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## EXECUTIVE EDITOR'S NOTE

*Alhamdulillah.* We are very much delighted to publish the 4<sup>th</sup> issue of Manarat International University Studies (MIUS). This issue contains 19 articles of various fields such as Business studies, Science and Engineering, Arts and humanities, Social Sciences, Islamic Studies, Law and Journalism.

All the articles are research based reflecting the scientific, logical and systematic results. Here all the authors have made their significant contributions to the concept, design, execution and interpretation of the research study. MIUS is a peered journal and articles are selected for publication on the recommendations of two reviewers and the Editorial Board.

We are publishing regularly this journal (MIUS) biennially. Although we are inviting articles twice in a year but it is a continuous process of receiving articles from the interested authors. So, we welcome all the authors to send their articles to the address of the Executive Editor at any moment. The Editorial Board will make a short list of the available articles for sending to two reviewers in their respective fields.

It is our pleasure to mention the spontaneous cooperation and encouragement of our Editor in Chief Prof. Dr. Choudhury Mahmood Hasan to produce a quality journal to enhance the standard of MIU. We are very much grateful to the members of the Editorial Board and our Assistant Editors who are extending their helping hands for publishing this issue.

We are also thankful to our authors, reviewers and proof readers who are contributing a lot to enhance the quality and standard of our journal. We are thankful to the personnel who have taken to printing, formatting and organizing this journal efficiently.

We have made an attempt to produce an outstanding publication; still there may be a chance of having mistakes and errors. We shall be highly glad if the readers do not hesitate to report those if any at their earliest convenience.

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## MATERNITY BENEFITS IN BANGLADESH LABOR LAW: AN EMPIRICAL STUDY ON APPAREL INDUSTRY

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Md. Zahidul Islam\*

### ABSTRACT

*This study is an attempt to find out the present maternity benefits for women workers provided in the Bangladesh Labor Code (amendment) 2013 and to analyze the practices of labor laws regarding maternity benefits in Ready Made Garment (RMG) industry in Bangladesh. The study is based on the primary data, collected through interview method by structure questionnaire from 120 women workers and 15 managerial personals of 15 RMG factories in Dhaka city and secondary information was collected from different published materials. The study reveals that 66% women workers have been working during the prohibition time, 94% women workers have obtained maternity benefits but the payment system is very difficult, most of the employers (82%) follow only one option for providing maternity benefits, 90% women workers do not get back to the Garment after their delivery because of many social reasons and 77% employers change the requisite for providing maternity benefits as have served minimum 1 to 3 years instead of 6 months with current employer. So the study suggests that government should take strong monitoring system for effective implementation of the existing Labor Law of the country. The women workers should be conscious about their rights and employers should be cooperative and supportive for maintaining the existing Labor Law of the country.*

**Keywords: Maternity Benefits, Labor Law, Ready Made Garments, RMG Industry, Women Workers**

### 1. INTRODUCTION

In the year 1950 to 2000, there has been a dramatic rise in the proportion of women who have entered the workforce throughout the world. In the USA, for example, in 1960, fewer than 19 percent of women with children under 6 years old worked. By 1990, the number had dramatically risen to 60 percent. Currently, according to the World Bank Group's database of gender statistics,

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\* Senior Lecturer, Department of Business Administration, Manarat International University (MIU), Gulshan, Dhaka, Bangladesh.

the labor force participation of women worldwide is 43%. In Bangladesh the number of women working has also gone up in the last 20 years. As per available data of Bangladesh Bureau of Statistics (BBS) in 2012, of the 49.5 million of civilian workforce, about 38% are female (BBS, 2012). With women working, maternity leave is of course an issue. In many parts of the world, very little is known about maternity leave by women themselves before they become pregnant. Many are unaware of their rights. Besides, there is a huge difference in facilities that are available to women with regard to maternity throughout the world.

### **Evolution of maternity benefits in Labor Laws in Bangladesh**

The century old labor law system in Bangladesh was enacted during the British rule of the subcontinent, in 1881. Later, laws concerning different labor issues, e.g., The Factories Act (1965), The Industrial Relation Ordinance (1969) Workmen's Compensation Act (1923), Trade Unions Act (1926), Trade Disputes Act (1929), Payment of Wages Act (1936), Maternity Benefits Act (1939), and the Employment of Children Act (1938) were a few of the employment/labor laws enacted during that period. After the separation of the Indian sub-continent in 1947, almost all the laws during the pre-partition period were kept in force with some modifications and amendments, in the form of administrative rules, by the Pakistan Government.

After the independence in 1971, the Bangladesh government retained the previous laws through the Bangladesh Laws Order (President's Order No. 48). No major development took place in the history of labor legislation till the enactment of the Bangladesh Labor Act, 2006. The Bangladesh Labor Act, 2006 is a major and comprehensive enactment regarding industrial relation system through codification of existing labor laws in order to avoid overlapping and inconsistencies and brought some significant changes in industrial relation system. Before the amalgamation of all the labor laws through the Bangladesh Labor Code 2006, there were three distinct Acts for the regulation of maternity benefits for women for certain periods before and after child birth and for the payment of maternity benefits to them. These were The Maternity Benefits Act, 1939 (which was most widely used in manufacturing, service and other organizations), The Mines Maternity Benefit Act 1941, and The Maternity Benefits (Tea Estate) Act 1950. These three Acts have been repealed and amalgamated into the new labor laws under Chapter IV as "Maternity Benefits". Though this law is amended in 2013 but some sections of Chapter IV (Maternity Benefits) have not been changed.

### **1.1. Objectives of the Study**

The objectives of the study are cited below:

- 1) To find out the present maternity benefits for women workers in the Bangladesh Labor Code (amendment) 2013.
- 2) To analyze the present practices of Labor Laws regarding maternity benefits in RMG industry in Bangladesh
- 3) To provide some suggestions for overcoming the problems regarding maternity benefits in RMG industry in Bangladesh



## Hypotheses

- I. (Ho): Most of the employers of RMG industry do not follow all the provisions of Labor Law regarding maternity benefits in Bangladesh.
- II. (Ho): The amount/period of maternity benefits is not sufficient for the workers of RMG industry in Bangladesh.
- III. (Ho): Most of the employers of RMG industry do not provide maternity benefits to the women workers.

## 1.2. Literature Review

The sectors which have seen the boom in business since the 1980s (mainly RMG) have been attributed to being promoters of social change for women. In Bangladesh, availability of a large pool of ‘cheap’ labor come from women in manufacturing sector especially in RMG sectors (Standing, 1999). Irregular wage, overtime and bonus payments have long been and remain one of the most significant problems workers face in the industry including women (Ezra, 2006). By this, it is meant that until recently, ‘few women garments workers worked longer than five years’ (Hossain, 2011). Variations in maternity leave provision across factories/industries and a lack of awareness of workers’ rights mean that this basic entitlement of employee equity has long been breached (Befort and Budd, 2009).

In most western countries parental leave is available for those who have worked for their current employer for a certain period of time. The duration of paid maternity leave varies from nine weeks in Ireland to two years in Bulgaria (Miller, 2007). In the UK, working mothers are given the right to 26 weeks of paid leave for each child, 6 weeks at 90% of full pay and 20 weeks at a fixed amount. ([www.opsi.gov.uk](http://www.opsi.gov.uk)). In Spain women receive 75% of their salary as part of maternity leave, In Denmark and France they receive 90%. Belgium, the Netherlands and Germany allow 100% up to a maximum amount (Joesch, 2007). Belgium, Denmark, Germany, France, Ireland, the Netherlands, Norway, Spain, Switzerland and the UK all provide paid maternity leave and transfer women to non-strenuous jobs as soon as the pregnancy is confirmed ([devdata.worldbank.org](http://devdata.worldbank.org)). In addition, pregnant women and single mothers cannot be fired (Kelly, 2009). In Canada, parental leave is paid for by the Employment Insurance system (Baxter, 2010). There is currently a push to expand paid maternity leave in countries such as Australia and the United States. The law in several countries specifies that women must be paid if they miss work for prenatal visits or childbirth classes (Baxter, 2009).

There are at least 1,800,000 workers in the garments sector, 85% of whom are women (The Daily Star, 2010). In developing countries such as Bangladesh, where labor is cheap and easily available due to rampant population growth, perhaps a woman not returning to work after pregnancy is not even a problem as there is a continuously new and young woman willing to join work (Rahman, 2011).

## 2. METHODOLOGY OF THE STUDY

To understand the research topic, a combination of both qualitative and quantitative methods (mixed method) have been applied. Data were collected both from the primary and the secondary sources. Secondary data were collected from newspaper, published books, journals, research papers, published government laws and internet.

### 2.1. Respondents of the Study

Primary data were collected from women workers (who were pregnant at least one time during her service) and managerial personal of 15 factories of RMG industry in Dhaka city.

### 2.2. Sample size

120 women workers (08 from each factory) and 15 managerial personals were selected from 15 factories of RMG industry in Dhaka city.

### 2.3. Sampling technique

The stratified random sampling technique was used to select the sample units from women workers who were willing to respond to the questionnaire.

### 2.4. Analysis of Data

Descriptive as well as statistical analysis have been done in the study. Statistics such as mean, standard deviation etc. were mostly used for the analysis data. Moreover, hypothesis test was also conducted, if the calculated value ( $z$ ) is greater than critical value ( $z_c$ ), then it rejects the null hypothesis and accepts the alternative hypothesis.

## 3. FINDINGS

### 3.1. Maternity benefits at a glance, chapter IV under Bangladesh Labor Code (amendment) 2013

The maternity leave policy available to women in Bangladesh is 16 weeks with full payment. However, interestingly enough, there are no specific laws that exist for management level (women) staff. The law that exists is “Bangladesh Sromo Ain (Sonsodhon), 2013” or The Bangladesh Labor Code (Amendment), 2013 given in Chapter IV called Maternity Benefit, referring to workers that do manual work mainly in factories. The leave period that is guaranteed to non-management women workers is similar to Pakistan, Singapore and Sri-Lanka from the Asian region.

**Leave Duration (Sec 46):** 16 weeks (8 weeks prior and 8 weeks post-delivery)

**Eligibility (Sec 46):** Have served at least a minimum of 6 months with current employer

**Employment type eligible:** that employment in permanent capacity

**Funding Sources:** Employer funded,

#### Procedure of payment (Sec 47) 3 options are available

- i. Payment of 8 weeks of salary within 3 days of submitting proof of pregnancy and remaining 8 weeks 3 days after submission of proof of delivery.

- ii. Payment of 8 weeks of salary within 3 days of submitting proof of pregnancy and remaining within 8 weeks after submission of proof of delivery.
- iii. The whole amount (16 weeks' salary) within 3 days of proof of delivery.

**Amount to be paid:** Total wages/ salary earned during the preceding 3 months prior to availing leave divided by the number of days actually worked (during that period)

### **Denial of eligibility**

- Those who have worked less than 6 months
- Those who fail to produce pregnancy proof orally or written
- Those who have 2 or more surviving children, they can avail other leave(s)- sick/ annual/ casual etc.

## **3.2. Labor laws practices regarding maternity benefits in RMG industry**

### ***3.2.1 Background Information***

120 women workers (08 from each factory) and 15 managerial personals were selected from 15 factories of Ready Made Garments (RMG) industry of Dhaka city in Bangladesh. The age of the respondents was between 20 to 35, more specifically, the age of the respondents ranging from 18 to 25 was 34%, ranging from 26-30 was 36% and from 30-38 was 30%. The working experience of the respondents was 6 months to 2 years 28% 2 to 5 years 42% and 5 to 10 years 30% (Table: 1&2).

### ***3.2.2 Prohibition of Employment of women workers***

According to Labor Law (section 45), no employer shall knowingly employ a woman in his establishment during the eight weeks immediately following the day of her delivery and no employer shall employ any woman for doing any work which is of an arduous nature or which involves long hours of standing or which is likely to adversely affect her health; if he has reason to believe or if she has informed him that she is likely to be delivered of a child within ten weeks. War on Want's survey (2011) showed that 50% still had to work overtime while pregnancy, 29% had suffered humiliating treatment at the hands of their employers while they were pregnant, and 24% had been denied sick leave during pregnancy' (War on Want, 2011). More very recently, BGMEA (the apex body of the garments makers and exporters) submitted its opinion on maternity leave to the Labor Ministry for consideration and proposed introduction of 12 weeks or 84 days of maternity leave for female workers in the garments industries citing example of India, Nepal and Indonesia. Their objection is that 16 weeks maternity leave for female workers of garment industry would increase birth rate in the country. This goes to show the other side of the coin, as employers are still concerned with cost saving and profit maximization but fail to see the positive effects of workplace efficiency through enhancing/improving employment relationships ([www.waronwant.org](http://www.waronwant.org)). The recent survey shows that 66% women workers have been working during

the prohibition time of the law (mentioned above) and 34% employers do not follow the existing provision regarding the employment of women worker prohibition (Table: 3).

### ***3.2.3 Provision of Providing Maternity Benefits***

A survey by Bangladesh Institute of Labor Studies (2010) on ready-made garments (RMG) and construction industries showed that factories do not provide maternity leave for four months and most establishments give maternity leave only without pay. The survey exposed that female workers many times do not want to bear child because of fear of losing their job as majority end up being fired by their employers when they become pregnant, or sent on leave without pay (Hossain, 2010). The maternity leave period has been extended to 6 months or 24 weeks in public sector and the workers of garments sector do not get such benefits rather they get only sixteen week maternity benefits as per labor law of the country. Survey by War on Want (2011) on 988 garments workers reveals 50% of the interviewed for this report stated that some form of maternity leave is provided at their workplace. However, 48% had been denied the benefit. Also, two thirds of the women interviewed were unaware of the full legal entitlement to maternity leave. Only 24% were aware of the proper maternity benefits they deserved. Many workers also had to look for new jobs after giving birth or return to the same factory at a lower grade, as they did not know their legal rights to return to the same grade they held before their maternity leave ([www.waronwant.org](http://www.waronwant.org)). The present survey shows that 94% women workers received maternity benefits but the payment system is very difficult and most of the employers (56%) do not follow the existing provision regarding payment of maternity benefits of labor law of the country (Table: 4 & 5).

### ***3.2.4 Procedures of payment of maternity benefit***

Though there are three options (mentioned above) for the payment of maternity benefits, most of the employers (82%) follow only first option. The second and third options are available in the written document of the different RMGs as the source of labor law but those options do not frequently use. The second and third options have been used by 13% and 5% RMGs respectively in Bangladesh. The study found that most of the employers of RMGs provide monetary maternity benefits in three or four installments that are clearly violation of the Labor Law. The study also reveals that 90% women workers do not get back to the Garment after her delivery because of many social reasons. Most of them were rewarded maternity benefits at least one installment. For this reason, employers use this opportunity for providing maternity benefits (Table: 6).

### ***3.2.5 Eligibilities for Being Paid Maternity Benefits***

According to labor law, the prerequisites for getting maternity benefits are i) have served minimum 6 months with current employer ii) must be shown pregnancy certificate to employer and iii) have no or 1 surviving children. The study found that 77% employers change the first requisite for providing maternity benefits as have served minimum 1 to 3 years instead of 6 months with current

employer. Another important finding regarding this, no previous working experience is counted or evaluated to any employers for providing maternity benefits (Table: 7).

### 3.3 Test of Hypotheses

#### **Hypothesis 1: Most of the employers of RMG industry do not follow all the provisions of labor law regarding maternity benefits in Bangladesh.**

From this statement here some values have been attained which are, weighted average is 3.17, standard deviation 1.14 and the calculated z value is 1.502 where critical z value is 1.96 and N= 135 (Table: 8). Here, calculated Z value is greater than critical z value. So, null hypothesis is accepted and alternative hypothesis is rejected. It indicates that most of the employers of RMG industry do not follow all the provisions of labor law regarding maternity benefits in Bangladesh

#### **Hypothesis 2: The amount/period of maternity benefits is not sufficient for the workers of RMG industry in Bangladesh.**

From the third statement shows that weighted average is 3.19, standard deviation 1.13 and the calculated z value is 1.68 where critical z value is 1.96 and N= 135 (Table: 8). Here, calculated Z value is greater than critical z value. So, null hypothesis is accepted and alternative hypothesis is rejected. It indicates that the amount/period of maternity benefits is not sufficient for the workers of RMG industry in Bangladesh.

#### **Hypothesis 3: Most of the employers of RMG industry do not provide maternity benefits to the women workers.**

From the second statement some values have been attained which are, weighted average is 3.64 standard deviation 1.32 and the calculated z value is 4.866 where critical z value is 1.96 and N= 135 (Table: 8). Here, calculated Z value is greater than critical z value. So, null hypothesis is rejected and alternative hypothesis is accepted. It indicates that most of the employers of RMG industry provide maternity benefits to the women workers.

## 4. DISCUSSION AND IMPLICATIONS

Labor law practices is increasing day by day especially, this scenario dramatically improve after the tragedy of Rana Plaza. The labor law practices are also needed more improvement for getting the GSP benefits from USA.

About 66% women workers have been working during the prohibition time of the law, 34% employers do not follow the existing provision regarding the employment of women worker prohibition, 6% women workers still have been getting maternity benefits from their employers and most of the employers (56%) do not follow the existing provision regarding payment of maternity benefits of labor law of the country. The study also reveals that 90% women workers do not get back to the Garment after their delivery because of many social reasons and 77% employers change the requisite for providing maternity benefits as have to serve minimum 1 to 3 years instead of 6 months with current employer. The above findings clearly indicate that most of the employers

of RMG industry do not follow all the provisions of labor law regarding maternity benefits in Bangladesh and the amount/period of maternity benefits is not sufficient for the workers in this sector. So the government should take strong monitoring system for effective implementation of the existing labor law of the country. All the stakeholder should be conscious regarding the maternity benefits issue for satisfactory implementation of the law. The women workers should be more aware about their right and employers should be cooperative and supportive for maintaining the existing labor law of the country.

