to parenting and its consequences on children, which is what this research seeks to do the most. This study mainly aims to shed light on the responsible and highly protective attitudes a parent-child relationship development should bear against the child’s mental health by analyzing the parental portrayals and parent-child

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relationships as depicted in some important Victorian novels. The examination of such Victorian novels and close analysis of some aspects will become useful for scholars studying such narratives and long-term consequences on family institutions and child care which would assist in policy development. Analysis of parenting imagery helps to see how the character depicts a computer in the content analysis of five eminent Victorian novels namely – *Jane Eyre*, *Pride and Prejudice*, *Great Expectations*, *Silas Marner*, and *Wuthering Heights*.

This analysis is underpinned by several theoretical approaches such as attachment, parental acceptance-rejection, social information processing, and ecological systems theories. Such theories help in elucidating the reason why different parenting styles and parenting practices affect the child's socioemotional development. This research paper emphasizes strongly the importance of parenthood in shaping the psychological well-being of the child. It focuses on the necessity of positive parenting and offers useful activities in parenting toward children's sound social and emotional development. It is important to appreciate the fact that parenting and its practice influences child development at the most basic level which involves optimization of mental health in the forthcoming generation. This analysis once again confirms that with wise and loving parenting, children grow up with food for thought and shelter, enabling optimal development.

Background of the Study

Wordsworth famously said, "The Child is the Father of the Man," in 1807. This belief that childhood experiences had a significant impact on how the adult mind developed later in life led to the first comprehensive literary analyses of the child's mind in mid-19th-century novels. The books *Jane Eyre* and *Wuthering Heights* (1847), *Great Expectations* (1846), *Silas Marner* (1861), and *Pride and Prejudice* (1813) were published during this incredibly productive time. Additionally, at this time the first English psychiatric journal was established, the *Journal of Psychological Medicine and Mental Pathology* (1848), which included some of the first discussions of neurological illnesses and pediatric insanity. The conventional wisdom up to this time was that youngsters were generally shielded from the emotions and mental illnesses of adults. This perspective began to change in the middle of the 20th century when increased medical interest in juvenile nerve diseases reflected the literary emphasis on the terrifying or miserable aspects of childhood. After this discovery, multifarious forms of research began on this specific topic, allowing multiple areas of interest to shine through and find more information in this regard. Past research has already shown the deep links between how parents act and children's emotional and mental health. Studies have revealed that caring, responsive parenting helps children develop well emotionally, while harsh, rejecting, or neglectful parenting can lead to issues like anxiety, aggression, and antisocial behavior later on (Melquist, 2009; Case & Paxson, 2001). Additionally, psychology theories explain parenting's shaping impact on children's emotional, thinking, and social skills and how early parent-child experiences shape their development paths (Davies, 2014). Culture and the norms of the time also guide parenting attitudes and effects across eras (Bronfenbrenner, 1979).

While these earlier studies have extensively explored ties between parenting approaches and child outcomes, there are still chances to increase understanding of meaningful caregiving through the study of cultural works. Looking at cultural stories and meaningful themes around family relationships shown in great novels across historical times offers an in-depth perspective.

Looking closely at the themes and messages in greatly admired novels shows how much influence parents have on their children. The books show this parental impact across different levels of society and generations over history. The insights from these respected books strongly connect to and matter for parents and families today in the modern world. This study aims to address the opening by using an analysis of cultural works to investigate societal perspectives on changing family dynamics and their developmental impacts by focusing on parenting portrayals within classic Victorian novels.

The goal of this literary examination is to highlight parenting's vital role in child development by analyzing iconic Victorian fiction to provide historical and cultural perspectives on caregiving patterns and their emotional implications. Bringing out these contextual insights through literary analysis makes clear the importance of prudence, and healthy parenting for a noble society. It also emphasizes key themes around family dynamics for guiding modern parenting practices, interventions, policies, and research. In the end, this study works to spark discussion and bring greater awareness to the deep parental influences on child wellbeing.

Literature Review

The literature review intends to inspect existing studies on the relevant topics. By analyzing previous research, theories, and cultural narratives, this review aims to explain the parenting-child mental health link. These studies establish background and contexts for investigating portrayals of family relationships and effects in Victorian novels. Melquist, N. (2009) shared research on parenting and its impact on the development and prevention of mental health problems in early childhood. The paper defines children's mental health, identifies risks to their development, and emphasizes the importance of the parent-child relationship. The review suggests that emotional and behavioral problems in early childhood tend to continue into later life, indicating the need for prevention and intervention in the early years. The study concludes with recommendations for activities that can reduce children's mental health risks and build protective factors for children. Othman Mohammed and Alqahtani (2018) shared a study that delves into the significance of the absent mother theme in Charlotte and Emily Bronte's novels, namely *Jane Eyre* and *Wuthering Heights*. This concept serves as a powerful tool for the Bronte sisters to address gender, societal, and ideological issues. Influenced by Gothic themes of revolution and authority, both novels explore the impact of the absence of maternal figures on characters. This study suggests that the lack of a mother exposes female characters to male dominance, contributing to the narrative. Despite its narrative implications, the absence of a mother is argued to have a societal benefit by resisting deviant social behavior.

Spurr and Tanja (2019) shared a study that discusses how fathers, Sir Thomas and Mr. Bennet fail in their roles in Jane Austen's novels *Mansfield Park* and *Pride and Prejudice*. It argues that their shortcomings and paternal failures lead to disruptions in the social order and successful marriages for the heroines. Case, A., & Paxson, C. (2001) shared a research paper that discusses the consequences for children growing up when at least one biological parent is absent, including learning problems, behavioral problems, and the likelihood of living in poverty and also explores strategies and possibilities for these effects, including scarring from unhappy home life and social stress. A study shared by Alem (2020), investigated the psychosocial challenges faced by orphaned children in public primary schools. Findings revealed diverse psychological, economic, and social issues affecting their education and overall well-being. Recommendations include the

establishment of support systems by stakeholders, teachers, and caregivers to address the psychosocial needs of orphaned children. Härkönen (2017) shared a study that discusses families and how changes in them can affect kids. The goal is to better understand how different family situations impact children. It discusses the connection between parents splitting up and how it can affect a child's well-being. The article also brings up questions about other changes in families, why things happen, and how it affects kids from different backgrounds. The study by O'Hara et al. (2019) aimed to investigate the relationship between parenting time, parenting quality, inter-parental conflict, and mental health problems in children of high-conflict divorce. The study concluded that higher-quality parenting time was related to better mental health for children.

Elam et al. (2019) investigated the relationship between patterns of post-divorce parenting time, conflict, quality, and children's adjustment. The results showed that children in low-conflict, high-quality parenting had the best adjustment outcomes while those in high-conflict, low-quality profiles had the poorest adjustment outcomes. The study by Semke et al. (2010) explored the impact of parenting stress and motivational beliefs on family involvement for children with disruptive behaviors. The researchers found that parents who experienced higher levels of stress were less involved in their child's education, while those who had stronger beliefs in their ability to positively influence their child's behavior were more involved. The study highlights the importance of addressing parenting stress and beliefs through actions aimed at improving family involvement and the academic and social outcomes of children with disruptive behaviors.

This study by Skinner et al. (2022) discusses the impact of parents, teachers, and peers on student engagement in academics. The study draws on existing research to highlight the positive impacts of parental involvement, teacher support, and peer interactions on student engagement, while also acknowledging the possible negative effects of negative teacher-student relationships and peer victimization. McHale (1996) shared a study that discusses why it's important to study whole families, especially those with two parents, to understand how children develop socially and emotionally. The studies in this book focus on how parents work together and interact with their children. These studies provide a foundation for future research on different family structures. In a study by Gillis and Roskam (2019), they found that when parents feel overwhelmed and burned out, it can negatively affect their relationship with their kids. The research suggests that if we find ways to help parents feel less burnt out and offer them support, it can make their relationship with their children better.