While extending the maternity leave provisions of public servants to 6 months (24 weeks) the government has ignored the private sector where most irregularities are prevalent (The Daily Star, Dec 19, 2010). Rather, it should be universal for employed women in all sectors. The maternity law should be reviewed and should not be used as an excuse for employing women on short-term basis. Also, the fines for breach of law should be increased as it is only a minimal amount.

## 5. CONCLUSION AND LIMITATIONS

This study has been affianced for ensuring the labor law practices regarding maternity benefits of Bangladesh. The study obtained the opinions of 120 women workers and 15 managerial personals from the 15 factories of RMG Industry of Dhaka city in Bangladesh. The study have revealed many unfair practices of labor law regarding maternity benefits in RMG sectors of the country that clearly violate the existing law. Finally, the government should take necessary steps for effective implementation of existing labor law of the country.

The limitations of the study are: the study considers only Dhaka city for collecting sample, the study contemplates only 15 RMG firms though there are many firms existing in Bangladesh and the number of respondent ruminates 135. So if those limitations are overcome, the findings consequence may be different.

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**APPENDICES**

**Table 1: Age of the respondent**

Age	No of Respondent	Percentage
18 to 25	46	34
26-30	48	36
Above 30	41	30
Total	135	100

Source: Survey

**Table 2: Working experience of the respondent**

Experience	No of Respondent	Percentage
6 months to 2 years	38	28
2 to 5 years	56	42
Above 5 years	41	30
Total	135	100

Source: Survey

**Table 3: Worked during the prohibition time**

	No of Respondent	Percentage
Yes	89	66
No	46	34
Total	135	100

Source: Survey

**Table 4: Obtain maternity benefits**

	No of Respondent	Percentage
Yes	127	94
No	8	6
Total	135	100

Source: Survey

**Table 5: Follow the existing provision regarding payment of maternity benefits of labor law**

	No of Respondent	Percentage
Yes	59	44
No	76	56
Total	135	100

Source: Survey



**Table 6: Three options for providing maternity benefits**

Options	No of Respondent	Percentage
Payment of 8 weeks of salary within 3 days of submitting proof of pregnancy and remaining 8 weeks 3 days after submission of proof of delivery.	110	82
Payment of 8 weeks of salary within 3 days of submitting proof of pregnancy and remaining within 8 weeks after submission of proof of delivery.	17	13
The whole amount (16 weeks' salary) within 3 days of proof of delivery.	8	5

Source: Survey

**Table 7: Change the minimum time of service for providing maternity benefits**

	No of Respondent	Percentage
Yes	104	77
No	31	23
Total	135	100

Source: Survey

**Table 8: Test of Hypotheses**

Variables	Std. Dev	Calculated Z value	(5% level of significance) Critical z value	Result $H_0$
Do not follow all the provisions of labor law	1.14	1.502	1.96	Accepted
Maternity benefits is not sufficient	1.13	1.68	1.96	Accepted
Do not provide maternity benefits	1.32	4.866	1.96	Rejected

Source: Survey

## MEASURING EFFICIENCY OF ISLAMIC BANKS IN BANGLADESH: AN APPLICATION OF DATA ENVELOPMENT ANALYSIS

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Idris Ali\*

### ABSTRACT

*This paper investigates the technical, pure technical and scale efficiency of the Islamic banks operating in Bangladesh applying a non-parametric, Data Envelopment Analysis (DEA) method. Data were collected from the annual reports of the respective banks, and DEA-solver software was used to analyze the data in two different phases considering different input-output variables. Analysis in the first phase revealed that technical efficiency of all the Islamic banks was very high which amounting to an average of 98 percent, 96 percent, 98 percent and 96 percent in 2010, 2011, 2012, and 2013 respectively. Analysis in the second phase revealed that the inclusion of some new variables changed the result completely. Including some more variables in the analysis of efficiency measurement process, it was found that all the Islamic banks were technically efficient in all the period of the study; except in 2012 SIBL, AAIBL, and ICB Islamic banks which were technically inefficient. Finally, this study came up with some recommendations to enhance the technical efficiency of inefficient banks. Nevertheless, the results of the study are constrained by the lacking of adequate literature in this field of study and robustness of the analysis.*

**Keywords:** *DEA, Technical Efficiency, Pure Technical and Scale Efficiency.*

### 1. INTRODUCTION

Any bank, established and operated with the objective to implement and materialize the economic and financial principles of Islamic Shari'ah in the arena of banking is called Islamic bank. The system is based on the Islamic legal concepts of Shirkah (partnership) and Mudaraba (profit sharing). At first, in March 1983, the long drawn struggle to establish an Islamic bank in Bangladesh becomes a reality and Islami Bank Bangladesh Limited (IBBL) was established. Since then, eight full-fledged private Islamic banks and approximately 30 Islamic banking branches of conventional banks have

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\* Senior Lecturer in Finance, Department of Business Administration, Manarat International University

been established. At present, IBBL has gained first position in terms of profits, deposits, investment, export, import and remittance collection among the 56 listed commercial banks operating in the country. According to the Bangladesh Bank (BB), the deposits of the Islamic banking systems are now 25 percent of all private banks deposits and its investments are 30 percent. In reality, Islamic banking is a worldwide phenomenon involving a variety of institutions and instruments. In the last few decades, Islamic institutions and instruments have been developed in many countries. Gradually, Islamic banks are expanding all over the world. However, efficiency has always been critical to the enhancement of the output of an organization. This study is designed to determine the technical, pure technical, and scale efficiency of seven Islamic banks currently operating in Bangladesh for the period of 2009-2013 based on DEA approach. The key advantages of DEA over other approaches are that it accommodates more easily both multiple inputs and multiple outputs and is able to measure efficiency. Research undertaken by the previous scholars was given the inspiration to take up the study to analyze the efficiency of Islamic banks using DEA.

### **1.1 Objectives of the Study**

The key objective of the present study is to measure the efficiency of the Islamic banks operating in Bangladesh, except Union Bank Limited, which is a newly established Islamic bank, applying a non-parametric DEA approach. The specific objectives are:

- (i) to measure the technical efficiency of Islamic banks selected for this study.
- (ii) to assess the pure technical and scale efficiency of Islamic banks under this study.
- (iii) to identify the technically efficient and inefficient Islamic banks and
- (iv) to suggest recommendation for the technically inefficient banks to overcome the technical inefficiency.

### **1.2 Literature Review**

Islam, Rahman, & Hasan (2014) applied DEA to explore the contributions of technical and efficiency change to the growth of productivity in the Islamic banking sector and considered three inputs, namely deposits, overhead cost, total assets and three outputs, explicitly investment and advances, ROI, ROA respectively to measure efficiency of Islamic banks and found all the Islamic Banks are consistently efficient, both under constant returns to scale and variable returns to scale except IBBL, EXIM bank and SIBL. Meanwhile, IBBL and SIBL are consistently efficient under VRS but not under CRS during the study period. Moreover, the EXIM bank is the least efficient firm for both CRS and VRS versions respectively. Their findings indicate that in the Islamic Banks, the smaller the size of the banks, the higher the probability for the banks to be more efficient in utilizing their inputs to generate more outputs.

Sufian and Kamarudin (2014) investigated efficiency and returns to scale in the Bangladesh banking sector applying Slack-Based DEA Method. They attempted to assess the level of profit efficiency of individual banks over the years 2004 to 2011. The empirical findings of their study indicate that the Bangladeshi banking sector has exhibited the highest and lowest level of profit efficiency during the years 2004 and 2011 respectively. They also found that most of the Bangladeshi

banks have been experiencing economies of scale due to being at less than the optimum size, or diseconomies of scale due to being at more than the optimum size. Thus, decreasing or increasing the scale of production could result in cost savings or efficiencies. The empirical findings seem to suggest that Exim bank has exhibited maximum profit efficiency level. Abduh, Hasan, and Pananjung (2013) investigated the efficiency and performance of Islamic Banks in Bangladesh applying DEA and ratio analysis. This study concludes that SJIBL is better than other Islamic banks in terms of its ROA, ROE, ETA, CAR, IER and AU ratios. On the other hand, with regard to banks' efficiency, all Islamic banks have shown an improvement on their efficiency level. Hoque and Rayhan (2012) explained that under the VRS output results Exim bank and SIBL are technically efficient. Other banks are technically inefficient as their efficiency scores are less than one. Bhuia, Baten, Kamil, and Deb (2012) examined online bank efficiency in Bangladesh applying DEA approach. They considered deposits, capital and labor as input variables and advance, investment and profit are defined as output variables. This study revealed that the most efficient banks were AAIBL and SJIBL.

Rahman (2011) examined the branch-wise technical, pure technical, scale and allocative efficiencies of IBBL using panel data and DEA approach for the year 2003 to 2007. The average allocative efficiency is 61-76%, whereas the average technical efficiency is about 51-65% during the study period. This means that the dominant source of inefficiency is due to both technical inefficiency and allocative inefficiency but technical inefficiency has more contribution to inefficiency than allocative inefficiency. These results are consistent with the fact that the Islamic banks do not operate in an overall regulatory supportive environment. They are not even technically sound enough in their operations. Average scale efficiency is about 53%, and average pure technical efficiency is about 68%, suggesting that the major source of the total technical inefficiency for IBBL branches are not pure technical inefficiency (input related) but scale inefficiency (output related). Study results indicate that there has been moderate increase in productivity growth over the years. Productivity increases in IBBL branches are mainly driven by technological change (opening up and penetrating in other markets) not technical efficiency change (efforts of inefficient banks to catch up with the efficient ones). The results show that the larger branch size is associated with the higher efficiency. These results indirectly support the economies of scale arguments in IBBL branches.

Using DEA approach, Rahman (2010) explained that Islamic banks as a whole is the least efficient, while IBBL alone is slightly more efficient. He also showed that Islamic banks in Bangladesh are improving and converging to a high level of efficiency. Study also found that the Bangladeshi Islamic banking industry, especially IBBL, has in terms of assets, deposits, income and financing base, grown rapidly over the study period 2002 to 2007. Finally, he suggested Islamic banks to redirect their marketing and communication strategies to focus more on targeting floating customers.

## 2. CONCEPTS AND RESEARCH METHODOLOGY

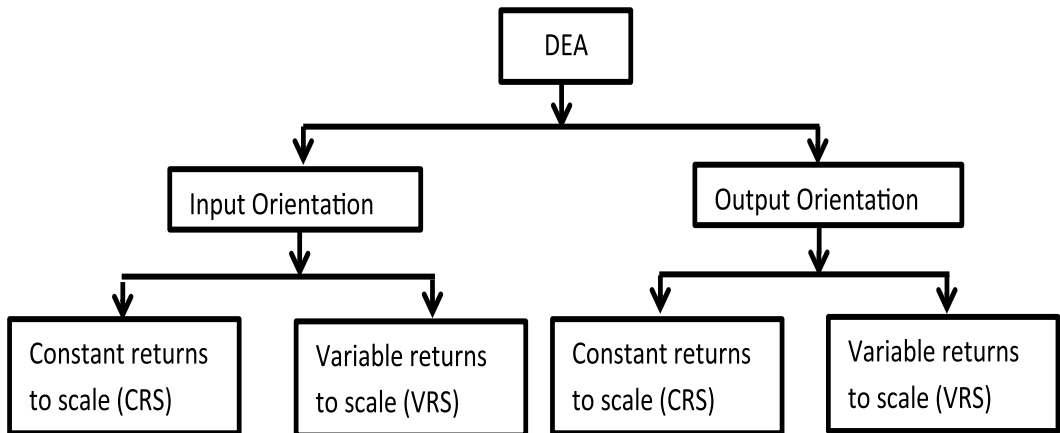
### 2.1 Concepts of DEA Approach

DEA is a non-parametric operation research approach, which is used to find out the efficiency of different homogenous firms known as Decision Making Units (DMU) where there are multiple inputs or outputs. Charnes, Cooper and Rhodes (CCR) formally developed DEA in 1978 assuming constant returns to scale (CRS) to measure technical efficiency through solving Linear Programming (LP) equation. In 1984, Banker, Charnes and Cooper (BCC) extended the original DEA model assuming variable returns to scale (VRS) to measure pure technical efficiency.

#### 2.1.1 Orientations of DEA Approach

DEA entails two orientations; input-orientation and output orientation. Input-orientation involves minimizing inputs and producing observed level of outputs. On the other hand, output-orientation focuses on output maximization by consuming observed level of inputs. This study is based on input-orientation of DEA. With input-oriented DEA, the LP model is configured to determine how much the input usages of a firm could contract if used efficiently in order to achieve the same output level.

Figure – 1: Orientations and frontiers of DEA.



Source: Author's construction from the DEA concept.

#### 2.1.2 Efficiency Measurement Applying DEA Approach

In this study, using DEA approach the following three efficiencies were attempted to measure

- (i) Technical Efficiency,
- (ii) Pure Technical Efficiency and
- (iii) Scale Efficiency

**(i) Technical Efficiency**

It denotes the conversion of physical inputs into outputs relative to the best practice. In other words, given current technology, there is no wastage of inputs whatsoever in producing the given quantity of output. An organization operating at the best practice is said to be 100% technically efficient. If operating below the best practice levels, the organization’s technical efficiency will be expressed as a percentage of the best practice. The input-oriented CCR model evaluates the technical efficiency of DMU<sub>j</sub> by solving the following LP function with the objective to minimize input for a given level of output.

Minimize  $\theta n$  with respect to  $w_p \dots w_N, \theta n$  Subject to:

$$\sum_{j=i}^N w_j y_{ij} - y_{in} \geq 0 \quad \text{Here, } i = 1, 2, 3, \dots, I$$

$$\sum_{j=i}^N w_j x_{kj} - \theta_n x_{kn} \leq 0 \quad \text{Here, } k = 1, 2, 3, \dots, K$$

$$w_j \geq 0 \quad \text{Here, } j = 1, 2, 3, \dots, N$$

Where there are  $N$  organizations in the sample producing  $I$  different outputs ( $y_{in}$  denotes the observed amount of output  $i$  for organization  $n$ ) and using  $K$  different inputs ( $x_{kn}$  denotes the observed amount of input  $k$  for organization  $n$ ). The  $w_j$  are weights applied across the  $N$  organizations. When the  $n^{\text{th}}$  linear program is solved, these weights allow the most efficient method of producing organization  $n$ ’s outputs to be determined.

**(ii) Pure Technical Efficiency**

The input-oriented BCC model evaluates the pure technical efficiency of DMU<sub>j</sub> by solving the following LP function. Min  $\theta$ , Subject to:

$$\sum_{j=1}^n w_j x_i^j \leq \theta x_i^t; i = 1, 2, 3, \dots, m$$

$$\sum_{j=1}^n w_j y_r^j \geq y_r^t; r = 1, 2, 3, \dots, s$$

$$\sum_{j=1}^n w_j = 1;$$

$$w_j \geq 0, (j = 1, 2, 3, \dots, n);$$

Where  $w_j$ =Weight of the  $j^{\text{th}}$  DMU,  $x_i^j$  = Value of the  $i^{\text{th}}$  input variables for  $j^{\text{th}}$  DMU,  $y_r^j$  = Value of the  $r^{\text{th}}$  output variables for  $j^{\text{th}}$  DMU,  $x_i^t$  = Value of  $i^{\text{th}}$  input variable for  $t^{\text{th}}$  DMU.  $m$  = Number of inputs,  $s$  = Number of outputs,  $n$  = Number of DMUs and  $\theta$  = the value that signifies the efficiency of the DMU. The  $j=l$  equation is a convexity constraint, which specifies the VRS framework (Mostafa, 2010). Without this convexity constraint, the BCC model will be a CCR model describing a CRS situation.

**(iii) Scale Efficiency**

Based on the CCR and BCC scores, applying the following formula, scale efficiency is measured (Cooper *et al.*, 2007).

$$Scale..Efficiency = \frac{Technical..Efficiency_{CCR}}{Pure..Technical..Efficiency_{BCC}}$$

If the scale efficiency is less than 1, the DMU will be operating either at decreasing returns to scale (DRS), then a proportional increase of all input levels produces a less-than-proportional increase in output levels or increasing return to scale (IRS) at the converse case.

**2.2 Research Methodology**

Measuring efficiency can be done in two ways either by use of traditional financial ratio analysis; or by the distance function approach whereby a firm’s observed production point is compared to a production frontier which denotes best practice, and the distance between the two points provides a measure of technical efficiency. This approach leads to frontier estimation methods such as DEA and stochastic frontier analysis (Johnes, Izzeldin, and Pappas, 2012). In this research, DEA, a non-parametric research approach was applied to analyze collected data in order to meet the objectives of this study. DEA-solver software was used to analyze the data in two different phases considering different input-output variables. In order to measure the TE, input oriented DEA approach developed by CCR is used and to measure the PTE, input oriented DEA approach developed by BCC is used.

**2.2.1 Collection of Data**

This study is based on secondary data. Required data for this research have been collected from the annual reports and website of BB and respective Islamic banks. At present, there are total eight Islamic banks in Bangladesh, from these; seven banks were included in this study, and only Union Bank Limited was excluded from the study, as it is a new bank and thus there is no previous performance record for measuring efficiency.