In the article "The Role of Parents in Children's Psychological Development" by Kagan (1999), the author highlights the importance of parental involvement in children's psychological development. The article highlights the role of parents in shaping children's emotional, cognitive, and social development. This study shows that parents who provide a supportive and nurturing environment can positively impact their child's psychological well-being—in a survey by Yeung (2002), explored how family money affects young kids' development using data from 753 children aged 3 to 5. It looked at two money aspects – stability and amount and their connection to academic achievements and behavior issues. Findings showed that a mother's feelings and parenting influenced behavior. The study by Phua (2020) highlights the importance of positive maternal mental health for both mother and child. Studies show that babies who receive love and care from their parents tend to have healthier development and children do well when their

parents not only show affection but also communicate respectfully, listen to them, set consistent rules and expectations, and offer safe opportunities to become more independent.

A study shared by Farooqi (2009) examined the self-esteem of orphaned versus parented children. The research suggests that adopted children and those with high self-esteem often experience better outcomes. Parental support affects children's self-esteem reciprocally, with gender differences noted. Understanding and promoting self-esteem is crucial for children's well-being. A study shared by Ravneet (2018), looked into the behavior and feelings of orphans and vulnerable children in institutional homes. Out of 292 participants, 16.78% showed problems. Things like age, gender, reason for being in the institution, age when they came in, and how long they stayed were linked to these issues. Conduct problems were the most common (34.90%). This study (Davies, 2014) explores how family factors impact child psychopathology from a developmental perspective. It also identifies key risks like conflict and parenting issues. Studies indicate that family traits like aggression and conflict contribute to mental health issues in kids.

This study by Mao, Zang, and Zhang (2020) investigates how parental absence affects development in Chinese left-behind children. Findings reveal a negative link, impacting academics and non-cognitive skills. Other research also delves into absent parents affecting health and diverse family structures. Studies also explore the absence due to migration, death, or divorce affecting education in other countries. The survey explored by Sethi (2015) examines self-esteem, social skills, physical competence, and academic self-concept in orphans and non-orphans. The sample included 325 children, categorized into different groups based on their living arrangements. Results showed a significant relationship between these factors in both groups, with orphans exhibiting higher self-esteem than non-orphans.

Research Gap

While existing research has started delving into the influence of different parenting styles on a child's mental health, a notable gap in the scholarly work pertains to the scarce exploration of how classic Victorian novels offer valuable insights into historical and cultural perspectives on parenting practices. These novels serve as a rich tapestry of societal norms and values prevalent during the Victorian era, shedding light on various parenting techniques and their ramifications on children's development and overall well-being. By examining the portrayals of parental figures and their interactions with children in works by authors like Charles Dickens and Charlotte Brontë, a deeper understanding can be gleaned regarding the prevalent attitudes towards child-rearing during that period. Expanding on this line of inquiry is crucial in unraveling the complex interplay between literature, history, and psychology, offering a nuanced perspective on how differing parenting approaches shaped the psychological landscape of children in the Victorian era. Through a comprehensive analysis of these literary works, it becomes evident that parenting practices of the past continue to resonate in contemporary society, underscoring the enduring relevance of these timeless narratives in informing current debates surrounding child development and mental health.

Research Questions

After thoroughly analyzing and reviewing the previous literature and depending on the literature gap, the researcher has determined the purpose of the study and the questions that will be answered by the end of the study.

1. How do the portrayals of parenting in these novels demonstrate the connections between early caregiving experiences and later social-emotional adjustment issues?
2. What do the dynamics between parents and kids in these stories reveal about the bigger social views of parenting and child development during this historical time?

Research Objectives

General Objective

To highlight the salient role that parenting plays in influencing a child's mental health.

Specific Objectives

1. To examine the various aspects of parenthood, such as parental involvement, parenting style, and the parent-child relationship, that affect a child's mental health, specifically in terms of anxiety, depression, and behavioral issues.
2. To use the works of classic Victorian novels – *Jane Eyre*, *Pride and Prejudice*, *Great Expectations*, *Silas Marner*, and *Wuthering Heights*, to provide a historical and cultural perspective on parenting and child development.

Methodology

This study utilizes a content analysis technique to examine how various aspects of parenthood are depicted in classic Victorian novels and their potential impacts on children's mental health and development. Content analysis is used to determine the presence of certain words, themes, or concepts within some given qualitative data. This method involves systematically examining vast amounts of written materials such as scholarly works, theories, articles, and journals purposeful sampling method is used to select five Victorian novels that provide insight into parenting practices and parent-child relationships during this era. The novels include *Jane Eyre*, *Pride and Prejudice*, *Great Expectations*, *Silas Marner*, and *Wuthering Heights*. The textual data is analyzed guided by key ideas of attachment theory (Bretherton, 1992), parental acceptance-rejection theory (Rohner, 2004), social information processing model (Crick & Dodge, 1994), and ecological systems theory (Bronfenbrenner, 1979) outlined in the Theoretical Framework.

Theoretical Framework

Attachment Theory, as delineated by Bretherton in 1992

Attachment theory, as delineated by Bretherton in 1992, says that a child's socio-emotional development is significantly shaped by the quality of their early interactions with primary caregivers. This foundational aspect of attachment processes indicates that the nature of the relationship between the child and their caregivers greatly affects the child's emotional and psychological growth throughout their formative years. When a child experiences inadequate or inconsistent parenting, it elevates the likelihood of developing various mental health issues as they mature. This kind of parenting often leads to insecure or disorganized attachment styles, which can manifest in difficulties in relationships, self-regulation, and overall emotional well-being. In contrast, responsive and nurturing parenting plays a crucial role in establishing a secure attachment, forming a stable base from which the child can explore the world, develop resilience, and nurture healthy interpersonal relationships.

Parental Acceptance-rejection Theory (Rohner, 2004)

Parental acceptance-rejection theory (Rohner, 2004) proposes that parental rejection damages children's self-esteem, emotional regulation, and social functioning, while parental acceptance facilitates psychological adjustment. This theory highlights how pivotal parental acceptance versus rejection is for a child's socioemotional development.

Understanding these dynamics necessitates a careful examination of the diverse approaches to parenting—ranked from neglectful to highly responsive—and their corresponding outcomes on individual children's emotional health and attachment styles. Through such analyses, researchers and practitioners can gain nuanced insights into how different parenting strategies uniquely influence children to become capable, emotionally intelligent individuals. This understanding not only enriches the existing body of knowledge about attachment theory but also informs the development of interventions and support systems aimed at guiding parents in fostering healthier emotional environments for their children. In doing so, it underscores the importance of the caregiver-child relationship in shaping long-term outcomes for mental health and well-being. (Rohner, 2004) proposes that parental rejection damages children's self-esteem, emotional regulation, and social functioning, while parental acceptance facilitates psychological adjustment. This theory highlights how pivotal parental acceptance versus rejection is for a child's socioemotional development.

The Social Information Processing Model, as Proposed by Crick and Dodge in 1994

The social information processing model, as proposed by Crick and Dodge in 1994, offers valuable insights into how a child's ability to establish and maintain relationships with others is fundamentally influenced by their interpretation of social signals and their responses to them. This model underscores the importance of a child's past experiences in shaping their beliefs and behaviors in social contexts. For instance, when children grow up in environments where their parents or caregivers frequently exhibit harsh or unkind behavior, they may start to develop a generalized view that others in the world are similarly unkind. This skewed perception can have a profound impact on their social interactions. If they come to believe that aggression is a normative response, they might begin to adopt tough, confrontational, or aggressive behaviors in their dealings with peers.