**Table # 1: List of Islamic Banks**

SL No.	Name of Bank	Year of Incorporation	Listing Status	Year of Listing in Stock Market
1.	Islami Bank Bangladesh Limited (IBBL)	1983	Listed	1985
2.	ICB Islamic Bank Limited (ICBIBL)	1987	Listed	1990
3.	Al-Arafah Islami Bank Limited (AAIBL)	1995	Listed	1998
4.	Social Islami Bank Limited (SIBL)	1995	Listed	2000
5.	EXIM Bank Ltd. (EXIM)	1999	Listed	2004
6.	First Security Islami Bank Ltd. (FSIBL)	1999	Listed	2008
7.	Shahjalal Islami Bank Limited (SJIBL)	2001	Listed	2007
8.	Union Bank Limited (UBL)	2013	Unlisted	N/A

Source: Website of BB, April 2015.

### 2.2.2 Selection of Input-output Variables

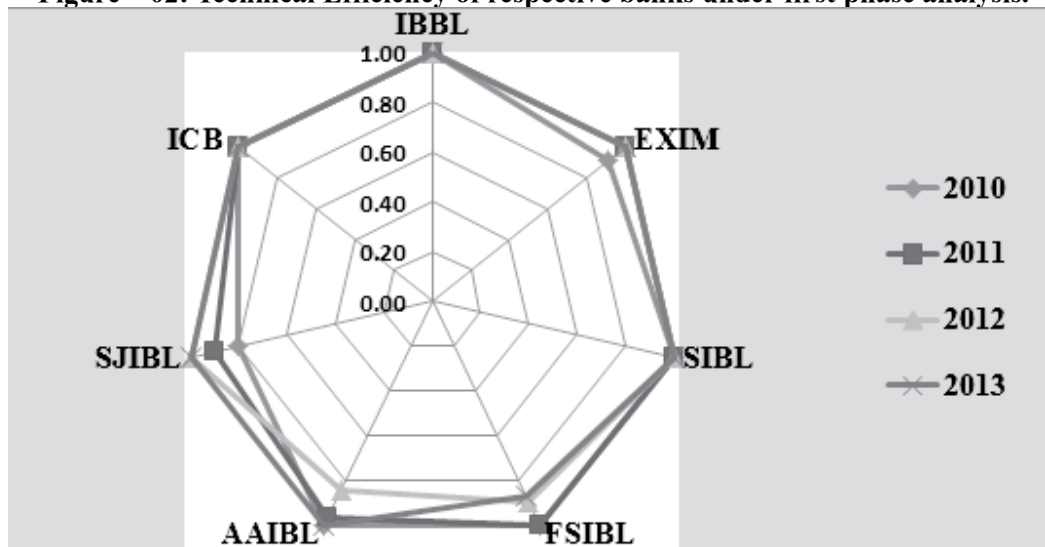
In the first phase of the analysis, profit paid on deposit and operating expenses were selected as the input variables. On the other hand, income from the investment and operating profit were selected as the output variables. In the second phase of the analysis deposit, fixed assets, number of branches, number of total employees, profit paid on deposit and operating expenses were selected as the input variables. Investment, income from the investment and operating profit were selected as the output variables.

## 3. ANALYSIS AND INTERPRETATION

### 3.1 Technical Efficiency

Table – 2 in appendices shows year wise average TE scores of Islamic banks where TE scores were 96%, 94%, 86% and 97% in the year 2010, 2011, 2012, and 2013 respectively. RTS of IBBL was constant during the study period, it was increasing in 2010 and decreasing from 2011 to 2013 in case of EXIM bank, in case of SIBL RTS was constant in 2010 and increasing from 2011 to 2013, in case of FSIBL RTS was constant in 2010, 2011, 2013 and increasing in 2012; in case of AAIBL RTS was increasing in 2010, 2012 and constant in 2011, 2013; in case of SJIBL RTS was constant in 2010, 2012, decreasing in 2011 and increasing in 2013; in case of ICBIBL RTS was constant in 2010, 2011 and increasing in 2012, 2013.

**Figure – 02: Technical Efficiency of respective banks under first phase analysis.**

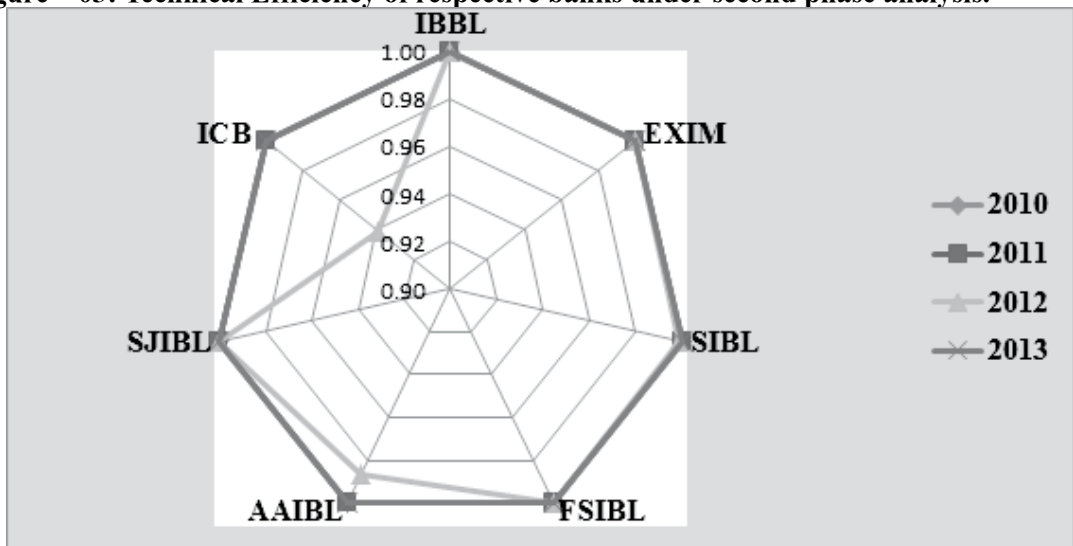


Source: Author’s construction from DEA result.

Figure - 2 shows DMU wise average TE score of first phase DEA analysis where IBBL was the best performer with 100% TE, followed by FSIBL with 98% TE, jointly followed by AAIBL and SJIBL with 96% TE, followed by SIBL with 91% TE, followed by EXIM bank with 88% TE, followed by ICBIBL with 84% TE for the study period 2010-2013.



Figure – 03: Technical Efficiency of respective banks under second phase analysis.



Source: Author’s construction from DEA result.

Figure-3 presents result of DEA analysis in the second phase, which reveals that inclusion of some new variables change the result completely. If deposit, total assets, number of employees, profit paid on deposits, and operating expenses considered as the input variables; on the other hand investments, investment income, and operating income considered as the output variables, then DEA reveals that all the DMUs are technically efficient in all the periods of the study except in 2012 SIBL, AAIBL, and ICBIBL were technically inefficient.

### 3.2 Pure Technical Efficiency

Table - 3 shows DMU wise average PTE scores of the first phase DEA analysis where IBBL and ICBIBL were in the 100% PTE level, followed by AAIBL with 99% PTE, jointly followed by FSIBL and SJIBL with 98% PTE, followed by EXIM with 96% PTE, followed by SIBL with 93% PTE for the study period 2010-2013. During 2010-2013, PTE scores were 99%, 97%, 96% and 98% respectively and thus there were 1%, 3%, 4% and 2% pure technical inefficiency respectively.

### 3.3 Scale Efficiency

Table-3 also reveals that only IBBL was 100% efficient from the view point of SE, followed by FSIBL with 99% SE, jointly followed by SIBL and SJIBL with 98% SE, followed by AAIBL with 97% SE, followed by EXIM bank with 91% SE, and finally ICBIBL was the least efficient with 84% SE. On an average, scale efficiencies were 96%, 97%, 90% and 99% in 2010, 2011, 2012 and 2013 respectively. Thus there were 4%, 3%, 10% and 1% scale inefficiency in 2010, 2011, 2012 and 2013 respectively.

Figure – 2 reveals that only IBBL is on the efficient frontier regarding TE, PTE, SE and others none bank is on the efficient frontiers regarding TE and SE. However, ICBIBL is on the

efficient frontier only from the PTE, means efficient under VRS but very far from the efficient frontier regarding TE and SE. SJIBL, AAIBL and FSIBL are close to efficient frontier regarding TE, PTE and SE. On the other hand, SIBL and EXIM bank are very far from the efficient frontier regarding TE, PTE and SE.

#### 4. MAJOR FINDINGS OF THE STUDY

Based on the above analysis and interpretation, following major issues have been found regarding efficiency of Islamic banks in Bangladesh.

- The mean efficiency scores of TE, PTE, and SE of selected Islamic banks are 0.93, 0.98 and 0.96 respectively, which indicate that the overall efficiency of Islamic banks in Bangladesh are very high and still there are 7%, 2% and 4% possibilities to improve TE, PTE, and SE respectively.
- Only IBBL is on the efficient frontier regarding TE, PTE, SE and no other bank is on the efficient frontiers regarding TE and SE.
- ICBIBL is on the efficient frontier only from the PTE, means efficient under VRS but very far from the efficient frontier regarding TE and SE.
- SJIBL, AAIBL & FSIBL are close to efficient frontier regarding TE, PTE and SE. SIBL and EXIM bank are very far from the efficient frontier regarding TE, PTE & SE.
- Analysis in the second phase reveals that inclusion of some new variables change the result completely.

#### 5. RECOMMENDATIONS

Based on the findings of the study, researcher provides following suggestions to the different stakeholder of banking sector of Bangladesh.

- SIBL and ICBIBL operate at IRS, therefore these banks should invest more on input to improve output, which will lead closure to the efficient frontier.
- As IBBL and FSIBL operate at CRS, therefore these banks should sustain existing level of investment on input to withstand current output, which is to the efficient frontier.
- EXIM bank operates at DRS, therefore it should reduce invest on input to improve efficiency, which will lead closure to the efficient frontier.
- SIBL, AAIBL, and ICB Islamic banks must have to emphasis on efficient utilization of input and output variables in order to remove their present unstable efficiency and ensure stable efficiency.
- Conventional banks can convert their traditional banking mechanism into Islamic banking mechanism as this mechanism is permitted by Islamic Shariah and has proved high efficiency in the utilization of input-output variables.
- Bangladesh Bank, central bank of the country can encourage conventional banks to implement full-fledged Islamic banking due to higher efficiency of this type of banking.

## 6. CONCLUSION

The forgoing analysis reveals that outstanding result that all the Islamic banks are highly efficient regarding utilization of inputs and their outputs. Analysis in the first phase reveals that technical efficiency of all the Islamic banks is very high which are on an average 98 percent, 96 percent, 98 percent and 96 percent in the year 2010, 2011, 2012, and 2013 respectively. Analysis in the second phase reveals that inclusion of some new variables change the result completely. Including some more variables in the analysis of efficiency measurement process, study finds that all the Islamic banks are technically efficient in all the period of the study except in 2012 SIBL, AAIBL, and ICB Islamic banks which were technically inefficient. Therefore, it can be concluded that the AAIBL and ICB Islamic banks have to be more careful in utilization of input and output variables in order to improve technical efficiency. IBBL can be taken as reference or base by the other banks to adjust their input and output variables to improve their efficiency.

## 7. LIMITATIONS AND FURTHER SCOPE OF THE STUDY

This study attempted to measure the efficiency of Islamic banks only based on DEA approach, although there are alternative tools to measure efficiency. This study may be useful for the future researchers who will do research in this field and they can do this research applying Malmquist Productivity Index model, Cob Douglas model, and commonly used financial ratio analysis.

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APPENDICES

**Table – 2: TE Scores & RTS for the first phase analysis.**

DMU Name	Input-Oriented CRS: Technical Efficiency (TE)								Mean
	2010	RTS	2011	RTS	2012	RTS	2013	RTS	
IBBL	1.00	Constant	1.00	Constant	1.00	Constant	1.00	Constant	1.00
EXIM	0.80	Increasing	0.87	Decreasing	0.89	Decreasing	0.94	Decreasing	0.88
SIBL	1.00	Constant	0.78	Increasing	0.91	Increasing	0.96	Increasing	0.91
FSIBL	1.00	Constant	1.00	Constant	0.91	Increasing	1.00	Constant	0.98
AAIBL	0.90	Increasing	1.00	Constant	0.94	Increasing	1.00	Constant	0.96
SJIBL	1.00	Constant	0.93	Decreasing	1.00	Constant	0.91	Increasing	0.96
ICBIBL	1.00	Constant	1.00	Constant	0.39	Increasing	0.98	Increasing	0.84
<b>Mean</b>	0.96		0.94		0.86		0.97		0.93

Source: Author’s calculation using DEA software.

**Table # 3: PTE Scores, SE Scores & RTS for the first phase analysis.**

DMU Name	Input-Oriented VRS: Pure Technical Efficiency (PTE)				DMU Wise Mean of PTE	Scale Efficiency (SE) = TE ÷ PTE				DMU Wise Mean of SE
	2010	2011	2012	2013		2010	2011	2012	2013	
IBBL	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
EXIM	0.95	1.00	0.90	1.00	0.96	0.84	0.87	0.99	0.94	0.91
SIBL	1.00	0.79	0.96	0.97	0.93	1.00	0.99	0.95	0.99	0.98
FSIBL	1.00	1.00	0.93	1.00	0.98	1.00	1.00	0.98	1.00	0.99
AAIBL	1.00	1.00	0.96	1.00	0.99	0.90	1.00	0.98	1.00	0.97
SJIBL	1.00	1.00	1.00	0.91	0.98	1.00	0.93	1.00	1.00	0.98
ICBIBL	1.00	1.00	1.00	1.00	1.00	1.00	1.00	0.39	0.98	0.84
Year wise Mean	0.99	0.97	0.96	0.98	0.98	0.96	0.97	0.90	0.99	0.96

Source: Author’s calculation using DEA software.

**Table – 4: Technical Efficiency Scores & RTS for the second phase analysis.**

DMU Name	Input-Oriented CRS: Technical Efficiency							
	2010	RTS	2011	RTS	2012	RTS	2013	RTS
IBBL	1	Constant	1	Constant	1.000	Constant	1	Constant
EXIM	1	Constant	1	Constant	1.000	Constant	1	Constant
SIBL	1	Constant	1	Constant	0.999	Increasing	1	Constant
FSIBL	1	Constant	1	Constant	1.000	Constant	1	Constant
AAIBL	1	Constant	1	Constant	0.987	Increasing	1	Constant
SJIBL	1	Constant	1	Constant	1.000	Constant	1	Constant
ICBIBL	1	Constant	1	Constant	0.939	Increasing	1	Constant

Source: Author’s calculation using DEA software.

**Table-05: Data sets of input-output variable of respective banks. (All figures are in BDT and in million except no. of branch and no. of staff)**

DMUs	Input Variables						Output Variables		
	Deposit	Total Assets	Profit Paid on Deposit	Operating Expense	Branch No.	No. of Staff	Investments	Investment Income	Operating Income
IBBL	291,937	330,785	14,472	6,087	251	10,349	275,196	24,766	15,657
EXIM	94,949	113,071	6,020	1,810	59	1,686	98,889	9,606	7,704
SIBL	44,850	55,169	5,436	1,328	64	1,252	39,730	3,886	4,515
FSIBL	56,344	63,620	4,126	882	66	929	54,983	5,547	2,085
AAIBL	54,093	75,374	3,134	1,329	78	1,711	55,662	4,244	4,489
SJIBL	62,964	78,800	4,658	1,322	63	1,521	63,669	6,417	4,851
ICBIBL	13,594	18,642	276	565	33	679	13,918	703	506
IBBL	341,855	389,376	18,401	7,292	266	11,465	321,643	32,020	20,123
EXIM	107,881	129,874	9,358	2,488	62	1724	107,353	13,123	6,444
SIBL	66,853	84,406	6,795	1,805	76	1375	59,150	6,922	4,905
FSIBL	78,145	90,957	6,671	1,146	84	1342	73,444	8,748	2,736
AAIBL	82,447	103,519	5,543	1,469	88	1,807	77,063	8,974	5,124
SJIBL	83,350	107,229	7,376	1,633	73	1,624	85,884	10,108	4,630
ICBIBL	12,619	18,015	338	536	33	686	14,233	884	566
IBBL	417,846	482,665	25,870	8,746	276	12,188	398,481	43,672	24,344
EXIM	140,025	166,998	12,229	2,823	72	1909	129,705	17,322	8,117
SIBL	93,594	115,166	7,542	1,897	86	1625	82,169	11,319	5,515
FSIBL	109,906	129,733	10,310	1,793	100	2090	101,218	13,340	3,735
AAIBL	119,380	146,335	9,576	2,119	100	2,110	106,765	14,119	6,523
SJIBL	102,177	132,823	11,170	1,822	84	1,881	101,347	15,242	6,269
ICBIBL	12,381	15,119	414	581	33	688	11,220	906	646
IBBL	472,122	549,979	30,900	11,065	286	12,980	472,704	48,145	25,346
EXIM	165,392	195,542	15,423	3,331	80	2229	156,446	20,476	8,284
SIBL	102,104	126,617	9,707	2,578	94	1802	94,461	13,629	5,503
FSIBL	139,521	161,823	14,598	2,384	117	2367	121,597	18,278	4,410
AAIBL	141,705	170,936	12,052	2,548	110	2,387	127,827	16,989	6,763
SJIBL	96,481	121,963	10,578	2,338	92	2,173	85,707	13,615	5,031
ICBIBL	11,970	14,303	423	584	33	656	9,999	642	324

Source: Annual reports and websites of the respective banks.