As a result, their behavior could alienate potential friends or other children who may feel threatened or pushed away by such aggression. This, in turn, can create a pessimistic cycle: the child may find themselves socially isolated, leading to feelings of loneliness, low self-esteem, or further negative perceptions of others, confirming their initial beliefs that people are indeed unfriendly or hostile. On a broader scale, the model illustrates how vital early social interactions are in determining the trajectory of a child's social development. These experiences lay the groundwork for future relationships and social competencies. If children do not learn positive social cues and responses, they may struggle to connect with their peers and form healthy, lasting friendships, affecting their social and emotional well-being for years to come. In summary, the social information processing model emphasizes the pivotal role of experience in shaping how children interpret social situations and react to the behaviors of others, ultimately affecting their ability to cultivate successful and fulfilling social relationships. This theory shows that bad experiences with parents can deeply affect how children understand and deal with people around them.

Ecological Systems Theory, Introduced by Psychologist Urie Bronfenbrenner in 1979

Ecological systems theory, introduced by psychologist Urie Bronfenbrenner in 1979, represents a comprehensive framework for understanding the various factors contributing to a child's development. According to this theory, a child's growth and overall development are profoundly influenced by multiple layers of environmental context, each serving as a different ecological system that interacts and impacts the other.

Bronfenbrenner's central principle is that there is an intricate interplay between how parents raise their children and the society in which they exist. The cultural standards and expectations affect parenting styles, while the nurturing and developmental experiences provided at home can equip children to thrive within their societal context. In essence, this theory underscores the significance of a holistic approach to child development, one that appreciates the diverse and interconnected environmental factors that influence a child's growth, helping us understand how children adapt to, interact with, and become a part of the larger world as they mature. Through this multilayered lens, we can gain valuable insight into the complexities of upbringing and the diverse pathways through which children learn, grow, and engage with their communities. These theories create a way to understand how different ways parents raise their children and whether parents are there or not can affect how children feel. This helps us see it from both the relationship side and the social context side.

Analysis of the Novels

The condition of the children in Victorian Novels will be analyzed in terms of contemporary perceptions and ideologies of the people living in this era. The authors in their novels tried to highlight the importance of caregiving to children through depicting their pitiful lives.

Victorian Attitude to Children

As previously stated, the Calvinist worldview of John Wesley, which maintained that children lacked the ability for virtue due of original sin, greatly impacted the Victorian attitude toward children. Rousseau disagreed, arguing that they were fundamentally good and incapable of evil. Additionally, Rousseau supported raising children in accordance with their natural development rather than treating them like miniature adults (Grylls 23–33). The authors like Dickens, Bronte sisters, Jane Austen were more in accord with Rousseau's viewpoint than Wesley's, suggesting that Victorians tended to accept extremes of both points of view. Victorian novels, then, offer important insights into shifting perspectives on the care that parents and guardians should provide for their children. The age saw a distinct movement from Puritanical and Wesleyan views to more Romantic views reflecting those of not only Rousseau, but of Blake and Wordsworth. The Victorians started believing that parenting plays a crucial role in a child's overall development, encompassing various key aspects such as their mental well-being, behaviors, interpersonal connections, and trajectory in life. The quality of parental support, emotional availability, establishment of structure, and the formation of secure attachments substantially influence a child's emotional health. Conversely, when parents exhibit negative behaviors, such as abuse, neglect, and toxic relationship dynamics, it can profoundly impact a child's emotional state in enduring ways.

Portrayal of the children in Victorian Novels

Current research underscores the intricate relationship between diverse parenting factors – such as the extent of parental involvement, the adopted parenting style, and the strength of the parent-child bond – and the emergence or exacerbation of issues like anxiety, depression, and conduct disorders in children. Furthermore, analyzing prominent works of literature from the Victorian era provides valuable insights into the societal and historical perspectives surrounding family dynamics and their profound effects on a child's growth and well-being. By merging these literary observations with psychological theories, we can gain a deeper understanding of how parenting practices can either nurture or impede a child's flourishing. The combined exploration of these disciplines' sheds light on the intricate interplay between parenting strategies, cultural influences, and psychological mechanisms in shaping a child's holistic development.

Within the pages of *Pride and Prejudice*, the emotional distance of Mr. Bennet and the controlling nature of Mrs. Bennet reflect insecure attachment styles, showing how parents can influence their children's attachment patterns, as explained by attachment theory (Bretherton, 1992). Mr. Bennet is portrayed as a witty but somewhat indifferent father. He often withdraws from family affairs, preferring to spend time in his library and escape the chaos of his household. His lack of involvement in the lives of his daughters, especially in guiding them in their choices, can be seen as a form of neglect. On the other hand, Mrs. Bennet is overly preoccupied with finding suitable husbands for her daughters, especially considering the societal norms of the time. Her relentless focus on securing advantageous marriages, particularly for her eldest daughters, Jane and Elizabeth, leads her to make hasty decisions and prioritize wealth and social status over genuine compatibility and happiness. Lydia, the youngest of Bennet's sisters, exhibits behavior that goes against societal norms, including her flirtation with officers and her elopement with Mr. Wickham. The fact that Lydia's behavior is allowed to escalate to such an extent suggests a lack of discipline and guidance on the part of her parents. Also, the Bennet parents do not seem to have a solid financial plan for the future, and Mr. Bennet's estate is entailed away, meaning that it will pass to a distant male relative rather than directly to his daughters. Overall, their insecure attachments lead to a household marked by emotional distance, lack of guidance, and a focus on societal expectations over genuine emotional well-being.

In *Great Expectations*, Pip undergoes a predominant development that might be influenced by the environment in which the character lives. Apart from Joe, the child is not treated warmly at home. His sister and friends who visit them treat him as inferior. The situation of the child in the company of adults who are not his loving parents is described for example in this way:

“They seemed to think the opportunity lost if they failed to point the conversation at me, now and then, and stick the point into me. I might have been an unfortunate little bull in a Spanish area, but I got so smartingly touched up by these moral goals (*Great Expectations* 22)”.

It is evident that the insecurity the child feels and unhappiness caused by his family. Pip's record of his own abuse and neglect is, of course, the most developed argument on behalf of children in the novel. His being “undersized, for my years, and not strong” (2) results from his being literally and metaphorically squeezed out from the table by churchgoers, such as those on Christmas Day (22). Joe spoons extra gravy onto his plate and furtively promises him pork pie like the others, but allows him to be dehumanized as he is called a “little monkey” (7) a

“squeaker” (24), and a “sixpennorth of halfpence” (22). Pip is also goaded like “an unfortunate little bull in a Spanish arena”.

The relationship between Pip and Miss Havisham is no less interesting. When Pip is a small child and meets Miss Havisham for the first time, he is terrified by her and her house. Apart from the terror, he feels abjection, because he is often insulted by Estella according to Miss Havisham’s orders. Estella's difficulty forming secure attachments stems from her upbringing by the reclusive and vengeful Miss Havisham. Miss Havisham raises Estella without love or care, making her emotionally distant and manipulative, leading to an insecure attachment style. Estella's inability to reciprocate genuine affection is evident when she marries the abusive Bentley Drummle, emphasizing the impact of her upbringing. The novel highlights how manipulative parenting can harm emotional bonds and a child's development. Estella, raised by Miss Havisham to break men's hearts, is emotionally detached and struggles with the capacity for genuine affection. Her marriage to Drummle is arguably a consequence of her upbringing, where she was groomed to be emotionally distant and to view relationships as tools for manipulation. Estella's journey illustrates the dangers of caregiving that exploits rather than nurtures a child. We cannot find a child who lives in a functional family in the whole story. Magwitch himself indicates some of his childhood experiences and he advocates his crimes by saying that his position as an orphaned child was extremely difficult: “But what the devil was I to do? I must put something into my stomach, mustn’t I?” (293). This part of his speech can be also interpreted as that he thinks his crimes were only a consequence of his living conditions.