## **ANALYSIS OF PORT MANAGEMENT IN BANGLADESH: CHALLENGES AND POTENTIALS**

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Md. Juwel Ahmed Sarker\*  
Mohammad Mizanur Rahman\*\*

### **ABSTRACT**

*In the present zeitgeist of integrated global economy, role of ports has shifted greatly from mere geographical gateway to transportation hub. Therefore, it requires efficient service delivery in ports as well as in other associated areas to ensure competitiveness of port in the global market. However, Bangladeshi ports are not yet considered efficient to the global standard in terms of both technical and non-technical issues. This study draws attention, besides technical efficiency, to various issues of port management in Bangladesh which is required for the competitive pursuit. The study reviewed some successful ports in global perspective based on secondary literature. It also analyzed problems and prospects of Bangladeshi ports through interviewing experts in ports management. This study found operational inefficiency, infrastructural bottleneck, backward transportation network, poor ICT usages, difficulties in overall financial system, etc. as the most pressing problems in port management in Bangladesh. Conversely, having Sub-South Asian hinterland is a great opportunity for the port development in Bangladesh. To accrue utmost benefits from the ports, ensuring overall congenial environment addressing multi-sectoral issues for smooth operation of port is very essential in Bangladesh. The study concludes that if Bangladesh Government wants to develop, ports are to be considers a much wider spectrum of economic subsectors and appropriate policy has to be designed accordingly.*

***Keywords: Seaport, Land Port, Chittagong Port, Mongla Port, Turnaround.***

### **1. INTRODUCTION**

Bangladesh is blessed geographically with its entire southern part open to the Bay of Bengal, consisting of two seaports, and rest connected with India and Myanmar through 20 land ports. Ports are considered contributive besides trade liberalization and other policies to its trade openness,

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\* Program Officer, PKSf, 218/2 East Rampura, Rampura, Dhaka-1219.

\*\* Senior Lecturer in Economics, Department of Business Administration, Manarat International University, Bangladesh.



increased from 21% in 1979 to 47% in 2013 (Md. Abdul Wahab, 2014). Container traffic in country's largest seaport 'Chittagong seaport' that handles 92% of seaborne export grew at around 14% (Authority C. P., 2013). Land ports also experienced significant growth during the last five years. Total volume of export-import in land ports culminated to 7.6 million M.T. in FY 2013-14 from 3.8 million M.T. in FY 2009-10 (Authority M. P., 2014).

However, Bangladeshi ports are struggling with existing efficiency, shackled by operational inefficiency, fragile infrastructure and disruptive communication system. "Chittagong port has been known as one of the most costly and risky ports in the world" (Tanvir Mahmud, 2007). Other ports are not well connected with major cities; nevertheless where connected, transportation condition and other associated services are not adequate for efficient products delivery. Railway communication though could become very cheap and very efficient mode of transportation for trade purpose yet remained largely a very sluggish sector. There is no direct railway communication with Mongla seaport and only 10% of the total containers of Chittagong seaport are transported through railway transports. Rest 75% and 15% of goods are transported respectively through road and river transportation (Ahmed, 2013). This study, instead of merely focusing on technical minutia, delves into the various aspects of port management related to ports efficiency addressing multiple issues, viz., port infrastructure, transportation, banking and financial arrangements, trade relation etc. and highlights potentials of Bangladeshi ports for future actions.

### **1.1. Objectives of the Research**

Port efficiency is the outcome of an integrated process performed in the economy which starts from the loading and unloading goods from and in a port and end with reaching the desired customer. However, merely focusing on the loading and unloading of goods as process of understanding the port efficiency issue misses greater and crucial part of the business. The main objective of this study is to unearth broad issues of inefficiency in Bangladeshi ports. More specific objectives of this study are the following:

- i. to identify the issues responsible behind the inefficiency in port management of Bangladesh;
- ii. to outline the future potentials for Bangladeshi ports;
- iii. to outline the probable actions needed for port development in Bangladesh.

### **1.2. Literature Review**

Bangladesh has two seaports and 20 land ports of which 11 are under construction. These ports handle different types of products ranging from agricultural products to industrial heavy machineries.

#### **1.2.1. Seaports**

Chittagong seaport is the country's largest port that handles more than 92% of country's total maritime export and import products, situated on the bank of the Karnafuli River. 188 m long ships can move through 300 m. width and 9.2 m. deep navigable water of this port. It had started its operation as seaport in present location in 1887 and full fledged operation in 1910 having 4



jetties with the capacity to handle 0.5 million ton of cargo annually (Authority C. P., 2013). In 2011-12 Chittagong seaport handled 41 million metric tons of cargo including 1.34 million TEUs containerized cargos (Hossain, 2012). According to Chittagong Port Authority (CPA) it has 33 jetties and moorings for ocean going vessels and 20 for inland coasters and vessels. Moreover, it has 4067 TEUs container holding capacity, 1,36,954 sq. m. yard area, 8,182 sq. m. container freight stations, 350 railway wagons for container transportation and 1097 m. railway terminal (Authority C. P., 2013). Main exporting products of Chittagong port are ready made garment products, tea, jute products, skins, molasses, frozen fish, shrimps, fertilizer etc. and main importing products are food grain, cement, petroleum, sugar, salt, fertilizer, general cargo, iron materials and chemicals (Mazid S. H., 2012).

Mongla port was been established in its current place in 1954. It is situated on the bank of Passur River that provides navigational facility to ships of 200 meter length and 7 meter width (Hossain, 2012). “The port has 11 jetties, 7 shades for loading and unloading of goods and 8 warehouses. It uses 12 swinging moorings or floating berthing places in deeper sections in the river (Uddin, 2014). It is capable to handle and to operate 33 ships and can facilitate 38 vessels to enter or exit within the mooring areas with 6.5 million metric ton goods. About 40% of total national traded food grain and fertilizers are handled from this port (Hossain, 2012). Following table shows total cargo handling performance of the two seaports.

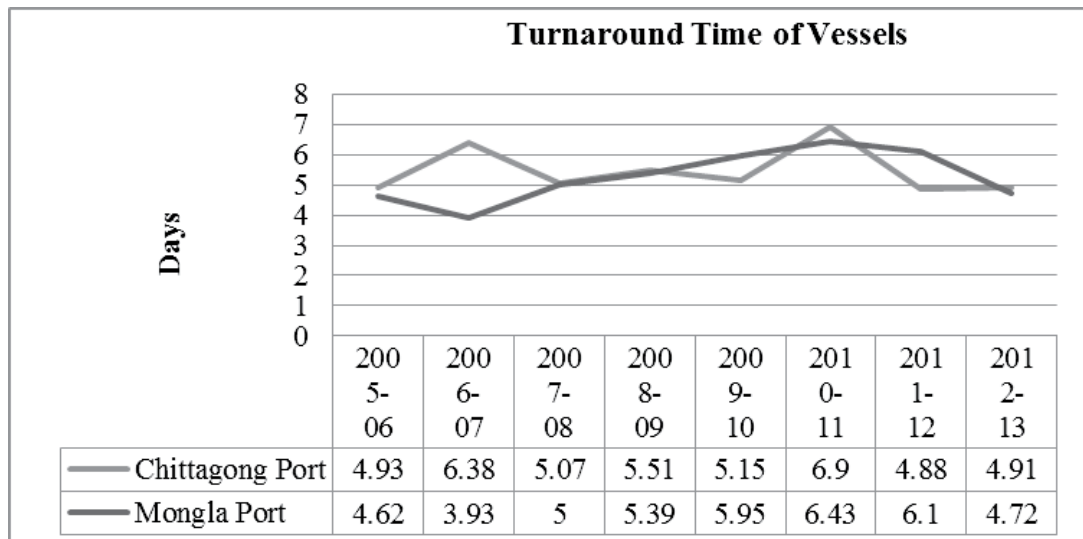
Table-1: Trend of cargo handle by two seaports in Bangladesh

Year	Cargo Handled (M.T.)	
	Chittagong Port	Mongla Port (FY)
2009	38,169,124	1,137,826
2010	45,396,663	1,649,283
2011	49,273,937	2,696,271
2012	48,738,776	2,619,897
2013	35,262,779	3,147,574

Source: Chittagong Port Authority & Mongla Port Authority 2015

Number of cargoes handled by two seaports is increasing gradually. Number of cargoes handled by Chittagong port in 2009 was 38.17 million M.T. which has increased to 48.748 M.T. in 2012. Same happened in case of Mongla port where the total number of cargoes was 1.14 million M.T in 2004-05 FY which increased to 3.14 million in 2012-13 FY. However, time efficiency in product loading and unloading in Bangladeshi seaports is much less than that of other seaports in the world. Bangladeshi ports are lagging behind in turnaround time. Time efficiency of two seaports is given below.

Figure-1: Average turnaround time of Bangladeshi seaports



Source: Chittagong Port Authority & Mongla Port Authority 2015

Turnaround time of ships in globally leading seaports is around one day whereas Bangladeshi seaports require almost 2 and a half days for international ships and 5 days for local ships.

### 1.2.2 Land Ports

Land ports are mainly boarder between two countries that has LC facilities for trading. Bangladesh has 2400 km border area, 92% of which is with India and 8% is with Myanmar (Mazid M. A., n.d.). It has 20 land ports (Authority L. P., 2014) of which 16 are regulated by Bangladesh Sthala Bandar Kortripakkha (BSBK) or alternatively known as Bangladesh Land Port Authority (Mazid M. A., n.d.). Among these 16 land ports, 14 are operated through Private Port Operators on Build, Operate & Transfer (BOT) basis (GED, 2011).

Benapole land port has 40,000 MT storage capacity and can handle 2 mln MT goods. Both Burimari and Akhaura land ports have 2,000 MT storage capacity each and handling capacity of respectively 0.50 mln and 750,000 MT yearly. Whereas Sonamosjid, Hilli and Tetulia land ports have storage capacity of 1000 MT, 2000 MT and 500 MT respectively and handling capacity of 2.0mln MT, 1.00mln MT and 0.5 mln MT (manual-yearly) respectively. Teknaf, Bibirbazar and Birol land ports are operated on BOT basis. Storage capacity of Teknaf and Bibirbazar land ports are 1000 MT and 500 MT and handling capacity of these ports are 300,000 MT and 0.5 mln MT yearly. Construction activities of Bhomra land Port, situated at Sadar Upazila, Satkhira with an area of 15.7298 acre, are going on in full swing under a development project costing Tk. 190.00 million by BSBK. Nakugaon land port, an area of 13.46 acre, costing Tk. 156.8, also has been undertaken by BSBK. Infrastructure development of Tamabil land port with an area of 14.72 acre and Dharshana land ports are yet to start. Backward transportation network, poor port

infrastructure, lack of mechanization in the port operation etc. have been posing great hindrances towards the development of land ports in Bangladesh.

## 2. METHODOLOGY

This study employed qualitative method. It is primarily based on literature review of secondary resources. It has utilized existing literatures on various aspects of port efficiency of globally most efficient and successful ports. It analyzed information, technical models and other socio-economic issues associated to port efficiency of global ports. It also reviewed websites of global and Bangladeshi port authorities consisting information on various performance indicators of ports. Furthermore, this study also employed primary data, collected through the in depth interview of experts while analyzing information and constructing arguments.

## 3. ANALYSIS AND FINDINGS

### **3.1. Problems towards Port Efficiency in Bangladesh**

#### ***3.1.1. Operational Efficiency***

Operational efficiency, measured through turnaround time, is very important indicator of port development. The Chittagong port, which has expanded very significantly during last couple of decades and undertook many initiatives including administrative reform and technical advancement, is, however, struggling with turnaround time efficiency till today. Lack of cargo handling machineries, shortage of required human resources, burden of bureaucracy, institutionalized informal practices within the port, poor level of digitalization, etc. are the most important reasons of operational inefficiency in Chittagong port. Though, it had brought down turnaround time at around two and half days for international ships but still much higher than Port of Singapore and Taiwan seaport where turnaround time required only 12 hours and 10 hours respectively (Ahmed, 2013). Mongla port does not have huge container traffic but due to technical and infrastructural limitations it could not reduce the turnaround time significantly.

Operational inefficiency in the land ports is not only due to internal reasons like poor infrastructure, poor communication, inadequate transportation network, etc. but also due to some external reasons like congestion in India, prolonged commodity clearance certification process of India etc. In Banapole land port about 200-250 trucks are amassed carrying exporting goods everyday but only 100-150 trucks are cleared from Indian side and rest have to wait in Bangladesh side causing huge traffic congestion. Consequently, exporting cost increase due to extra fare charges paid by transportation agencies for delayed delivery. Quality checking of Akhaura port's exported goods at Shilong causes unreasonable delay which could be minimized by shifting this process to Agartala.

#### ***3.1.2. Infrastructure of Ports***

International mobility of goods has increased multiple times greater than ever before. Therefore, accommodation facilities for large vessels, security and time efficiency have become vital issues for port development. If present growth of traffic continues in Chittagong seaport, it will be

hardly possible for it to serve the future demand with present infrastructure. Moreover, presently Chittagong seaport can entertain around 2500 TEUs to 3000 TEUs vessels to dock but modern vessels usually range from 5000 TEUs to 18000 TEUs (Ahmed, 2013). Thus, Chittagong port has to expand its berthing space and renovate port infrastructure in order to ensure docking of international modern vessels which requires huge investment. Continuous capital dragging along with other infrastructural development is therefore, prerequisite to maintain present operation as well as to meet the future demand of the port. If Chittagong seaport fails to renovate its infrastructure in accordance with global demand, in addition to international market of port renting, it will lose the market of other associated forward and backward industries.

Major problems of Mongla seaports are depreciation of old equipments bought during 1983, poor transportation infrastructure and most severely continuous siltation due to Farakka barrage in India. It is imperative to replace existing old and less efficient machines by installing modern equipments of port operation and maintain continuous dredging. It could accommodate berthing of at least 8.5 meter draught ships through ensuring regular dredging (GED, 2011). Infrastructure is also a great problem for the land ports. Most of the land ports suffer from lack of efficient cargo handling machineries, shortage of necessary space for container holding tracks to stand and shortage of road facilities to clear the trucks very efficiently. Therefore, building and maintaining appropriate infrastructure are very essential for the smooth operation and future development of ports in Bangladesh.

### ***3.1.3. Transportation System***

Transportation system is one of the great impediments towards efficient port management in Bangladesh. Railway network between Chittagong seaport and Dhaka city is severely underutilized. Commodities of Chittagong port are dispatched mainly through road transportation which is more costly than railway communication. Furthermore, maintenance of Dhaka-Chittagong railway and highway and further branching out to the rest of the country is very poor. Road and railway connection of Chittagong city with other cities is dilapidated and creates deadlock situation for commodity transportation and causes unintended delay of export and import. Due to delay in transportation, exporters who rely on imported goods or capital machineries have to incur additional cost. 'For Bangladeshi traders, the exporting of a standard container of goods costs US\$ 450 as port charges out of a total of US\$ 1025, while importers have to pay around US\$ 650 out of a total of US\$ 1430'(Ahmed, 2013)

Weak transportation network with its hinterland is also a major hindrance towards the development of Mongla port. There is no railway communication between Mongla port and its hinterland. Waterway communication is there but is slower than railway and road communication. Land ports are mostly connected through road transportation network, which, however, fail delivering goods and services timely due to poor road condition. Construction of two new ports Tamabil and Dharshona had been stopped due to lack of transportation facilities. However, the Padma Bridge is a new hope for Mongla port and southern part of the country's transportation. It is expected that after the construction of the Padma Bridge, as proposed would be possible within 2018, communication system will be improved.

#### ***3.1.4. Digitalization of Port***

A strong Port Management Information System (PMIS) facilitates efficient port management in berth planning, resource management, status tracking and conflict identification, billing management, etc. In addition to increasing time efficiency, port digitalization is also associated with the improvement of port's governance. Though the intensity of ICT use in port management increases bureaucratic delay, the implementation will reduce corruption and operational inefficiency. Ironically Bangladeshi ports are not embellished with modern ICT based operation. Therefore, operational efficiency in the ports is not in global standard.

#### ***3.1.5. Banking and Insurance Systems***

Banking and Insurance systems lie at the heart of port development, which provide the traders financial assistance as well as security against potential disasters. Easy access to financing with strong insurance market is one of key elements of the success in the Singapore Port and also in some other Asian ports. Banking and Insurance sectors in Bangladesh though have emerged as strong sectors for the economic development of the country, still lacks international trade related products and services. Major segment of foreign banking in Bangladesh is mainly concerned with foreign remittance. It is imperative to create an integrated banking and insurance market in accordance with the present and future demand of the users of Bangladeshi ports.

#### ***3.1.6. Trade Network***

Success of a port largely depends on its user base: large number of potential users with vast bulk of tradable products fosters ports' expansion. But ironically trade network of Bangladeshi ports is very limited. Very small amount of international trade is transported through Bangladeshi ports.

### **3.2. Potentials for Bangladeshi Ports**

#### ***3.2.1. Indigenous User Base***

Bangladeshi ports have strong advantages regarding the user base. A strong endogenous port user community has been growing at a very commendable rate in Bangladesh. Total export of goods was BDT 9799 crore in 1993-94 which has been increased to BDT 189437 crore in 2012-13 and total import of goods was BDT 16766 crore in 1993-34 which has been increased to BDT 272328 crore in 2012-13. It is very likely that growth trend of commodity trade in Bangladesh will grow in future and hence growth of ports will be much more robust in future.