In the novel *Jane Eyre*, *Jane Eyre* goes through a traumatic childhood after her parents die and is sent to live as an unloved orphan with her cruel maternal aunt Mrs. Reed. Jane is constantly abused and punished unfairly by her adoptive family. The day after the incident in the red room, Jane acknowledges that she feels “physically weak and broken down” (20) but largely focuses on what she calls “an unutterable wretchedness of mind: a wretchedness which kept drawing from me silent tears; no sooner had I wiped one salt drop from my cheek than another followed” (20). She links this “unutterable wretchedness of mind” to her “racked nerves” (20), which were “now in such a state that no calm could soothe, and no pleasure excite them agreeably” (20). Here she feels like she is abandoned. Her time at the Lowood School only furthers her anxiety and fragile self-image. Jane grows up deprived of care and affection, leading to intense insecurity and defensiveness. As an adult, Jane continues to struggle with the emotional wounds from her lonely childhood. She grew up feeling inferior and often expected people to reject her. Jane portrays doubts and distrust when Mr. Rochester first declares his intentions to make Jane his wife. Jane's response to such long-awaited love and security illustrates how deep scars from childhood neglect and trauma persist in shaping one's adult relationships. Her distrust of Mr. Rochester also aligns with the social information processing model's (Crick & Dodge, 1994) premise that early experiences warp perceptions and worldviews.

At the beginning of the novel *Silas Marner*, Silas is alone and disconnected from the people in Raveloe because of false accusations and the loss of his gold coins. He becomes avoidant, avoiding emotional closeness with others as a way to protect himself. Silas likely lost one or both parents when he was young, which caused him to be lonely and self-reliant from an early age. The novel also does not mention any siblings, extended family, or close childhood friends for Silas. His apparent lack of early bonds and loner disposition made it difficult for him to

establish connections. However, when he finds Eppie, everything changes. He becomes a devoted and loving father, providing Eppie with stability and care. This consistent and nurturing care helps Eppie form a secure attachment with Silas as her new father. As a result of his bond with Eppie, Silas goes from being avoidant and isolated to having secure relationships. His love for Eppie helps him open up and feel a sense of belonging. He goes from being a hermit to becoming an active member of the village who enjoys being with others and taking care of Eppie. This personal transformation shows how caregiving love, as explained in attachment theory, has the power to heal. Silas's attentive care for Eppie promotes her healthy emotional growth and rescues him from a life of isolation. Eppie's secure attachment to Silas highlights how dependable care promotes emotional well-being, as parental acceptance-rejection theory (Rohner, 2004) also suggests.

In *Wuthering Heights* Heathcliff and Hareton, both go through tough times due to terrible parenting. Their struggles highlight ecological systems theory's (Bronfenbrenner, 1979) view that broader cultural factors shape parenting practices and child outcomes. Heathcliff is an orphan taken in by Mr. Earnshaw, but the family never truly accepts him. They treat him like an outsider and call him a "gypsy." The majority of those in the household continue to view Heathcliff as a "dirty, ragged, black-haired child" (36). Mrs. Earnshaw, Hindley Earnshaw, and neighbors constantly speak of him in disgracing terms as well, such as "gypsy brat" (37), "dog," "imp of Satan" (39), and a "naughty, swearing boy" (55). After Mr. Earnshaw dies, Hindley, who is jealous of Heathcliff's relationship with Catherine, mistreats and abuses him. This mistreatment changes Heathcliff, leading to his later cruelty and violence. His situation worsens when Hindley obtains authority over the home following the death of Mr. Earnshaw. Hindley, who always bullied and rivaled Heathcliff while growing up (Morris 162), uses this new power to his advantage. He removes Heathcliff from school and forces him to work hours of hard labor, often punishing him with severe thrashings. Hindley's anger and rough attitude towards everybody increases after the death of his wife, and his temper and drunken states often lead to brutal clashes with those around him. Hindley's strict and cruel hand treats Heathcliff like a servant rather than a family member. These acts of violence leave Heathcliff's homelife dangerous and unpredictable. Hareton on the other hand loses his mother early on and is raised by Heathcliff after Hindley's death. Heathcliff intentionally prevents Hareton from getting an education, keeping him ignorant and unable to read or write as a form of punishment for being part of the Earnshaw family. Hareton is left all alone without love or guidance. Both Heathcliff and Hareton grow up without the care and close relationships that are important for normal development. This lack of care and attention makes them act aggressively and avoid socializing. However, Heathcliff eventually forms a close bond with Hareton before he dies, showing that there is still a human need for connection. The novel shows how a difficult and unstable upbringing can seriously harm mental health.

Further Discussions

This research is meticulously designed with the primary goal of elucidating the crucial significance of parenting practices in the intricate process of molding and influencing children's mental well-being. By employing a comprehensive qualitative analysis of the portrayal of parenting dynamics and the nuances of parent-child relationships within the context of classic Victorian literature, the study offers a captivating exploration of parental roles and interactions, shedding light on how these elements have evolved over time and across different cultural

landscapes. Moreover, by delving deep into the themes and depictions found in the Victorian novels, the research unveils a rich cultural and historical backdrop that underscores the profound impact of parental engagement, varied styles of parenting, and the quality of parent-child bonds on the intricate tapestry of children's socioemotional development. Through this in-depth examination, the research seeks to enhance our understanding of the enduring influence that parenting practices have on shaping the cognitive and emotional landscapes of future generations, thereby contributing valuable insights to the broader discourse on child psychology and developmental psychology within a cultural and historical context.

Key findings reveal that positive, nurturing parenting marked by emotional support, structure, and secure attachment is strongly associated with healthy development in children. Characters like Elizabeth Bennet and Jane Eyre exemplify how consistent, empathetic care in childhood aids in building self-esteem, managing emotions, forming relationships, and tackling hardships. In contrast, negative parenting is linked to issues like insecure bonds, low self-worth, and aggression, as evidenced by characters like Heathcliff. The literary analysis enriches our understanding of how good-enough caregiving provides a foundation for normal maturation, while traumatic early experiences leave scars. However, the research also indicates possibilities for healing and change through caregiving bonds later in life, as Silas Marner's story illustrates.

These literary insights translate powerfully to present-day circumstances and can guide parents, caregivers, researchers, and policymakers. Understanding the profound impact of parenting on child development is essential for promoting mental health and well-being in the next generation. This analysis reinforces that wise, nurturing parenting provides sustenance and shelter, allowing children to blossom.

Conclusion

In conclusion, by examining the ramifications of parenting on a child's psychological well-being within the context of Victorian literary works, this study underscores a crucial call for an enhanced understanding of the significance of compassionate parental guidance. The portrayals in these narratives vividly illustrate how the bonds between parents and their children can either instill resilience or lead to fragility in the face of life's challenges. Delving into the analysis of these literary masterpieces not only imparts invaluable lessons on the intricacies of various parenting approaches but also underscores the profound impact that a nurturing and supportive parental environment can have on a child's overall development. Indeed, the core ethos of effective parenting should revolve around creating a secure and enriching atmosphere that empowers young individuals to realize their full potential. Embracing this vision has the potential to serve as a guiding beacon, illuminating the path for parents, communities, and nations alike as they strive to cultivate the mental and emotional well-being of future generations, thereby fostering a more resilient and flourishing society.

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Colonial Discourses and English Studies: A Critical Analysis of Postcolonial Theory

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Abstract: Colonial discourse, of course, has immense impact on postcolonial literature, especially in the field of English studies. It generates new ideas and concepts in writing for the writers. The postcolonial writers analyze and evaluate the colonial discourses in their literature effectively. Postcolonial theory explores various assumptions of colonial struggles in the era of post-colonialism such as the psychology of the west, condition of the natives in the colonial era, and the overall impact of colonialism in the literature of postcolonial era. This article talks about the role of colonial discourse in English studies in the perspective of postcolonial theory.

Keywords: Colonial Discourse, English Studies, Postcolonial Theory

Introduction

Colonial discourse creates the images of the non-European by Europeans in literature and other fields. In other words, this is the narrative construction of the non-Europeans. It also covers the fields of arts, law, social science inquiries, archaeology, political thought and so on. According to Pramod K. Nayar (2010), within colonial discourse studies, post-colonial literary criticism has focused on the role of English literature, English language and cultural representations, demonstrating how colonial English literature texts are imbricated in colonial structures of dominance and oppression.

Pramod K. Nayar (2010) also says that the task of postcolonial literary criticism has been (primarily in English studies), to locate modes of representation – narratives – where Europeans constructed the natives in politically significant ways. Colonial discourse is racialized, of course, and because racial discourses feed directly into the imperial-colonial system (colonialism being the conquest and domination of one race by another), the task of postcolonial literary studies has been to unpack those literary figures, themes, and representations that have enforced imperialist ideology, colonial dominance and continuing Western hegemony. Adapting Said's argument that discourses shape and determine colonial experience for both colonizers and colonized, postcolonial studies locate a political role for literary representations.

Frantz Fanon strongly highlighted the psychological effects of colonialism on both the colonizer and the colonized in 1960s. According to him, colonialism destroyed the souls of the repressed and suffering natives. Basically, the colonial masters saw the natives as a non-human, animalized 'object or thing' which annihilates the identity of the native. Nayar (2010) said that Fanon's insight into the psychology of colonialism was simply this: When the colonial paints the native as evil, pagan, and primitive, over a period of time the native begins to accept this prejudiced and

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racialized view as true. As a result, the native comes to see himself as evil, pagan, and primitive. The black man loses his sense of self and identity because he can only see himself through the eyes of the white man. In the 1960s, Fanon also argues that for the native the term 'man' itself begins to mean 'white man' because he does not see himself as a man at all. In terms of culture, the native extends this accepted notion to believe that only values that matter are those of white man.

Structures of colonial domination were, of course, racialized in the sense that they were created and administered by acknowledging and reinforcing the racial difference between the natives and the colonial masters. The European master possessed the power to govern, and the natives were 'subjects' to the systems created by the masters. These structures were sustained not merely by the use of military and economic power – though these were, expectedly, central to it – but through a complex dynamic of 'representation' and 'discourse'. Colonial presence produced images and representations of natives – by which I take to mean, essentially, non-white races and ethnic groups in Africa, Asia and South America – that were consumed by both colonial races back in Europe as well as the natives themselves. This later phenomenon, where the natives assimilated and believed his/her prejudiced, skewed and often downright false presentation of him/herself by the European was made possible through the education system, religion, and the law (Nayar, 2010).

Literature Review

Beginning around the time of the Renaissance, at the apex of European mercantilism and outward expansion, colonialism reached its zenith during the nineteenth century with the now notorious 'scramble for Africa'. In the aftermath of World Wars I and II, the exhausted imperial powers could neither exert the level of control necessary to maintain their overseas territories, nor morally justify their continuation. As a result, colonialism began to unravel, and it was into the 'gaps' caused by the European retreat around the 1950s that the colonized asserted themselves. More precisely, this was the time of the Algerian war of independence against France, the Mau Mau uprisings in Kenya, the dethroning of Egypt's King Farouk, and the faint rumblings of dissent in Indo-China and the Levant (Goodman, 2005).

W.R. Goodman (2005) also says that in the vanguard of postcolonial theory is the Martinique-born poet and playwright Aime Césaire, whose 1950s essay "Discourse on Colonialism" galvanized subsequent theories and movements, most notably the concept of 'negritude', a social and literary movement. In collaboration with Leon Damas and Leopold Senghor, Césaire's negritude movement promoted the rich culture accomplishments of people of color in order to resist assimilation.

While thematic parallels signify the ubiquitous nature of the colonial project, they do not however mean the colonized countries, regions, or people should be conflated into an undifferentiated amalgam or unity called 'the colonized'. Instead, it is important to recognize the variation of other crucial factors and how they function – economic, political, social, and cultural structures within different colonized regions as well as within the colonizing power itself. In other words, there is no essential colonial reality or sensibility but rather multiple realities created by a monolithic Eurocentric endeavor. Consequently, a theoretical framework emerges to address these complex and multifaceted variables as they relate to the colonial condition.

Paralleling postcolonial literature therefore is the discipline of post-colonial theory or criticism whose focus is on the ideological and political but without necessarily excluding the aesthetic. Rather, postcolonial theory is an inclusive and inquisitorial field that probes the relationships between center and peripheries, the colonizer and the colonized. It can also be seen as a ‘corrective’ to the hegemonizing impulse of Western-centered discourse (Goodman, 2005).

Modernity emphasized rational and optimal use of resources in order to achieve maximum profits. This was directly linked to the economic system of capitalism where profits and efficiency were seen as intimately linked. The other side of this modernity was that as it expanded, more countries in Europe sought greater profits, resources and labor outside Europe. That is, modernization and industrialization needed sources of labor and raw materials and markets for their products. European markets and factories could not generate profits from within European sales alone. This meant that European countries began to look at Asia, South America and Africa as sites providing them the much-required resources. In this way, modernity directly led to voyages of discovery (for trade routes) and conquest (for control over resources in other parts of the world). Colonialism emerged out of this process of industrial modernity and its capitalist modes of production (Nayar, 2010).

Pramod K. Nayar (2010) also states that for various nations in Africa, Asia and South America modernity has historically been characterized by the rule and dominance of native cultures by non-native, usually European ones. Modernity has thus been ‘colonial modernity’ for many regions of the non-white world. Colonialism can be described as the process of settlement by Europeans in Asian, African and South American territories. Colonization found its climactic moments in the eighteenth and nineteenth centuries. It was an exploitative mechanism – economic exploitation of resources, the use of native people, the conquest of territory and markets – based on the difference in race, culture, forms of knowledge, technological advancement and political systems between the Europeans and the natives.

Twentieth-century commentators from Africa and Asia – Mahatma Gandhi, Aime Cesaire, Leopold Senghor, Albert Memmi – during the anti-colonial struggles pointed to the racial dimension of colonial rule, the inequalities of power and the slow but steady erosion of native values and cultures (especially languages) by colonial rulers. They interpreted colonial as something more than mere military-political power, viewing it as a process of cultural domination through representation, discourse and documentation (Nayar, 2010).

Pramod K. Nayar (2010) also tells that this critique of colonial racialized acts of representation in law, history writing, literature, religion and educational practices provides the opening moves of what has come to be known as postcolonial theory. It focuses on question of race within colonialism, and shows how the optic of race enables colonial powers to represent, reflect, refract, and make visible native cultures in particular ways. Postcolonial theory begins with the assumption that colonial writing, arts, legal system, science and other socio-cultural practices are always racialized and unequal where the colonial does the representation and the native is presented. In fact, postcolonial theory is a method of interpreting, reading, and critiquing the cultural practices of colonialism, where it proposes that the exercise of colonial power is also the exercise of racially determined powers of representation.

Colonial Discourses and English Studies

A now-classic method in postcolonial literary studies is to, therefore, uncover the ‘subtexts’ of Eng. Lit. texts, to probe beneath the obvious and apparently universal/humanist/aesthetic themes in order to reveal their racial, gendered, imperial assumptions. One of the principal critical texts in this postcolonial approach is Gauri Viswanathan’s *Masks of Conquest* (1989). Viswanathan demonstrates how English literature as a discipline was introduced in India by (i) rejecting native literary traditions in Sanskrit, Persian and Arabic, (ii) installing English texts in their stead, (iii) using these texts as modes of creating a class of Indians who would be trained to serve the colonial administration (Nayar, 2010).

English literary texts are neither universal nor simply about human values. They encode prejudices that are racial, attitudes that serve the empire and carry stereotypes that are false but powerful in their consequences. The task is one of re-interpretation, to examine the values of literary texts for what they conceal. Re-interpretation in postcolonial literary studies involves paying attention to the contexts in which English literary texts were produced, and to work colonial ideologies through these texts. Thus, Chinua Achebe’s famous reading (1975) of Joseph Conrad’s cult novel, *Heart of Darkness*, argued that Conrad had absolutely no interest in Africans, and reduced them, in his novel, to animal and dehumanized images. Edward Said’s (1993) reading Jane Austen’s *Mansfield Park* argues that the Caribbean plantation in Antigua is linked inextricably to the family’s fortunes and life in England and thereby showing how the colony is inseparable from the European country. Sara Suleri’s (1992) reading Kipling’s *Kim*, Homi Bhabha’s (1994) reading Forster’s *A Passage to India*, Peter Hulme’s (1986) reading Defoe’s *Robinson Crusoe* and Nigel Leask’s work (1993) on the English Romantic poets are some of the key texts that illustrate this process of postcolonial readings of colonial literary texts (Nayar, 2010). More recent works have not dealt directly with literary representations but have paid attention to literary cultures – the publishing industry libraries, the circulation and consumption of texts.