#### ***3.2.2. Sub-South Asian User Base***

Geographically Bangladesh is in better position such that India, Nepal and Bhutan have greater advantages of using Bangladeshi ports for their regional as well as international trades. Assam, a state of India, exports their tea to Europe using Kolkata port through the "Chicken neck" which takes 1400 km. to reach Kolkata port but could have been 50% shorter through Chittagong seaport (Rahmatullah, December 2009). Southern border of Tripura State is about 275 km. away from Chittagong port but goods from Agartala are required traveling 1645 km distance reaching Kalkata

port through the “Chicken neck” which could only be 208 km if there were any transit arrangement between Bangladesh and India.

Mongla port has great potential to transport Nepalese and Bhutanese products. India allowed a transit between Nepal and Bangladesh across the “Chicken neck” and Bangla Bandha, but for bilateral trade only, and not for the third country trade of Nepal, which now has to pass through already congested Kolkata port (Rahmatullah, December 2009). Bangladesh has great opportunity to have transportation arrangement with India and Nepal in this regard. If Bangladesh can make transportation arrangement with India and Bhutan, Bhutan can use Mongla port for their international trade purpose. According to (Amin, July 2009 ) the merchandise trade in the Bangladesh, China, India and Myanmar (BCIM) region would increase by US\$ 5.7 billion, US\$ 4.1 billion and US\$ 2.7 billion under full, moderate and partial tariff liberalization, respectively on the other hand, trade would be total US\$ 12 billion, US\$ 9 billion and US\$ 5 billion in case of adding China and Myanmar to SAFTA.

### ***3.2.3. Construction of Deep Seaport***

Bangladesh government has initiated to build a deep seaport on Sonadia Island, near Cox’s Bazar district which is expected to address Chittagong’s inability to host large ships of more than 188 meters in length (Ahmed, 2013). After the completion of the first phase of the project, Bangladesh will be able to handle at least 7.41 million ton containers per year and will be raised up to 325.2 million tones (Hossain, 2012) finally. Several countries including India, China and USA have shown interest in the construction of deep-sea port. Moreover, “the Dubai-based DP World, the world’s third largest port operator, had conveyed keenness to invest between US\$ 3 billion and US\$ 4 billion for the Sonadia port (Ahmed, 2013) which will be very critical for infrastructural development around the port. It is expected that after the completion of first phase, economy of the country will achieve 1.5% of the GDP; and additionally 18% to 30% of the transportation cost will be reduced in export-import business. But, Bangladesh government could not manage starting the project activities yet. Considering the current global and national socio-economic condition, intervention in holistic manner towards port development is very urgent for Bangladesh.

## **4. RECOMMENDATIONS**

Bangladeshi ports: both seaports and land ports require an integrated support from various sub-sectors, ranging from proper infrastructure to supportive financial system. Following recommendations may be considered for the efficient port development in Bangladesh:

- Establishing appropriate infrastructure is prerequisite for an efficient port. Bangladesh government should ensure appropriate infrastructure so that ports’ Management can maintain their regular operation smoothly.
- Efficiency should be taken as the key principle of port management. Deployment of information technology, automation of service delivery, use of information technology for performance measurement, etc. should be maintained for the pursuit of efficiency in the ports.

- Railway is the cheapest and best suited transportation network for loading imported and exported goods and especially for heavy materials. Therefore, an integrated railway network, especially for the ports should be developed.
- Bangladesh, India, Nepal and Bhutan have potentials for sharing common transportation network and transit policies. Bangladesh government may develop a sub-region tariff and transit policy for the development of ports.
- Based on the current uses and hinterlands, Mongla port may be specialized for food grain, RMG products and other goods of Nepal, Bhutan and India.
- Port development initiatives, where possible, should prioritize endogenous resource for the development of port. In that case involvement of private sector through PPP and other mechanism can be utilized.
- Government may consider outsourcing of the service delivery systems of ports which require efficient service delivery and prompt decision making.
- Government may also consider developing of ports' supportive financial system where service delivery and other formal systems will be customized according to the need of efficient port development.

## 5. CONCLUSION

Ports have been working as catalysts of economic development, and most of the developed cities around the world are situated on the bank of different rivers and are virtuous because of their ports. Historically, Chittagong port was the gateway of trade in this region. Though could not subdue fully the economic distress of the people of this region, still along with the other ports, it has been playing significant role in Bangladesh economy. Bangladeshi ports could not ensure economic progress at the desired level due to pitfall of poor infrastructure and connectivity, inefficiency, absence of international cooperation, etc. Moreover, absence of capital required for invigorating ports was also very scarce resource for Bangladesh, which hindered adoption of new technology and greater yield by the ports. However, recently PPP had been evolved as a very effective way of channeling private resources for public cause in an artful manner. Mongla seaport already has experienced PPP and 13 land ports are in this process. It is expected that PPP will be very helpful to materialize the goals of Bangladeshi seaports. Nevertheless, in the present penetration of PPP in different areas of transportation and port development, attention is not sufficient. The Government has to consider a much wider spectrum of economic subsectors and has to design appropriate policy for the development of ports.



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## **FACTORS INFLUENCING MONEY SAVINGS AMONG STREET CHILDREN: A SURVEY IN DHAKA CITY OF BANGLADESH**

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Md. Shahiduzzaman\*  
M. Korban Ali\*\*  
Md. Rafiqul Islam\*\*\*  
Md. Nurul Islam\*\*\*\*

### **ABSTRACT**

*The purpose of this study was to determine factors that affect the money savings of street children in Dhaka City, Bangladesh. Information was collected from 1108 street children using a comprehensive questionnaire. The data were processed with a univariate and a bivariate tables and the analysis were made using percentages and proportions.  $\chi^2$  statistics was also used to find the association between money saving and background characteristics of street children. Multiple logistic regression analysis was utilized to identify the determinant of money saving among street children. It was found that types of street children, current age, types of work, currently attending school, working days per week and earning per day were significantly associated with the savings. Among above background characteristics the institutional care, small business, attending school and earning per day were important determining factors of the money savings of street children. Considering the above findings government of Bangladesh may be suggested to arrange institutional care, develop small business facilities and introduce formal or informal education for street children in Bangladesh.*

**Keywords:** *Street Children, Earning, Savings, Logistic Regression, Dhaka City*

### **1. INTRODUCTION**

Today's children are the future of a nation. The future development of a country depends on the present condition of the children. After a certain period of time they will contribute to the nation and they will play an essential role for socio-economical development of the country. The development

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\* Senior Lecturer, Department of Electronics and Communication Engineering, Northern University Bangladesh.

\*\* Treasurer, Manarat International University, Gulshan, Dhaka, Bangladesh.

\*\*\* Professor, Department of Population Science and HRD, Rajshahi University, Rajshahi, Bangladesh.

\*\*\*\* Professor, Department of Statistics, Rajshahi University, Rajshahi, Bangladesh.

of a country depends on children's health, education, recreation, types of work etc. However, the street children are deprived of those facilities in our country. They are engaged in different type of street related activities such as Tokai (A child who moves in different places to collect various used items like papers, bottles, shoes, cloths, etc is known as tokai.), cooli/minti (Registered persons who earn their livelihood by carrying baggages of others in the railway station, ferry terminal, bus terminal are called Cooli whereas Minti do the same job as that of a cooli but they are not registered.), small business and day labour etc. Maximum number of street children works on the street almost every day in a week and they earn some amount and they do not utilize of that money properly. A few researchers have conducted some studies regarding prevalence of street children of Bangladesh. The impact of socio-economic, demographic and behaviour factors on the money saving among street children in Bangladesh is not well addressed.

A published report estimated that the number of street children in Bangladesh was 445,226 of which 75% were in Dhaka city (UNDP, 2001). A recent official study estimated that 5, 00,000 children were living on the streets in the main cities of Bangladesh of which 75% were living in Dhaka city (Conticini, 2001). It was also found that 35%, 27%, 20%, 8% and 10% of the street children had very little or no savings, less than 30 taka per day, between 30 and 100 taka per day, between 100 and 200 taka per day and don't know respectively (Conticini, 2005). Barakat et al (2012) found that only around one-third of the street children involved in begging reported about attending school (Boy 36%; Girl 35%). In a conference it was reported that average daily income of street children was approx. USD \$0.55 (CSF Colombo Conference, 2001). Ahmed et al. (2003) found that overwhelming majority of the street children were living in Dhaka City. They also found that 97.5% were males whereas around 3% were females. Again the average age of female children was 11.5 years which was younger than males (12.2 years) and average age of both sexes was 12.1 years. Khatun and Jamil (2013) found that the average age of the street children was 12.1 years. They found that 85% of the street children were boys and only 15% of the street children were girls. They found that 44% of the street children were tokai, 10% of the street children were cooli and 18% of the street children were petty traders. They also found that the street children were working 6.5 hours in a day and the average daily earning was 44.9 taka. Subarna et al. (2014) found that the average age of the street children was 12.05 years. They found that 76.7% and 23.3% of the street children were males and females respectively and 85.3% of the street children did not ever go to school. They found that 20 %, 47.3% and 32.7 % of the street children were in the age group 6-9, 10-13 and 14-17 years respectively. They found that 18.7%, 13.3%, 38.7% and 21.3% of the street children were involved in begging, selling flowers and newspapers, the road collect things from dustbin and sell and collect old papers respectively. They also found that the average working time in a day was 10.62 hours and average weekly earning was 362 taka. Nasrin and Rashed (2013) found that the street children of age group < 10, 10-14 and 15-18 years were 13.3%, 42.0% and 44.7% respectively. McAlpine et al. (2009) found that 20% of the street children were females and 80% of the street children were males. A Zimbabwe study reported that the majority of children interviewed were "children of the street" while 31.4% were found to be "street working children" (UNICEF, 2002).

## 2. OBJECTIVES OF THE STUDY

The specific objectives of the study are:

- (i) To study the inter-relationship between the money savings of the street children with their background characteristics.
- (ii) To identify the determinants of money savings of street children using multiple logistic regression analysis.

## 3. METHODOLOGY

In this study, the street children have been classified into four classes on the basis of United Nations Children's Fund (UNICEF), 2003 and World Health Organization (WHO), 1993. These types are (i) "Street Living Children" (the children who ran away from their families and live alone on the streets) (ii) "Street Working Children" (children who spend most of their time on the streets, fending for themselves, but returning home on a regular basis) (iii) "Children from Street Families" (children who live on the streets with their families) (iv) "Children who are in Institutional Care" (children who have come from a situation of homelessness and are at risk of returning to a homeless existence).

For collecting data, a cross-sectional study which was conducted in different places in Dhaka City during May-September 2014. Though it was very hard to have exact number of the street children in Dhaka City, it can be assumed from the previous studies that there may be around 3,00,000 street children in Dhaka City. The information of 1108 (0.37%) street children was collected using purposive sampling technique with structured questionnaire. SPSS was used to analyze the collected data. Some tables and cross tables were prepared and some proportions and percentages were calculated to study the distribution of the street children. Some cross tables were prepared to study the association of the savings of the street children and background characteristics.  $\chi^2$  statistic was used to test the significance of the association between the money savings of the street children and their background characteristics. To identify the determinants of the money savings of street children in Bangladesh a logistic regression model was also fitted. Here, savings is treated as dependent variable which is as follows:

$$Y = \text{Savings} = \begin{cases} 1, & \text{yes (if he / she saves money)} \\ 0, & \text{otherwise} \end{cases}$$

On the other hand, types of street children, children current age, types of work, currently attending school, working days per week, working hours per day and earning per day were considered as explanatory variables in logistic regression model.

## 4. ANALYSIS AND FINDINGS

Distribution of street children in Dhaka city of Bangladesh by their background characteristics are presented in Table 1. The Table showed that 42.3% of the street children saved money and 57.7% did not save money. It was found that 24.4%, 44.9%, 9.9% and 20.8% of the street children were of type "street living children", "street working children", "children from street families"

and “institutional care” respectively. It was also found that 19.0%, 65.8% and 15.2% of the street children were in the age group 5-9, 10-14 and 15-18 years respectively which gave the average age was 11.73 years. It is a closer estimate of Ahmed et al. (2003) and Khatun and Jamil (2013). We observed that 84.9% of the street children were male and 15.1% of the street children were female which also indicated the closer estimate of Khatun and Jamil (2013). We also observed that 74.0% of the street children came from rural area and 26.0% of the street children came from urban area. The data revealed that 15.8%, 30.7%, 17.7%, 14.5%, and 8.8% of the street children were in the occupation small business, tokai, colli/minti, available job and day labours respectively. This study demonstrated that 41.8% of the street children went to school and 58.2% of the street children did not go to school. It was found that 37.6%, 21.8%, 13.4%, 8.4%, 8.1% and 10.7% of the street children were living  $\leq 12$ , 13-24, 25-36, 37-48, 49-60 and 60+ months respectively in the street. It was also found that 10.1%, 7.7%, 14.4% and 67.8% of the street children were working  $\leq 4$ , 5, 6 and 7 days per week respectively which indicated that the maximum numbers of street children were working 7 days per week. We found that 16.3%, 40.6%, 24.6% and 18.5% of the street children were working  $\leq 3$ , 4-7, 8-11 and 12+ hours per day respectively which gave the average working hour per day was approximately 7.32 hour which indicated the closer estimate of Khatun and Jamil (2013). We also found that 32.1%, 31.9%, 14.3%, 12.1% and 9.6% of the street children were earning  $\leq$  Tk.50, 51-100, 101-150, 151-200 and 201+ per day respectively which gave the approximate average income Tk.92.89 per day, it was almost double amount found by Khatun and Jamil (2013) and Subarna et al., (2014), it may be possible due to the living of the children in the capital city.

**Table 1:** Distribution of Street Children by Their Background Characteristics in Dhaka City of Bangladesh

Background Characteristics	Number of respondents (%)	Background Characteristics	Number of respondents (%)
<b>Savings</b>		<b>Currently attending school</b>	
yes	469 (42.3)	yes	463 (41.8)
no	639 (57.7)	no	645 (58.2)
<b>Type of street children</b>		<b>Duration of living on Street (Month)</b>	
street living children	271 (24.4)	$\leq 12$	416 (37.6)
street working children	497 (44.9)	13-24	242 (21.8)
children from street families	110 (9.9)	25-36	149 (13.4)
children who are in institutional care	230 (20.8)	37-48	93 (8.4)
<b>Current Age (Year)</b>		49-60	90 (8.1)
5-9	211 (19.0)	61+	118 (10.7)
10-14	729 (65.8)	<b>Working days per week</b>	
15-18	168 (15.2)	$\leq 4$	112 (10.1)
<b>Sex of Street children</b>		5	85 (7.7)
male	941 (84.9)	6	160 (14.4)

female	167 (15.1)	7	751(67.8)
<b>Place of Birth</b>		<b>Working hour per day</b>	
rural	820 (74.0)	≤ 3	180 (16.3)
urban	288 (26.0)	4-7	450 (40.6)
<b>Types of work</b>		8-11	273 (24.6)
Business	175 (15.8)	12+	205 (18.5)
Tokai	340 (30.7)	<b>Earning per day (Taka)</b>	
Colli/MIinti	196 (17.7)	≤ 50	356 (32.1)
Available job	160 (14.5)	51-100	353 (31.9)
Day labour	98 (8.8)	101-150	159 (14.3)
Others	139 (12.5)	151-200	134 (12.1)
		201+	106 (9.6)
Note: () indicates percentage of respondents			

Bivariate distribution of savings of the street children with the background characteristics has been presented in Table 2. We observed that those who saved money 40.6%, 41.0%, 29.1%, and 53.5% of the street children were “street living children”, “street working children”, “children from street families” and “under institutional care” respectively. It was found that 28.9%, 44.2% and 51.2% of the street children who saved money were in the age group 5-9, 10-14 and 15-18 years respectively. It was also found that 42.4% and 41.9% of the street children who saved money were male and female respectively. It was revealed that 42.7% and 41.3% of the street children who saved money came from rural and urban areas respectively. It was also revealed that 60.6%, 40.0%, 39.3%, 36.9% and 51.0% of the street children who saved money were in the occupation small business, tokai, colli/minti, available job and day labour respectively. It was observed that 46.9% of the street children who saved money went to school and 39.1% of the street children who saved money did not go to school. It was also observed that 42.1%, 38.0%, 40.3%, 47.3%, 53.3% and 42.4% of the street children who saved money were living on street for ≤12, 13-24, 25-36, 37-48, 49-60 and 61+ months respectively. It was found that 20.5%, 35.3%, 42.5% and 46.3% of the street children who saved money were working ≤4, 5, 6 and 7 days per week respectively. We found that 39.4%, 45.1%, 45.1% and 35.1% of the street children who saved money were working ≤3, 4-7, 8-11 and 12+ hours per day respectively. We also found that 29.5%, 45.9%, 44.7%, 50.0% and 60.4% of the street children who saved money were earning per day were ≤Tk.50, 51-100, 101-150, 151-200, and 201+ per day respectively.

The  $\chi^2$ - test demonstrated that the association between money savings and types of street children ( $p<0.01$ ), current age ( $p<0.01$ ), types of work ( $p<0.01$ ), currently attending school ( $p<0.05$ ), working days per week ( $p<0.01$ ) and earning per day ( $p<0.01$ ) were statistically significant.