Nayar (2010) also says that postcolonial cultural studies have included re-interpretations of other kinds of colonial writings. Thus, Mrinalini Sinha (1995), Inderpal Grewal (1996), Antoinette Burton (2003), Betty Joseph (2004) and Anindita Mukhopadhyay (2006) have worked at the interface of literary studies and history to unpack colonial ideologies in a wide variety of administrative, legal and ethnographic texts. According to the reading anamorphic literary texts from the colonial period did not, for obvious reasons, resist the empire, or critique imperialism. However, works such as Forster’s *A Passage to India*, the conclusion of Jonathan Swift’s classic *Gulliver’s Travels* do exhibit signs that their authors were not entirely convinced of the ‘rightness’ of the empire. In fact, Bhabha’s often virtuoso readings reveal that colonial discourse was fractured and flawed. Kumari Jayawardene (1995), Indrani Sen (2002) and Indira Ghose (1998) have also, in a similar vein, demonstrated the incomplete nature of colonial discourse in their readings of literary texts.

Here postcolonial reinterpretation work at something else: They seek not the Saidian kind of colonial discourse that dominates and controls the native, but rather the gaps and fissures within this discourse that actually provide the native with the means of resistance and the dissenting colonial with the modes of articulating opposition. The significance of such postcolonial re-interpretations cannot be overemphasized. They show how not all English writing is necessarily

racist or imperialist, how by seeking colonial ideologies in all English texts, postcolonial readings perform the same act of homogenizing all Western literature that we once accused the West of doing to native writings and that resistance is always possible even within the so-called overtly imperialist texts. In such postcolonial readings, Edward Said's sweeping judgments of European writings get overturned (Nayar, 2010).

Postcolonial Literature and Theory

According to W.R. Goodman (2005), within the colonial paradigm, cultural subjugation meant the transformation or representation of lands and regions as spaces of mystiques and exoticism for the European traveler, as in Andre Gide's novel *The Immoralist*; or as sinister, impenetrable spaces which nonetheless held out the promise of commercial exploitation, as in Joseph Conrad's novella *Heart of Darkness*. Goodman (2005) also says that it involved representations of the colonized as irrational, overemotional, disorderly, and incoherent – familiar examples include Dr. Aziz in E.M. Forster's *A Passage to India*, and the chaotic, swirling crowds of Lahore in Rudyard Kipling's *Kim*. Where existing or traditional cultural forms were recognized by the colonizers, their value was generally undermined by categorizing them as naïve, mythic, superstitious, or aesthetically crude – all rationales for situating colonized cultures outside the modern Eurocentric sphere. It was to these biased representations that postcolonial literature responded, not only to reverse the fictionality of the colonizer's narrative but also to show how colonial representations had had an impact on the totality of life for the colonized, from the formation of colonial public policy and education, to constructions of identity.

While it is important not to collapse the colonial condition into an undifferentiated set of experiences, there are nonetheless certain thematic parallels which much postcolonial literature, from Africa to New Guinea, shares in common. Writing from different countries and cultures, the Kenyan Ngugi wa Thiong'o in his novel *A Grain of Wheat* and the Indian Raja Rao in his novel *Kanthapura* both express the simultaneous pain and triumph involved in the struggle for independence. Likewise, the sense of displacement and alienation in one's own land and within one's own psyche is addressed in the West Indian novelist George Lamming's *In the Castle of My Skin* as well as in the Nigerian Chinua Achebe's *No Longer at Ease*. Metaphoric themes that wrestle with the crisis of identity in a decolonizing world are also extensively used in diverse postcolonial literatures, for example in the Trinidadian V.S. Naipaul's *A House for Mr. Biswas* and in *Remember the House* by the Indian novelist Santha Rama Rau. Many postcolonial writers have employed the literary forms and techniques of the colonial power's own language and so used allegory, disrupted narrative flow, magic realism, irony, and so on to create alternative views of the colonial situation. This appropriation demonstrates the ability of postcolonial writers to use the 'tool' of metropolitan language – the language emanating from the colonial center, the metropolis – against itself. The Indian-born novelist Salman Rushdie exemplifies this cleverly crafted appropriation in many of his novels, notably in *Midnight's Children*, *The Satanic Verses*, *The Moor's Last Sign*, and *Shame*, as does Arundhati Roy in her Booker Prize-winning novel *The God of Small Things* (Goodman, 2005).

Martinican founder of postcolonial theory is the psychotherapist Franz Fanon, whose books *The Wretched of the Earth* and *Black Skin, White Masks* are profound philosophical analyses of the psychological as well as the socioeconomic factors inherent in colonialism. In this sense, Fanon sees racism as consequences of political oppression. In the following decade, the Palestinian-

American Edward Said's *Orientalism* would become the foundational text of postcolonial criticism. For Said, postcolonial writing – literary and theoretical – is a form of resistance to highly dubious Western constructions of the 'Orient'. In *Culture and Imperialism*, Said scrutinizes the colonial formation through the prisms of culture and narrative (Goodman, 2005).

Conclusion

If we move from literature to language, we can see that postcolonial studies proceed to locate European languages as instrumental of colonial power. Walter Mignolo (2003) in his grand study of the European Renaissance meticulously teases out the imperialist-colonial politics of Spanish grammar books and their role in the conquest of South America. This magisterial study shows how grammar, syntax, and dictionary projects are never only about language, but rather serve very devious imperial purposes and often determine interpretations in other disciplines such as education, history, and the law. The language of aesthetics derived from English and European theories has also been used, as studies have shown to homogenize, catalogue, organize, and discipline native landscapes, peoples and cultural practices (Nayar, 2010).

The destruction of aboriginal and vernacular languages, as numerous writers from Asia, Africa, North and South America, and Australia have argued, can be readily traced to the imposition of European languages with colonial rule. Even translation from the vernacular-native into European languages, as several postcolonial translations scholars (Harish Trivedi, Tejaswini Niranjana, Susan Bassnett) have shown is a political act.

The acceptance of English by natives in the colonial period created a politics of representation because the language was racialized and gendered. With political independence English continues to be the language of power (in administration, finance, law, and increasingly, global commerce), and the metropolitan sites and English-speaking minority are able to dominate postcolonial societies. This has resulted in a sharp divide between languages and literatures. Writings in native languages are not easily published by the bigger publishing houses, not circulated, reviewed or accepted easily by audiences; never acquire the prestige accorded to writing in English.

W.R. Goodman (2005) asserted that the production of postcolonial theory has grown exponentially over the decades with certain principles terms and key figures coming up frequently. Examples include Gayatri Spivak's 'subaltern studies' as well as her Marxist-feminist critiques in *In Other Worlds*; Homi Bhabha's propositions on hybridity, mimicry, and ambivalence embedded in colonial discourse.

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Environmental Reporting Practices of Insurance Companies in Bangladesh

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Abstract: The objective of the study is to analyze the practices of sample insurance companies in disclosure of environmental information for stakeholders. The study is based mainly on annual reports of six insurance companies relating to year 2022. Major findings of the study are that all the sample companies disclose mainly qualitative information regarding the awareness for the environmental protection, compliance with environmental law & regulations, details of imparted environmental training facilities, pollution preventive practices, impact of climatic change, good governance, gender equality, efforts for less carbon emissions, conserving energy and natural resources reducing health safety risk, disposing wastage, CSR activities etc. Companies should follow the relevant IAS/IFRS and ethical practices of financial reporting along with quantitative disclosure of environmental accounting information.

Keywords: Corporate environmental reporting, Impact Factor-Social Awareness, Working condition, Safety & security, environmental Pollution- wastage.

Introduction

Environmental accounting refers to the identification, measurement, and allocation of environmental costs, environmental financing, environmental assets and liabilities, and also the integration of those variables in to business decisions and subsequent communication of the environmental information with the stakeholders. It helps the accurate assessment of the costs and benefits of environmental preservation measures for companies. It provides substandard framework for organizations to identify and account for past, present, and future environmental costs to support managerial decision-making, control, and public disclosure. Environmental financial accounting deals with accounting thought and reporting on the environmental transactions and events that affect or are likely to affect the financial position of an enterprise. Environmental issues are climatic change, energy, water, biodiversity and land use, chemicals, toxins and heavy metal's air pollution, waste management, etc. (1). The Insurance sector plays a vital role in the economic advancement of Bangladesh. Government prescribed Insurance Act 2010 and established IDRA (Insurance Development & Regulatory Authority) to foster the expected service to the policy holders through payment of claims & other development efforts.

We know that Environmental Reporting (ER) emphasizes environmental conservation costs, conservation benefits, and economic benefits related to environmental conservation activities. Major principles are relevance, reliability, clarity, comparability, and verifiability. In practice, the major contents of environmental reporting are Mission and Vision, strategic considerations,

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the commitment of top management, good governance, stakeholders' expectations, risk management, business model, and value chain management etc. Major forms of environmental reporting are environmental cost accounting, management accounting, financial accounting, and environmental national accounting. We know that the required guidelines are environmental responsibility, customer satisfaction, social contribution, employees' awareness, and fulfillment of environmental targets. The major objectives of Environmental Reporting (ER) are to assess the company's actions and measure the pollution of good use of natural resources. This develops good awareness for achieving our sustainable development goals.

Objectives of the Study

The major objectives of the study are as follows:

- i) To analyze the major characteristics of environmental reporting practices of sample Insurance Companies in Bangladesh.
- ii) To focus on the regulatory framework used for the same.
- iii) To provide suggestions for better reporting.

Review of related Research Studies

Different research studies have been done earlier in this field; relevant studies are reviewed here:

Afroze and Haque (2017) while highlighting the extent of risk disclosure of 32 selected nonfinancial companies in Bangladesh, narrated that firm size was positively correlated with disclosure scores. Foreign investment was also positively related to the disclosure of risk-related factors. Mainly mandatory items are disclosed having little emphasis on voluntary items. Practically disclosure practices are highly inadequate compared to stakeholders' expectations.

Ahsan Uddin & Mazumder (2016) while analyzing the ratio-related disclosure practices of 61 listed companies in DSE, found that sample companies disclosed 3.74 items out of 19 required disclosure items. The standard deviation was 2.47 leading to inconsistent disclosure practices.

Ahmed (2009) states that climate change and carbon disclosure reporting is highly important to measure the risk, liabilities, and portfolio opportunities in a low-carbon economy.

Akhter (2017) found that corporate environmental reporting is qualitative in nature and practically Return on Assets (ROA) & Earnings Per Share (EPS) are positively correlated with the extent of corporate environmental reporting of 85 listed Companies in Bangladesh. He recommended for the use of an index showing 10 major items of information.

Bhowmik etal (2021) state that the Compliance level of the five listed companies is not up to the mark. The companies paid more expenses than the allowed amount as per the Insurance Act 2010. They need to control such expenses.

Dhar & Chowdhury (2021) state that EAR has been developed after publication of Bangladesh Bank guidelines. They found significant positive correlation between EAR & Profit margin. But it has insignificant relation with ROE, EPS & ROAA.

Faruk (2022) states that there are positive relations with a management role, age, size, earnings, and leverage with Corporate Social Environmental Reporting (CSER) disclosures of the 51 sample companies of the Dhaka Stock Exchange (DSE).

Fayekezzaman (2012) states that environmental accounting is related to environmental ecosystem & environmental information. Contamination of human resources increases the cost burden. Environmental accounting reflects the environmental & social impacts rules & guidelines, Regulation & restrictions, feasible strength in production & supply. All these are measured by environmental & economic feasibility.

Hossain & Dhar (2017) while analyzing the intellectual capital reporting of 40 listed companies found that 92.5% of the sample companies disclosed at least 50 sentences on Environmental Corporate Reporting (ECR). The banking sector had the highest disclosure but insurance companies had the least amount of disclosure.

Khan (2019) asserts that most of the environmental reporting standards are voluntary in nature. Compliance with the relevant standards is not satisfactory. We need mandatory requirements to develop the existing practices.

Khan (2018) found that the environmental reporting practice of Non-Banking Financial Institutions (NBFIs) emphasizes energy savings initiatives, environmental awareness programs water treatment plans, tree plantation & global warming issues. Quantitative disclosure is mainly followed & these are related to equity growth of the sample companies.

Khan (2018) had a study on "Sustainability reporting in financial institutions in line with GRI : Bangladesh Perspective & International experience". He found that the absence of sustainable model for business creates difficulties in such reporting practices. He suggested for improvement of social reporting practice based on GRI.

Nick O Laon & Copucos (2009) found that firm disclose environmental information through environmental reports. These are important to control the financial loans out of environmental incidents & to have risk management success. They used probabilistic model for efficient risk management through disclosure of the following information:

- a. information on environmental costs,
- b. environmental liabilities risks, contingent liabilities,
- c. Provision for liabilities impairments,
- d. environmental taxes & tradable permits,

Nazar & Hilal (2021) found that the commitment of the companies for sharing the environmental cost are not disclosed in their annual reports. They suggest for developing knowledge for introducing environmental accounting in different perspectives.

Prokash (2016) made a study on "Environmental accounting in India: A survey of selected Indian industries." This study is based on the identification of annual reports of 85 Indian companies. They disclose environmental accounting voluntarily in a positive manner. Industry

types and firm size have positive relations while leverage has no significant effects on environmental disclosures. Only 38.82% of companies have environmental reports in their annual reports.

Sarkar (2021) in a study on "Compliance of GRI & Pattern of sustainability Disclosure in the corporate sector of Bangladesh." found that SDI is poor compared to that of developed and developing countries. Economic disclosure is five times higher than environmental & four times higher than social disclosure. Most of the companies disclose sustainability information in more than one place of the annual report. Quality of disclosed information is not judged at all.

Sarker & Ahmed (2020) state that the environmental accounting disclosure index is poor in the corporate sector. The Environmental Accounting Disclosure Index (EADI) is higher in the banking sector but lowest in the IT sector. Significant variables are earnings, ownerships, capital, and total revenue, but net profit per share & dividend payment are insignificant. They suggest for mandatory regulatory requirements to be prescribed by the Bangladesh Security Exchange Commission (BSEC).

Sultana (2019) found that company age, size of audit firms, and board composition are significantly correlated with the disclosure scores, and compliance with IAS/ IFRS is very low in our insurance companies. Average disclosure is 43% to 58% of the total requirements.

Conceptual Framework

Environmental Accounting Disclosure is the self-reporting of a firm's environmental impacting information to different stakeholders. It is a major device used for managing the environmental & operational activities relating to the protection of natural resources, contribution of natural resources & economic prosperity of a country through controlling environmental pollution and degradation of natural resources in both short-term and long-term perspectives towards the achievement of sustainable development strategy. Economic and environmental health & social costs for managing natural resources are the major considerations for the good use of environmental disclosure policy; human, social, economic & environmental efforts are the major segments of such disclosure efforts. (2)

Practically environmental accounting follows physical or monetary units used for measuring the consumption of available natural resources in an economy. As to control the waste of environment, cost of cleaning the dirt & waste or for cleaning the polluted aspects of rivers/ canals/ lakes/ roads/ highways. There might be penalties or declining sales due to loss of goodwill for failing to manage environmental accountability. In 2003 UNDSO prescribed four types of costs for effective allocation and utilization of natural resources. These are mainly input/ output focus, cost accounting flow, ABC& life cycle costing tools.