**Table 2:** Bivariate Distribution of Street Children in Dhaka City by Savings and Their Background Characteristics

Variables	Savings		$\chi^2$ - values, p values
	Yes (%)	No (%)	
<b>Types of Street Children</b>			20.279, 0.000
Street living children	110 (40.6)	161 (59.4)	
Street working children	204 (41.0)	293 (59.0)	
children from street families	32 (29.1)	78 (70.9)	
children who are in institutional care	123 (53.5)	107 (46.5)	
<b>Current Age (Year)</b>			21.981, 0.000
5-9	61 (28.9)	150 (71.1)	
10-14	322 (44.2)	407 (55.8)	
15-18	86 (51.2)	82 (48.8)	
<b>Sex of Street children</b>			0.014, 0.907
male	399 (42.4)	542 (57.6)	
female	70 (41.9)	97 (58.1)	
<b>Place of birth</b>			0.162, 0.687
rural	350 (42.7)	470 (57.3)	
urban	119 (41.3)	169 (58.7)	
<b>Types of work</b>			39.715, 0.000
Business	106 (60.6)	69 (39.4)	
Tokai	136 (40.0)	204 (60.0)	
Colli/MIinti	77 (39.3)	119 (60.7)	
Available job	59 (36.9)	101 (63.1)	
Day labour	50 (51.0)	48 (49.0)	
Others	41 (29.5)	98 (70.5)	
<b>Currently attending school</b>			6.715, 0.010
yes	217 (46.9)	246 (53.1)	
no	252 (39.1)	393 (60.9)	
<b>Duration of living on Street (Month)</b>			7.525, 0.184
≤ 12	175 (42.1)	241 (57.9)	
13-24	92 (38.0)	150 (62.0)	
25-36	60 (40.3)	89 (59.7)	
37-48	44 (47.3)	49 (52.7)	
49-60	48 (53.3)	42 (46.7)	
61+	50 (42.4)	68 (57.6)	
<b>Working days per week</b>			28.461, 0.000
≤ 4	23 (20.5)	89 (79.5)	
5	30 (35.3)	55 (64.7)	
6	68 (42.5)	92 (57.5)	
7	348 (46.3)	403 (53.7)	

<b>Working hour per day</b>			7.233, 0.065
≤ 3	71 (39.4)	109 (60.6)	
4-7	203 (45.1)	247 (54.9)	
8-11	123 (45.1)	150 (54.9)	
12+	72 (35.1)	133 (64.9)	
<b>Earning per day (Taka)</b>			43.585, 0.000
≤ 50	105 (29.5)	251 (70.5)	
51-100	162 (45.9)	191 (54.1)	
101-150	71 (44.7)	88 (55.3)	
151-200	67 (50.0)	67 (50.0)	
201+	64 (60.4)	42 (39.6)	
Note: () indicates the percentages			

In the multiple logistic regression analysis only significantly associated factors were considered as independent variables. The results of multiple logistic regression analysis were presented in Table-3. The regression coefficients of the money savings of the street children who were “children who were in institutional care” was 0.726 ( $p < 0.01$ ) with corresponding odds ratio was 2.067 [95% C.I. (1.277, 3.347)] which indicated that the street children who were “children who were in institutional care” was 2.076 times more saving money than the street children who were “street living children”.

Types of work of the street children was the significant factor affecting savings money of street children. The regression coefficient of street children whose occupation were tokai, colli/minti and available job were -0.480 ( $p < 0.05$ ), -0.701 ( $p < 0.01$ ) and -0.682 ( $p < 0.01$ ) with corresponding odds ratios were 0.619 [95% C.I. (0.412, 0.930)], 0.496 [95% C.I. (0.318, 0.774)] and 0.506 [95% C.I. (0.316, 0.811)] respectively which indicated that the street children whose occupation were tokai, colli/minti and available job were 0.619, 0.496 and 0.506 times less savings money than the street children whose occupation were small business.

Currently attending school of street children was the most significant factor affecting savings money of street children. The regression coefficient of street children who went to school was 0.429 ( $p < 0.05$ ) with corresponding odds ratio was 1.536 [95% C.I. (1.101, 2.144)] which indicated that the street children who went to school was 1.536 times more saving money than the street children who did not go to school.

Working days per week of the street children was the significant factor affecting savings money of the street children. The regression coefficients for the street children whose working days per week were 6 and 7 days were 0.831 ( $p < 0.01$ ) and 0.933 ( $p < 0.01$ ) with corresponding odds ratios were 2.295 [95% C.I. (1.259, 4.182)] and 2.541 [95% C.I. (1.505, 4.290)] respectively which indicated that the street children whose working days per week were 6 and 7 days were 2.295 and 2.541 times more saving money than the street children whose working days per week were  $\leq 4$  days.

Earning per day was an important factor affecting the savings of street children. The regression coefficient for the street children whose earning per day were Tk.51-100, 101-150,



151-200 and 201+ were 0.713 (p<0.01), 0.739 (p<0.01), 0.997 (p<0.01) and 1.395 (p<0.01) with corresponding odds ratios were 2.040 [95% C.I. (1.433, 2.905)], 2.093 [95% C.I. (1.347, 3.252)], 2.710 [95% C.I. (1.689, 4.347)] and 4.034 [95% C.I. (2.380, 6.836)] respectively which indicated that the street children whose earning per day were Tk.51-100, 101-150, 151-200 and 201+ were 2.040, 2.093, 2.710 and 4.034 times more saving money than the street children whose earning per day were ≤Tk.50.

**Table 3:** Effects of selected background characteristics on savings of street children in Dhaka City of Bangladesh Using Multiple Logistic Regression Analysis

Explanatory variables	Coefficients (β)	S.E of β	P-values	Odds ratio (OR)	95% C.I. for OR	
					Lower	Upper
<b>Types of Street Children</b>						
Street living children (r)	.....	.....	.....	1.000	.....	.....
Street working children	0.062	0.166	0.707	1.064	0.769	1.473
children from street families	-0.216	0.267	0.418	0.805	0.477	1.360
children who are in institutional care	0.726	0.246	0.003	2.067	1.277	3.347
<b>Current Age (Year)</b>						
5-9 (r)	.....	.....	.....	1.000	.....	.....
10-14	0.255	0.194	0.245	1.252	0.857	1.831
15-18	0.319	0.254	0.209	1.375	0.837	2.261
<b>Types of work</b>						
Business (r)	.....	.....	.....	1.000	.....	.....
Tokai	-0.480	0.208	0.021	0.619	0.412	0.930
Colli/MIinti	-0.701	0.277	0.002	0.496	0.318	0.774
Available job	-0.682	0.241	0.005	0.506	0.316	0.811
Day labour	-0.172	0.266	0.519	0.842	0.499	1.419
Others	-0.909	0.272	0.001	0.403	0.237	0.686
<b>Currently attending school</b>						
No (r)	.....	.....	.....	1.000	.....	.....
Yes	0.429	0.170	0.011	1.536	1.101	2.144
<b>Working days per week</b>						
≤ 4(r)	.....	.....	.....	1.000	.....	.....
5	0.523	0.351	0.136	1.687	0.848	3.355
6	0.831	0.306	0.007	2.295	1.259	4.182
7	0.933	0.267	0.000	2.541	1.505	4.290
<b>Earning per day (in Taka)</b>						
≤ 50 (r)	.....	.....	.....	1.000	.....	.....
51-100	0.713	0.180	0.000	2.040	1.433	2.905
101-150	0.739	0.225	0.001	2.093	1.347	3.252
151-200	0.997	0.241	0.000	2.710	1.689	4.347
201+	1.395	0.269	0.000	4.034	2.380	6.836



Model Summary:	-2 Log likelihood = 1378.529 Cox & Snell R Square = 0.112 Nagelkerke R Square = 0.150
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Note: r represents the reference category, CI represents the confidence interval
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## 5. CONCLUSION AND RECOMMENDATION

The economic activities of the street children in Dhaka City, Bangladesh were investigated in this study. Socio-economic, demographic and behavioral information were collected from 1108 street children who were living in Dhaka city. Multiple logistic regression model was used to establish the relationship among saving money and some selected factors of street children. The present study demonstrates that 43.8% street children saved money. The logistic model illustrates that types of street children, children current age, occupation, attending in school and earning per day were the important predictors for saving money of street children in Dhaka City of Bangladesh. Hence it can be recommended to the government, agencies and policy maker to undertake a massive program to bring the street children into the institutional care. Despite that the street children should be engaged into some small business to enhance their savings and in turn change their life style. In order to develop the solvency of the street children a formal or informal education program should be introduced among the street children.

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# **CHALLENGES TO IMPLEMENT INFORMATION SYSTEMS IN BUSINESS ORGANIZATIONS IN BANGLADESH: AN EMPIRICAL STUDY**

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Md. Abdullah Al Mahmud\*  
Mohammad Mizenerur Rahaman\*\*

## **ABSTRACT**

*This study has investigated IT infrastructure of several business organizations in Bangladesh and has examined information systems launching and implementation problems in several industries operated in Bangladesh. Results from the study have revealed that most of the organizations have sufficient IT infrastructure but they still face lots of problems regarding information systems launching and process. The results have also revealed that lack of strategic planning and improper interdepartmental coordination are liable for inappropriate information systems in the business organization in Bangladesh. The hypothesis analysis has proved that failing to get top management support and not having a clear-cut business strategy to guide the IS strategy effort are liable for launching problematic IS strategy in Bangladesh. The regression analysis reveals that IS implementation varies on failing to get top management support and negligence to assess realistically internal weaknesses of the IS function in determining capabilities to implement the recommended strategy.*

***Keywords: IS implementation, IT infrastructure, Computer Applications, Business, Bangladesh.***

## **1. INTRODUCTION**

Technology has greater revelation on our life as it reforms the arrangement of our working process. Every aspect of our daily lives is subject to technological innovations. Today it is widely recognized that a “business information system” is essential for most organizations to survive and compete with other organizations. Information is life blood of every organization, the modern business organization needs integrated, accurate and up to date information. To fulfill the needs of information the management of information is critical for the prosperity of every

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\* Senior Lecturer, Manarat International University, Dhaka, Bangladesh.

\*\* Assistant Professor, Department of Business Administration, Shahjalal University of Science and Technology, Sylhet, Bangladesh.

business organization (Beynon-Davies 2009). Business information systems assist companies to extend their business, offer services, reshape jobs, redesign work flows and modify the ways of controlling business (Lucas, JR 1981). The implementation of business information system is an ongoing process which includes the deployment of the business information system through feasibility study, analysis, design programming, training, conversion and installation of the system. According to (Gioia, 2001) survey 51% of the business information systems implementation was unsuccessful. In our country, we also see that though business organizations use information technology but most of the cases the organizations cannot implement information systems due to various reasons. There are some underlying assumptions about the IS implementation failure. This study is designed to determine which reasons create aggravation to implement information systems on business organization in Bangladesh.

### **1.1 Objectives of the Study**

The following objectives are set while conducting the research:

- To study the present IT infrastructure of Business organizations in Bangladesh;
- To study the present Information systems of Business organizations in Bangladesh;
- To find out the problems of IS implementation on Business organizations in Bangladesh.

### **1.2 Literature Review**

As Laudon defined “Information system technically as a set of interrelated components that collect (or retrieve), process, store, and distribute information to support decision making and control in an organization. In addition to supporting decision making, coordination and control, information systems may also help managers and workers analyze problems, visualize complex subjects, and create new products”. In the light of the definition of IS, it can be said that information system is the core of decision making. Organizations’ overall control depends on the successful implementation of IS.

A number of surveys have attempted to identify the criteria for successful IS/IT strategy development. Lederer and Mendelow surveyed 20 US companies to determine the senior management problems preventing effective development of IS/IT strategic plans. An earlier survey had shown that obtaining top-management commitment was a prerequisite or success, but it was often difficult to obtain. In a similar UK survey, Wilson identified a number of barriers that prevented an effective IS/IT strategy being developed and then implemented. Organizations claiming to have an IS/IT strategy (73 of the total of 186 surveyed) were asked to identify barriers inhibiting, first, the development of the strategy and, second, implementing it. In this survey, top-management commitment was less critical than the ability to measure benefits from the overall plan, to deal with major business issues such as diversification or growth and to provide appropriately-skilled user and IT resources. The factors cited seem to reflect views based on the past evolution of IS/IT, rather than its future implications. The survey also highlights one or two of the ‘softer’ issues — politics and middle management’s insecurity in the face of change. Ninety percent of the respondents claimed that the IS/IT strategy was either a formal documented part of the business strategy, or the

strategy was aligned to strategic aims. In a more recent survey of senior IS executives, Teo and Ang identified the major problems associated with the IS/IT strategy process. Dividing the process into three phases (the launch phase, the plan development phase and the implementation phase), they reported that, in all three phases, failing to secure top management support is the most serious problem. Not having free communication flow and not being able to obtain sufficiently-qualified personnel are the other two major problems in the first phase. In the second phase, respondents reported ignoring business goals and failing to translate these goals/strategies into action plans as major problems as well.

Considering previous research results, this study is design to find out the implementation problems in launching information system and problems with the information system's strategic process. Though there were several studies which presented various problems in implementing information technology, no other studies have ever made to judge the problems in launching information system and problems with the information systems strategy in Bangladesh. That is why this study is designed to test some underlying assumptions regarding IS implementation.

### **1.3 Significance of the Study**

An in-depth understanding of the specific issues related to IS implementation is essential for the establishment of appropriate principals and effective approaches with regard to the management of information systems in an organization. Each individual issue is important in its own context as well as producing multiple impacts which affect the organization and implementation of ISs within it. Subsequently, effective management of ISs across the board can only take place when a more comprehensive understanding of the myriad of issues is achieved. In the area of information technology, a good portion of the research conducted prior to this study tended to focus primarily on private sector systems and was based on what Ward terms "supply-side" issues, or those issues related to how IT based systems can be "made to work effectively, economically, and in the end — deliver the expected benefits". In this case the issues were those which surround the problems to implement Information Systems not the IT. Most of the cases, people usually make mistake to differentiate IT and IS. And for this reason the organizations are unable to get actual benefit of information systems.

## **2. METHODOLOGY OF THE STUDY**

This study is empirical in nature. Quantitative method has been mainly used in this study while field survey has been used as the main technique for data collection. As the study is about understanding the challenges of implementing IT and IS in the business organizations, all types of business organization were considered as population of the study and IS manager, IT manager, or responsible IT head of the business organizations were considered study units.

### **2.1. Sample Design**

The study has observed 162 respondents' data from 81 organizations. In Bangladesh, there are various types of business organizations. From the categories', the most commoner sectors are

Communication, Education, Health Services, Financial Services, Manufacturing, IT, NGO and other various service industries. The study selected different industries from which overall 81 organizations were surveyed. From 81 organizations, the study has observed 28 financial organizations, 14 educational institutions, 7 communication services organizations, 6 manufacturing organizations, 2 technology based organizations, 12 health service organizations, 5 service based organizations and 7 from others industries.

## **2.2. Collection of Data**

The sample has been selected using non-random opportunity sampling technique (purposive) as most of the business organizations' head office is located in the Dhaka city. In this study, structured questionnaire has been used through scheduled interview to collect primary data from the respondents while secondary data like books, thesis papers, articles, reports etc. also have been used.

## **2.3. Analysis of Data**

Descriptive statistics, Regression analysis, ANOVA and Chi square tests have been used to analyze data efficiently through SPSS.

## **2.4. Research Hypotheses**

- H1: Lack of top management support is responsible for not launching IS or implementing problematic IS in the business organization.
- H2: Lack of free flow communication and commitment to change throughout the organizations is responsible for not launching IS or implementing problematic IS in the business organization.
- H3: Lack of qualified personnel to do a proper job is responsible for not launching IS or implementing problematic IS in the business organization.
- H4: Lack of clear-cut business strategy to guide the IS strategy is responsible for not launching information systems in the business organization.
- H5: Failing to anticipate new developments in IT is responsible for not launching IS or implementing problematic IS in the business organization.
- H6: Ignoring the people and political side of strategy formulation and planning is responsible for not launching IS or implementing problematic IS in the business organization.
- H7: Failing to involve top management sufficiently is responsible for not launching IS or implementing problematic IS in the business organization.
- H8: Failing to translate business objectives and strategies into action plan is responsible for not launching IS or implementing problematic IS in the business organization.
- H9: Negligence to assess realistically internal weaknesses of the IS function in determining capabilities to implement the recommended strategy is responsible for not launching IS or implementing problematic IS in the business organization.
- H10: Failing to review the IS strategy with all managers so as to obtain support and cooperation for its implementation is liable for problematic IS strategy in Bangladesh.

### 3. ANALYSIS AND FINDINGS

#### **The light of quantitative data analysis regarding IT infrastructure in Bangladesh**

An analysis of the characteristics of the target population of the study indicates that 4.5% of the respondents are Chief Information Officers, 3.7% of the respondents are System Analysts, 43% of the respondents are Information System Manger/Administrator, and 48.1% of the respondents holds others positions. Respondents' education level shows, 45.7% of them hold graduate degree and remaining 54.3% hold post graduate degree. 63% of the surveyed organizations has implemented IS department in their organizations and remaining 37% has not implemented IS department in their organizations. 90.1% of the surveyed organizations has an in-house MIS/IT or data processing department and 9.9% has no in-house MIS/IT or data processing department.

Software usages level and data based decision making in the various departments of the organizations shows, 77.8% of the surveyed organizations maintains software to address business issues related to Finance and Accounts departments. Likewise 55.6% in HR, 39.5% in Marketing, 77.8% in IT, 42% in Operations, 27.2% in Supply Chain, 49.4% in Administration, 39.5% in R & D, and 32.1% in Sales department of the surveyed organizations maintain software to address business issues.

To know the extent of various software uses, the study has designed some questions. The result shows, 4.9% of the surveyed organizations uses Windows 8 to operate their systems. Likewise 53.1% uses Windows 7 and 42% uses Windows XP Professional to operate their systems. All of the surveyed organizations use Microsoft Office. To address the web development, 4.9% of the surveyed organizations uses Web Studio, 27.2% uses HTML-kit tools, 39.5% uses Adobe Dreamweaver software and 28.4% uses other software. To address programming language, 32.1% of the surveyed organizations uses Java, 18.5% uses PHP, 25.9% uses Visual Basic and 23.5% uses Net.

To know the computerization status in various departments, the study has designed some questions. The result shows, 97.5% of the surveyed organizations maintains fully computerized Finance and Accounts departments. Likewise, 75.3% in HR, 100% in IT, 27.2% in Marketing, 54.3% in Operations, 53.1% in Supply Chain, 43.2% in R & D, 46.9% in General Management and 55.6% in Sales department of the surveyed organizations have maintained fully computerized departments. The observed frequency also shows, some departments still operate their activities in manual basis. 2.5% of the surveyed organizations maintains their Operations departments in manual basis, and 4.9% of the surveyed organizations maintains their Sales department in manual basis.

To know the extent of IT infrastructure, the study has designed some questions. The result shows, 81.5% of the surveyed organizations has sufficient availability of software infrastructure. All of the surveyed organizations have sufficient availability of network facility.

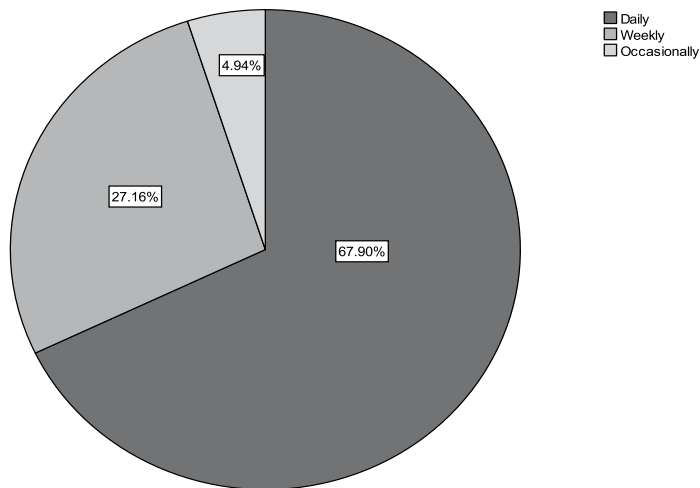
**Table – 01: Do you have sufficiency of software infrastructure?**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	yes	132	81.5	81.5	81.5
	no	30	18.5	18.5	100.0
	Total	162	100.0	100.0	

Source: The Author

For data backup systems, 67.9% of the surveyed organizations updates database in daily basis, 27.2% updates database in weekly basis and 4.9% updates database occasionally. All the surveyed organizations maintain security measures for data processing of the computer systems. 48.15% of the surveyed organizations maintains ERP software.

**What is the frequency of Data Backup system used for present computer system?**



#### 4. PROBLEMS OF IS IMPLEMENTATION

To find out the research objectives, the study has designed the questionnaire containing some questions related to IS implementation problem. There are some underlying problems like leadership, environment, technical and personnel problems. In case of leadership issue, the observed frequencies reveal, 51.9% of the surveyed organizations points out interdepartmental coordination problematic for IS implementation. For management related issue, 72.8% of the surveyed organizations points out strategic planning problematic for IS implementation. For technical issue, 61.7% of the surveyed organizations points out lack of standardization problematic for IS implementation. For personnel issue, 60.5% of the surveyed organizations points out, lack of trained staff is somewhat problematic for IS implementation. There are some other issues like, 24.7% of the surveyed organizations points out inappropriate organizational culture somewhat problematic for IS implementation.



**Hypothesis Test**

The study has observed some underlying assumptions regarding problems in launching the IS strategy process. From all the assumptions, first one is H1: “Failing to get top management support is disposed to not launching information systems”. The observed frequency shows the mean value 4.46, which means, most of the surveyed organizations agreed with the statement. To measure this hypothesis the study has observed one sample t test.

The calculated statistics shows the significant two tailed value .391 which is inside the acceptance region. So the null hypothesis should be accepted and alternative hypothesis should be rejected. And it may be assumed that at 0.05 significance level, failing to get top management support is disposed to not launching information systems in Bangladesh.

<b>One-Sample Test</b>						
Test Value = 4.40						
					95% Confidence Interval of the Difference	
	t	df	Sig. (2-tailed)	Mean Difference	Lower	Upper
Failing to get top management support	.862	80	.391	.057	-.07	.19

H2: “Not having free communication and commitment to change throughout the organization is disposed to not launching proper information systems”. The observed frequency shows the mean value 4.47, which means most of the surveyed organizations agreed with the statement. The calculated statistics shows the significant two tailed value .241 which is inside the acceptance region. So the null hypothesis should be accepted and alternative hypothesis should be rejected. And it may be assumed that at 0.05 significance level, not having free communication and commitment to change throughout the organization is disposed to not launching proper information systems in Bangladesh.

H3: “Being unable to obtain sufficiently qualified personnel to do a proper job is disposed to not launching proper information systems”. The calculated statistics shows the significant two tailed value .003 which is outside the acceptance region. So the null hypothesis should be rejected and alternative hypothesis should be accepted. And it may be assumed that at 0.05 significance level, being unable to obtain sufficiently qualified personnel to do a proper job is not disposed to launch problematic IS strategy.

H4: “Not having a clear-cut business strategy to guide the IS strategy effort is liable for launching problematic IS strategy”. The calculated statistics shows the significant two tailed value .383 which is inside the acceptance region. So the null hypothesis should be accepted and alternative hypothesis should be rejected. And it may be assumed that at 0.05 significance level, not having a clear-cut business strategy to guide the IS strategy effort is liable for launching problematic IS strategy in Bangladesh.

H5: “Failing to anticipate new developments in IT that might affect the strategy is liable for launching problematic IS strategy”. The calculated statistics shows the significant two tailed value

.071 which is inside the acceptance region. So the null hypothesis should be accepted and alternative hypothesis should be rejected. And it may be assumed that failing to anticipate new developments in IT might have affected the strategy liable for launching problematic IS in Bangladesh.

H6: “Ignoring the people and political side of strategy formulation and planning is disposed to launch problematic IS strategy”. The calculated statistics shows that the significant two tailed value .006 which is outside the acceptance region. So the null hypothesis should be rejected and alternative hypothesis should be accepted. And it may be assumed that at 0.05 significance level, ignoring the people and political side of strategy formulation and planning is disposed to launch problematic IS strategy.

The study has also observed some underlying assumptions regarding problems with the IS strategy process. From all the assumptions, first one is H7: “failing to involve top management sufficiently is liable for problematic IS strategy”. To measure this hypothesis the study has observed one sample t test. The calculated statistics shows the significant two tailed value .019 which is outside the acceptance region. So the null hypothesis should be rejected and alternative hypothesis should be accepted. And it may be assumed that at 0.05 significance level, failing to involve top management sufficiently is not liable for problematic IS strategy.

H8: “Failing to translate business objectives and strategies into action plans is liable for problematic IS strategy”. The calculated statistics shows the significant two tailed value .141 which is inside the acceptance region. So the null hypothesis should be accepted and alternative hypothesis should be rejected. And it may be assumed that failing to translate business objectives and strategies into action plans is liable for problematic IS strategy in Bangladesh.

H9: “Neglecting to assess realistically internal weaknesses of the IS function in determining capabilities to implement the recommended strategy is liable for problematic IS strategy in Bangladesh”. The calculated statistics shows the significant two tailed value .550 which is inside the acceptance region. So the null hypothesis should be accepted and alternative hypothesis should be rejected. And it may be assumed that neglecting to assess realistically internal weaknesses of the IS function in determining capabilities to implement the recommended strategy is liable for problematic IS strategy in Bangladesh.

One-Sample Test						
	Test Value = 4					
	t	df	Sig. (2-tailed)	Mean Difference	95% Confidence Interval of the Difference	
					Lower	Upper
Neglecting to assess realistically internal weaknesses of the IS function in determining capabilities to implement the recommended strategy	.601	80	.550	.049	-.11	.21

H10: “Failing to review the IS strategy with all managers so as to obtain support and cooperation for its implementation is liable for problematic IS strategy in Bangladesh”. The

calculated statistics shows the significant two tailed value .088 which is inside the acceptance region. So the null hypothesis should be accepted and alternative hypothesis should be rejected. And it may be assumed that failing to review the IS strategy with all managers so as to obtain support and cooperation for its implementation is liable for problematic IS strategy in Bangladesh.

### **Regression Analysis of Factors Affecting IS Implementation**

To measure the factors affecting IS implementation, the study has examined some predictors like failing to get top management support, not having free communication and commitment to change throughout the organization, insufficiency of qualified personnel to do a proper job, lack of clear cut business strategy to guide IS strategy, failing to anticipate new developments in IT that might affect the strategy, ignoring the people and political side of strategy formulation and planning, failing to involve top management sufficiently, failing to translate business objectives and strategies into action plans and neglecting to assess realistically internal weaknesses of the IS function in determining capabilities to implement the recommended strategy. The calculated statistics shows, 39.1% of the total variation in IS implementation can be explained by the regression model by the variation in all the independent variables mentioned above. Though this result does not refer high variation, but there are some factors highly significant with the IS implementation. Failing to get top management support (.001), neglecting to assess realistically internal weaknesses of the IS function in determining capabilities to implement the recommended strategy (.003) – in both cases the significance value is less than 5%. That implies IS implementation varies on failing to get top management support and neglecting to assess realistically internal weaknesses of the IS function in determining capabilities to implement the recommended strategy.

## **5. CONCLUSION AND RECOMMENDATIONS**

The findings of the study suggest that there are lots of problems in the IS implementation process. From them some issues are vital for the organizations' success. First, strategic planning for IS is fundamental to the ultimate effectiveness of IT. Strategic planning for IS is an important key to the effectiveness of the whole implementation process. The organizations which do not make use of a strategic plan for IS run the risk of investing in technologies, which may not prove to be viable in the long term. In addition, lack of planning might foster other problematic issues. Failure to engage in a formal planning process for ITs may ignore many of the factors which could enhance or hinder IS implementation. Second, interdepartmental coordination has been proven as a major factor in effective IS implementation. Interdepartmental coordination is needed to establish the implementation of IS. Finally, it is shown that the expertise level of executives with regard to IT has been proven as a contributing factor to effectiveness of the IT development and deployment process.

IT is the most influential sector of business. To survive in the market an organization should create a strong IS department for its own. The growing IT provides the organization to enroll pertinent IS in order to survive in the market. The analyses provides that IT infrastructure in the business arena in Bangladesh is good and it is recommended that the organizations should execute proper strategic plan for IS to get actual benefit from IT investments.

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## Appendix –A<sup>1</sup>: List of Variables

### Variables

- SCS = Sufficiency of hardware and software infrastructure.
- IIS = Implementation status of IS.
- LMS = Failing to get top management support.
- LCC = Not having free communication and commitment to change throughout the organization.
- LQP = Sufficiency of qualified personnel to do a proper job.
- LBS = Lack of clear cut business strategy to guide IS strategy.
- FDI = Failing to anticipate new developments in IT that might affect the strategy.
- IPS = Ignoring the people and politics side of strategy formulation and planning.
- FMS = Failing to involve top management sufficiency.
- FOS = Failing to translate business objectives and strategies into action plans.
- NWI = Neglecting to assess realistically internal weaknesses of the IS function in determining capabilities to implement the recommended strategy.

**Appendix –A<sup>2</sup>: Descriptive Statistics**

Statistics												
		SCS	IIS	LMS	LCC	LQP	LBS	FDI	IPS	FMS	FOS	NWI
N	Valid	162	162	162	162	162	162	162	162	162	162	162
	Missing	0	0	0	0	0	0	0	0	0	0	0
Mean		1.19	1.37	4.46	4.47	3.81	4.43	4.05	4.21	4.64	4.21	4.05
Std. Error of Mean		.031	.038	.046	.041	.043	.045	.058	.052	.042	.052	.058
Std. Deviation		.390	.484	.591	.525	.549	.567	.738	.663	.530	.663	.738

**Frequency Table:**

SCS					
		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	yes	132	81.5	81.5	81.5
	no	30	18.5	18.5	100.0
Total		162	100.0	100.0	

IIS					
		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Yes	102	63.0	63.0	63.0
	No	60	37.0	37.0	100.0
Total		162	100.0	100.0	

LMS					
		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Not Sure	8	4.9	4.9	4.9
	Agree	72	44.4	44.4	49.4
	Strongly Agree	82	50.6	50.6	100.0
	Total	162	100.0	100.0	

LCC					
		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Not Sure	2	1.2	1.2	1.2
	Agree	82	50.6	50.6	51.9
	Strongly Agree	78	48.1	48.1	100.0
	Total	162	100.0	100.0	

**LQP**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Strongly Disagree	2	1.2	1.2	1.2
	Disagree	4	2.5	2.5	3.7
	Not Sure	18	11.1	11.1	14.8
	Agree	136	84.0	84.0	98.8
	Strongly Agree	2	1.2	1.2	100.0
	Total	162	100.0	100.0	

**LBS**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Not Sure	6	3.7	3.7	3.7
	Agree	80	49.4	49.4	53.1
	Strongly Agree	76	46.9	46.9	100.0
	Total	162	100.0	100.0	

**FDI**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Disagree	6	3.7	3.7	3.7
	Not Sure	22	13.6	13.6	17.3
	Agree	92	56.8	56.8	74.1
	Strongly Agree	42	25.9	25.9	100.0
	Total	162	100.0	100.0	

**IPS**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Disagree	2	1.2	1.2	1.2
	Not Sure	16	9.9	9.9	11.1
	Agree	90	55.6	55.6	66.7
	Strongly Agree	54	33.3	33.3	100.0
	Total	162	100.0	100.0	

<b>FMS</b>					
		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Not Sure	4	2.5	2.5	2.5
	Agree	50	30.9	30.9	33.3
	Strongly Agree	108	66.7	66.7	100.0
	Total	162	100.0	100.0	

<b>FOS</b>					
		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Disagree	2	1.2	1.2	1.2
	Not Sure	16	9.9	9.9	11.1
	Agree	90	55.6	55.6	66.7
	Strongly Agree	54	33.3	33.3	100.0
	Total	162	100.0	100.0	

<b>NWI</b>					
		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Disagree	6	3.7	3.7	3.7
	Not Sure	22	13.6	13.6	17.3
	Agree	92	56.8	56.8	74.1
	Strongly Agree	42	25.9	25.9	100.0
	Total	162	100.0	100.0	

**Appendix – B<sup>1</sup>: ANOVA**

ANOVA						
		Sum of Squares	df	Mean Square	F	Sig.
<b>LMS</b>	<b>Between Groups</b>	<b>3.445</b>	<b>1</b>	<b>3.445</b>	<b>10.447</b>	<b>.001</b>
	Within Groups	52.753	160	.330		
	Total	56.198	161			
LCC	Between Groups	.393	1	.393	1.430	.234
	Within Groups	43.953	160	.275		
	Total	44.346	161			
<b>LQP</b>	<b>Between Groups</b>	<b>1.339</b>	<b>1</b>	<b>1.339</b>	<b>4.547</b>	<b>.035</b>
	Within Groups	47.106	160	.294		
	Total	48.444	161			
LBS	Between Groups	.114	1	.114	.353	.553
	Within Groups	51.639	160	.323		
	Total	51.753	161			
<b>FDI</b>	<b>Between Groups</b>	<b>4.499</b>	<b>1</b>	<b>4.499</b>	<b>8.662</b>	<b>.004</b>
	Within Groups	83.106	160	.519		
	Total	87.605	161			
IPS	Between Groups	.052	1	.052	.118	.731
	Within Groups	70.812	160	.443		
	Total	70.864	161			
FMS	Between Groups	.007	1	.007	.025	.874
	Within Groups	45.227	160	.283		
	Total	45.235	161			
FOS	Between Groups	.052	1	.052	.118	.731
	Within Groups	70.812	160	.443		
	Total	70.864	161			
<b>NWI</b>	<b>Between Groups</b>	<b>4.499</b>	<b>1</b>	<b>4.499</b>	<b>8.662</b>	<b>.004</b>
	Within Groups	83.106	160	.519		
	Total	87.605	161			



**Appendix – C<sup>1</sup>:**

<b>Correlations</b>											
		IIS	LMS	LCC	LQP	LBS	FDI	IPS	FMS	FOS	NWI
P e a r s o n Correlation	IIS	1.000									
	LMS	-.248	1.000								
	LCC	.094	.026	1.000							
	LQP	.166	-.082	-.042	1.000						
	LBS	.047	.038	-.101	-.021	1.000					
	FDI	.227	.090	.100	.053	.067	1.000				
	IPS	.027	.007	.072	.312	.022	.080	1.000			
	FMS	-.013	.010	.027	.027	.518	-.113	.038	1.000		
	FOS	.027	.007	.072	.312	.022	.080	1.000	.038	1.000	
	NWI	.227	.090	.100	.053	.067	1.000	.080	-.113	.080	1.000
Sig. (1-tailed)	IIS										
	LMS	.001									
	LCC	.117	.373								
	LQP	.017	.149	.300							
	LBS	.277	.318	.100	.397						
	FDI	.002	.126	.102	.250	.197					
	IPS	.366	.463	.180	.000	.392	.155				
	FMS	.437	.451	.366	.367	.000	.075	.314			
	FOS	.366	.463	.180	.000	.392	.155	.000	.314		
	NWI	.002	.126	.102	.250	.197	.000	.155	.075	.155	.