We know that every fairness is to present relevant information for social activities introduced in the environmental management of natural resources to satisfy the different stakeholders. Environmental reporting is the way of disclosing the related information in managing the natural resources of an economy. It comprises compliance with relevant legal provisions prescribed by regulatory authorities for effective environmental protection and continuous growth. Business firms always think about their contribution towards the achievement of sustainable development

strategies of any economy. Environmental cost responsibility, protection, pollution, and benefits are always motivating factors for our entrepreneurs to stand in the global market. A major pillar of sustainable accounting practices is economic, environmental & society-related to people, planet & profits. (3)

Major techniques for achieving sustainable reporting practices are as follows:

Optimization of the use of fossil fuels, wastage elimination, energy recovery, time savings & good uses, and control of pollution and significant challenges of fulfilling environmental responsibilities are as follows: (4)

- a) changing global climate,
- b) Rapid loss of global biodiversity,
- c) loss of forest/wetlands,
- d) Transfer of Toxic items,
- e) Reduction of coastal ocean protection,
- f) Pollution of available fish water,
- g) Changing ecological systems,
- h) Unethical practices of human resources,
- i) Lack of adequate regulatory framework,
- j) Absence of penalties for noncompliance, etc.

Virtually environmental concepts center around the basic philosophies like change in climate, nature of pollution, environmental hazards & degradation & depletion of available natural resources global warming, pollution of air, land & water arising due to rapid deforestation, greenhouse gas emissions, overfilling of land falls, etc.

For effective environmental reporting, we need good matching of environmental hazards and health environment, unfamiliar hazards, social awareness, and satisfying the stakeholder's satisfaction. In practice water, air, and soil are protected by forest development activities for environmental benefits and creating national economic growth and prosperity (5).

Methodology of the Study

The sample of the study comprises six listed insurance companies based on purposive sampling on the basis of convenience in data collection. Companies are: Global Insurance Co., Agrani Insurance Co., Central Insurance Co., Phoenix Insurance Co., Republic Insurance Co., & Pragati Life insurance co.

The Study follows the Contents analysis of their annual Reports for the period of 2022 only Following disclosures of environmental information are highlighted:

- i. Environmental presentation for sustainable development,
- ii. Compliance with environmental laws & regulation,
- iii. Eco friendly activities are detailed,
- iv. Environmental training opportunity,
- v. Conservation of supplies & natural resources,
- vi. Pollution preventive practices,
- vii. Awareness for climate change,
- viii. Good governance,
- ix. Compliance with capital Market. regulations,
- x. Ensuring gender equality etc.

Major Observations: (Practices of Environmental Reporting)

The major practices of environmental reporting reflect that all the sample companies comply with environmental laws & regulations principles. Environmental training is given to the employees for creating their social awareness for minimum use of energy. Water & natural resources, pollution & wastage, Eco-friendly environment & green earth activities etc. Emphasis is given on nature of human rights, climate change, good governance gender equality & less carbon emissions etc. Disclosure of CSR activities, incentives for employees, social security manures etc. are also emphasized.

Company wise disclosures are given below:

In Phenix company emphasis is given on promoting environmental preservation having a society with healthy atmosphere.

- ii) Encourages the awareness for the protection of environment in support of sustainable & equitable development for the next generation.
- (iii) Good conservation initiatives are there and environment friendly office equipment is given to preserve the ecosystem.
- (iv) Complies with environmental law & regulations strictly.
- (v) Environmental principles are strictly followed by the employees.
- (vi) Eco friendly computers, Monitors, printer, Fax, machines, copiers are used.
- (vii) Slogan like let us go green to Keep our earth green. Vehicles are CNG converted to reduce the air pollution.
- (viii) Environmental training is given to the employees for environmental awareness.
- (ix) Environmental information is disclosed to protect the Environment.
- (x) Minimum use of energy & water is ensured to conserve the supplies & consumption of natural resources.
- (xi) Pollution preventive practices are followed. Practices are there for reusing, recycling & reprocessing to avoid the larger wastage (Annual Report 2022, P-173)

Agrani Insurance Co. follows global reporting initiative (GRI) disclosing the following variables:

- i. Human rights scenario;
- ii. Climate Change;
- iii. Good governance and anticorruption measures;
- iv. Trade facilitation & sustainability;
- v. Compliance with capital market regulations;
- vi. Ensuring gender equality;
- vii. Use of equipment with less carbon emissions etc. (Annual Report 2022)

In Republic Insurance Company,

There is a good commitment for good Environmental practice ensuring. The following variables are narrated in a good sequence:

- ii) Safe & healthy working place,
- (iii) Protection of Environment through conserving energy and natural resources,
- (iv) Use of technology to reduce waste & other pollution,
- (v) Reduce health risk & safety risk disposing the wastage timely,
- (vi) Conserving the supplies & controlling the consumption of resources,
- (vii) Purchase of supplies through least damage to the Environment,
- (viii) Good compliance with all Environmental regulations,
- (ix) Train up the employees on Environmental program for their social awareness,
- (x) Creating Environmental commitment to the clients, contractors, suppliers & the society.
- (xi) Strengthening Environmental management system. Ensuring good use of ethical practices in all level of management (Annual Report 2022, P- 80)

In Central Insurance Co. Ltd. Environmental reporting shows

- (i) good commitment to save the health & safety of the employees, Environment & communities,
- (ii) Commitment to ensure healthy working place to utilize employees' potential,
- (iii) Good commitment to sustainable development through adding value for the shareholder, employees & the society in general.
- (iv) Showing active involvement in CSR activities.
- (v) Discloses the financial & non-financial information relating to growth, CSR activities in compliance with BSEC notification (Annual Report 2022 P- 75)

In Global Insurance Co.

- (i) The company develops congenial Environment to improve employee's term spirit, creativity & productivity,
- (ii) Employee's training programs are organized to update their knowledge & awareness for Environmental adjustment,
- (iii) Adequate financial & non-financial incentives are also given to motivate the employees,
- (iv) Social security measures are also ensured to increase their morale, loyalty & job satisfaction. (Annual Report 2022).

In Progati life insurance company, environmental reporting is done through sustainable reports. This cover creating positive impact on society and the environment over the long term through creating value & competitive advantage for our business, building a sustainable tomorrow, providing financial security to the policy holders & new customers, improving health and welfare for all. (Annual Report 2022)

Problems of Environmental Reporting

Major environmental reporting problems are as follows:

- i) Lack of specific IAS/IFRS governing the disclosure of environmental accounting information.
- ii) Lack of mandatory requirements for such disclosure.
- iii) Insurance Act. 2010 as does not provide any provisions for disclosure of such information.
- iv) IDRA does not prescribe any specific guidelines for such reporting.
- v) Companies Act 1994 also does not provide for disclosure of such information.

Conclusion

Environmental accounting is the modification of the system of national accounts integrating the use or depletion of natural resources. It is an effective mechanism to measure the environmental and operational costs of natural resources. The insurance companies disclose the manifold environmental information like awareness for the protection of environment, Environmental preservation, conservation initiatives, nature of compliance with Environmental law and regulations, organized training program to create such awareness, etc. Pollution preventive practices, minimum use of energy & water, impact of climatic change, human rights scenario, nature of corporate governance activities, gender equality, environmental commitment for CSR activities, social security measures. Financial & non-financial incentives are also disclosed nicely.

Recommendations

- i. More attention is to be given to relevant IAS/IFRS.
- ii. Ethical codes of environmental reporting must be strictly followed.
- iii. Recognition of fair reporting & penalty for non-compliance must be ensured.
- iv. Managerial awareness must be developed.
- v. Broad-based accounting principles must be followed consistently.

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