**Appendix – C<sup>2</sup>: Regression Analysis of factors affecting IS implementation**

<b>Model Summary</b>								
Model	R	R Square	Adjusted R Square	Std. Error of the Estimate				
1	<b>.391<sup>a</sup></b>	.153	.114	.456				
a. Predictors: (Constant), NWI, LQP, LBS, LMS, LCC, FOS, FMS								
<b>ANOVA<sup>b</sup></b>								
Model		Sum of Squares	df	Mean Square	F	Sig.		
1	Regression	5.771	7	.824	3.967	.001 <sup>a</sup>		
	Residual	32.007	154	.208				
	Total	37.778	161					
a. Predictors: (Constant), NWI, LQP, LBS, LMS, LCC, FOS, FMS								
b. Dependent Variable: IIS								
<b>Coefficients<sup>a</sup></b>								
Model		Unstandardized Coefficients		Standardized Coefficients	t	Sig.	95% Confidence Interval for B	
		B	Std. Error	Beta			Lower Bound	Upper Bound
1	(Constant)	.790	.628		1.259	.210	-.450	2.030
	LMS	-.213	.061	-.260	-3.476	.001	-.334	-.092
	LCC	.088	.070	.095	1.250	.213	-.051	.226
	LQP	.135	.070	.152	1.934	.055	-.003	.272
	LBS	.057	.076	.067	.757	.450	-.093	.208
	FMS	-.022	.081	-.024	-.269	.788	-.182	.139
	FOS	-.032	.057	-.044	-.562	.575	-.146	.081
	NWI	.150	.050	.229	2.982	.003	.051	.250
a. Dependent Variable: IIS								

## **FACTORS AFFECTING INSURANCE CONSUMPTION: A CASE STUDY IN THE DHAKA CITY**

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Mohammad Jamal Hossain\*

### **ABSTRACT**

*This study examines factors within insurance institutional framework that affect insurance consumption in the Dhaka city. The primary data of the study were collected from 100 insurance consumers randomly drawn from the Dhaka city based 5 insurance companies. The five issues were considered to collect data such as (i) accessibility and prompt payment of claims, (ii) knowledge and awareness of insurance, (iii) activities of insurance marketers, (iv) insurance policy statements and (v) insurance corporate image. The data are analysed using both descriptive and inferential statistics. In this paper, multivariate regression models have been used to focus factors affecting insurance consumption. The socio-economic characteristics of insurance consumers reveal that most of them were literate, mostly public servants, married and still in active ages. In accordance with theoretical framework, the empirical results support the established relationship between insurance consumption and institutional performance. Realising these problems as they affect insurance patronage and development in Bangladesh, the study recommends a general overhauling of insurance framework as a way forward for the development of a vibrant insurance market in Bangladesh.*

**Keywords:** *Factors, Affecting, Insurance, Consumption, Dhaka City.*

### **1. INTRODUCTION**

Since the end of World War II, the insurance companies around the world have been experiencing a remarkable growth. Concurrent with this growth, there have been significant changes within the companies. In Bangladesh, they are also somehow affected by this general growth malady. The growth of multiple line transition, introduction of package policies, the universal banking system, grassroots insurance, the variable annuity, growth of life insurance, universal life insurance policy, changes in regulatory of framework, continued expansion of social security system and the

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\* Senior Lecturer, Department of Business Administration, Manarat International University, Gulshan, Dhaka, Bangladesh.

involvement of government as a provider of private insurance are all parts of the challenges with which the insurance industry must contend with (Ibok, 2006, Soon, 1996).

Although the future of insurance industry in Bangladesh appears bright, a number of unresolved problems still exist; particularly the insurance marketing system which has affected the consumption of insurance products. In Bangladesh, this problem seems to be even more pronounced because of the level of literacy of the Bangladeshi populace. Insurance has remained one of the least purchased items within the financial market. Records reveal that about only 10% of the Bangladeshi population have insurance of any sort (Mordi, 1990; Wilson, 2004; and Oworen, 1991).

In general, this negative marketability of insurance products has become a problem not only to the insurance industry but also to the economic development. The problem has existed for long and increased somewhat with the sophistication of the Bangladeshi society which has grown knowledgeably in the recent years (Ibok, 2006). However, the increased importance of insurance as a provider of financial services and of investment funds in the capital market is especially pronounced in developed economies whereas insurance consumption in many developing countries is still very low. One does wonder a little what the future of this important industry will be if these problems continue unabated.

### **1.1. Statement of the Problem**

The large variation in insurance consumption across different economies of the world raises some important questions about the causes of this variation and factors affecting insurance consumption. By assessing its role as a major financial intermediary, insurance has become a key source of long term capital, encouraging the growth of capital markets (Catalan et al, 2000; Impavido and Musalem, 2000). Indeed, several studies have found sufficient evidences to suggest the development of insurance industry related to the economic growth (Ward and Zurbruegg, 2000; Webb, 2000; and Soon, 1996). Insurance has taken on an increasing importance as a means for individuals and groups to manage their income risks (Osaka, 1992 and Njogu, 1991).

Empirical studies on changing insurance marketing on one hand, and consumption of insurance products on the other in Bangladesh appears to be inadequate. As Mordi (1990) has rightly pointed out, figures are yet to be available in many activities of insurance. There are even questions of adequacy of such empirical data. Lack of available data and information invariably means lack of awareness and interest on the part of the consuming public. Therefore, despite its apparent role in risk management and transfer, relatively few people in Bangladesh appear to be appreciating this role. Some who buy insurance (especially, the motor vehicle insurance) do so because it is made compulsory by the law.

So far, studies on insurance marketing and consumption in Bangladesh have focused on the entire country. Little effort is made to disaggregate performance across the different states or geopolitical zones of the country to determine if there are location specific problems, differences or regional factors that could influence insurance consumption. This explains why the present study is concerned with identification of the key marketing and consumption inhibitors in Bangladesh with

particular reference to the Dhaka city. It is within this context that this study attempts an empirical investigation of those institutional factors that inhibit insurance consumption in the capital city.

### **1.2. Objectives of the Study**

The general purpose of this study is to identify and examine those factors within insurance framework affecting insurance consumption in the Dhaka city. Thus, the specific objectives include:

- (a) To determine the socio-economic characteristics of insurance consumers in the Dhaka city;
- (b) To examine the institutional factors inherent in insurance marketing framework that may affect insurance consumption;
- (c) To analyse the effect or relationship between the identified factors and insurance consumption;
- (d) To explore avenues upon which a vibrant insurance market could be developed in the Dhaka city.

### **1.3. Research Questions**

This study was designed to provide answers to the following research questions:

- (a) What is the socio-economic characteristic of insurance marketing framework in the Dhaka city?
- (b) Which institutional factors within insurance marketing framework do affect insurance consumption?
- (c) What is the relationship between institutional characteristics and the insurance consumption?
- (d) In what way(s) can insurance marketing and consumption be improved in the Dhaka city in particular and Bangladesh in general?

## **2. THEORETICAL FRAMEWORK**

In this section, an attempt is made to describe the theoretical foundations of the different factors hypothesized to drive the demand for and the supply of insurance as follows:

### **2.1. Accessibility and Prompt Payment of Claims and Insurance Consumption**

Accessibility and prompt payment of claims is hypothesized to be positively related with insurance consumption. The basis for this expectation is that the more consumers are paid of their claims without unnecessary delays and bottlenecks, the more likely they will buy insurance. Akpan (2005) and Ibok (2006) found causal reasons for low insurance penetration as a result of institutional framework and identified factors such as delayed indemnification of risk victims with genuine insurance claims, lopsided distribution of insurance offices, lack of awareness, lack of proper education and fraudulent activities by those selling insurance as some of the factors affecting insurance penetration in the city.

## **2.2. Knowledge, Awareness and Insurance Consumption**

Awareness and knowledge of the uses and importance of insurance is hypothesized to be positively related to insurance consumption. This is because the higher the level of one's awareness of a thing, the more likely the person will appreciate its value. The lack of sophistication or awareness and knowledge of insurance on the part of the consumers has been identified as a major hindrance to insurance consumption. Majority of insurance consumers misunderstand the very purpose of insurance and this misunderstanding creates widespread difficulties for insurance marketing vis-<sup>azza</sup>vis consumption. Wilson (2004) observed that much of the dissatisfaction with insurance in Bangladesh is based on a faulty idea of what insurance is and how it operates. With this level of awareness, insurance patronage and consumption becomes a daunting task. This problem is even made worse by the high level of illiteracy among the citizenry (Oworen, 1993). An institutional bottleneck that affects insurance marketing and consumption as argued by Gowon (2004) is insufficient publicity and public awareness campaign by the insurance companies.

## **2.3. Professionalism and Insurance Consumption**

Professionalism constitutes the main force of insurance practice. Hence, it is hypothesized to be positively related with increased consumption. The unique nature of insurance industry should serve as the foundation for a distinctive marketing system in the insurance market (Gibbs, 1975; Nelli and Marshall, 1968; Green, Trieschmann and Gustanison, 1992). The agent is very central in insurance marketing process. While this is true, the relationship between the agent and the company they represent can be and is often varied. Because of the technical complications of the insurance products, it is particularly important that those selling insurance understand the contracts they are supposed to sell. A common problem associated with the agencies is the professional attitude. With little or no qualification, one can become an agent or a broker. Worse still are the unwholesome practices by those selling insurance.

## **2.4. Policy Statement and Insurance Consumption**

Policy Statement is hypothesized to be inversely related to insurance consumption. The assumption is that the higher the technicality involved in policy statement, the less likely consumers will buy insurance. The complex nature of most insurance policy statements are so complex for a literate citizen to understand, talk less of the less privileged and uneducated citizens. Gibbs (1975) suggested that insurance policy statements should be clear and simple, devoid of technical jargons and concise if its desired purpose is in any way to be achieved.

## **2.5. Corporate Image and Insurance Consumption**

The image of anything can be described as the mental picture of that thing or being. Thus, corporate image is hypothesized to be positively related to insurance consumption. The basis for this expectant is that the better the image, the more likely the people to be identified or to do business with the companies. The public image of an individual, an organization or a professional group is, therefore, the character of the person or the body as perceived by the public. Since insurance is a business

that thrives on confidence and integrity, its perception by the public is crucial to its development. However, the continuous call for improvement of the image and of practitioners is basically a cry for greater professionalism (Lijadu, 1988 and Mordi, 1990).

### 3. METHODOLOGY

This study was carried out in Dhaka, the capital city of Bangladesh. The respondents were insurance consumers, residents in the study area. The primary data of the study were collected with the help of administration through structured questionnaire. Two stage sampling technique was employed in data collection. In the first stage, 5 insurance companies were randomly selected from the list of insurance firms operating in Dhaka. In the second stage, 20 respondents were randomly selected from each insurance firm based on their availability at the time of gathering the data. Altogether, 100 respondents out of 5000 constitute the sample for this study. The data were gathered with the help of insurance personnel administering the questionnaire to respective insurance customers visiting their offices at the time of gathering information. The questions were framed using Likert's scale of measurement ranging from strongly agree with 5 points to strongly disagree with 1 point. Questions eliciting information on respondents' socio-economic characteristics were also asked. Normality, linearity and collinearity were checked by graphical methods. Multiple regression analysis was used to examine the effect of the hypothesized factors on insurance consumption, while descriptive statistics was used to determine the socio-economic characteristics of insurance consumers. The multiple regression technique was explicitly represented in four functional forms such as linear, semi log, double log and exponential functions. The variables of interest with respect to insurance consumption were presented in an equation as follows:

$$Y = b_0 + b_1x_1 + b_2x_2 + b_3x_3 + b_4x_4 + b_5x_5 + e$$

Where: Y = Insurance Consumption (no. of units)

X<sub>1</sub> = Accessibility and Prompt Payment of Claims

X<sub>2</sub> = Knowledge and Awareness of Insurance

X<sub>3</sub> = Activities of Insurance Marketers

X<sub>4</sub> = Insurance Policy Statement

X<sub>5</sub> = Insurance Corporate Image

b<sub>0</sub> = Intercept

b<sub>1</sub> -- b<sub>5</sub> = Regression Coefficients

e = Error Term

The Linear model, which was the lead equation, was chosen based on the performance of the coefficients of multiple determinations and the number of significant variables.

### 4. RESULTS AND DISCUSSION

#### 4.1. Socio-Economic Characteristics of Respondents

Table-1 (Appendix-I) shows 6% of the respondents under 30 years of age while 10% of them are 45 years and above. Majority (84.0%) of them are between the ages of 30 to 44. This indicates that

insurance consumption cuts across different age groups; thus, age is not a barrier to buy insurance. Table-1 also indicates that the largest proportion (77%) is married, 15% of them are single, while few (8%) are widow or separated. Table-1 further reveals that 3% of the respondents received no formal education, 11% received primary education, 35% had secondary education, while 33% received tertiary education. The remaining 18% claimed to receive one form of education or the other. This information suggests that both literates and illiterates can be involved in the business of insurance consumption. Majority of the respondents (82%) was male, while 18% was female (Table-1). Furthermore, 60% of the respondents were public or civil servants, 25% traders or farmers, while a very small percentage indicated to be involved in other ventures (15%).

#### **4.2. Institutional Factors Affecting Insurance Consumption**

The empirical results shows that access and prompt payment of claims was positively related and statistically significant at the level of 1% of significance, showing that accessibility of insurance companies and prompt payment of genuine claims was a determinant of the amount of insurance bought by the consumers. Akpan (2005) and Ibok (2006) had earlier stressed that insurance consumption and patronage are the functions of insurance location and the company's ability to pay genuine claims as and when due.

Knowledge of the importance of insurance and general awareness created by insurance companies was found to be positively related with insurance consumption and was statistically significant ( $p < 0.05$ ). This is in accord with the views of Wilson (2004), Oworen (1993) and Gowon (2004) who found in their respective studies that insufficient knowledge, awareness and publicity campaign hinders insurance operations.

The level of professionalism exhibited by insurance marketers was statistically significant ( $p < 0.05$ ) and had positive contribution to insurance patronage. This however shows that activities of insurance marketers did influence insurance consumption and patronage. This is in agreement with the opinions of Nelli and Marshall (1968) and Green's et al (1992) that insurance practice calls for a high degree of professionalism, the absence of which has been the bane of the insurance industry.

The insurance policy statement was statistically significant at the level of 1% of significance and was negatively related with the value of -1.809 which implies that an increase of 1% in the complexity of policy statement would generate a decrease in 0.809 in insurance consumption. Gibbs (1975) affirmed that policy statements should be made simple, clear and accurate and should be devoid of technical jargons in order to facilitate patronage as most consumers are not so sophisticated to understand the complex nature of most insurance policy statements.

Insurance image perception had a positive relationship and was statistically significant. The significant nature of this variable suggests that insurance activities, including advertisement should be aimed at building a good corporate image that could promote marketing and consumption. This corroborates the assertion of Lijadu (1988) that the insurance industry should maintain the insured's confidence and also the description of Mordi (1990) as the industry having battered image and calls for managing insurance industry towards a better public image.



## 5. CONCLUSION AND RECOMMENDATIONS

### 5.1. Conclusion

Based on the findings, the study concludes that there is indeed institutional factors that inhibit consumption in the city and that the apparently low insurance penetration in the city is a result of dissatisfaction arising from the activities of insurance companies with regards to decayed indemnification of genuine claims, poor publicity and awareness campaign, unprofessional attitude of insurance marketers and the very complex and incomprehensible nature of insurance policy statements coupled with poor image perception of the industry by the public.

### 5.2. Recommendations

Considering the above facts, it is therefore recommended that:

1. Insurance companies must ensure that every genuine claim is paid promptly without unnecessary delay, while also making the whole business of insurance accessible to the consumers.
2. The writing of policy statement is rather too mechanistic. Policy statements must be reduced and written in clear and simple language. Every technical terminology expressed in the policy statement should be simplified, if possible in local languages.
3. Knowledge of the importance and awareness of insurance has been a serious challenge to the insurance industry. Therefore, more insurance education and publicity should be regularly carried out using available local media.
4. Unprofessional and unwholesome activities by those selling insurance has created negative perceptions, thus creating negative image for the entire industry. Therefore, to promote insurance practice and equip them for better customer service, everyone selling insurance must be made to possess standard academic and professional qualifications, with well-established ethics and code of conduct. Adequate enforcement mechanisms set up as a benchmark is the only way the industry can maintain an acceptable professional identity.
5. Finally, to address the problem of better public image, it may be necessary to examine how the practitioners and indeed insurance marketers are perceived. Therefore consumer satisfaction survey is not only necessary but also crucial for the growth of a vibrant insurance market. This is necessary in view of the battered image of the industry among the consumers.

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## APPENDIX-I

Table 1: Socio-Economic Characteristics of Insurance Consumers

Characteristics	Frequency	Percentage
<b>Age (years)</b>		
<30	6	6.0
30 – 34	13	13.0
35 – 39	19	19.0
40 – 44	52	52.0
45 and above	10	10.0
<b>Total</b>	<b>100</b>	<b>100</b>
<b>Marital Status</b>		
Married	77	77.0
Single	15	15.0
Widow/Separated	8	8.0
<b>Total</b>	<b>100</b>	<b>100</b>
<b>Level of Literacy</b>		
No formal education	3	3.0
Primary education	11	11.0
Secondary education	35	35.0
Tertiary education	33	33.0
Others	18	18.0
<b>Total</b>	<b>100</b>	<b>100</b>
<b>Sex</b>		
Male	82	82.0
Female	18	18.0
<b>Total</b>	<b>100</b>	<b>100</b>
<b>Main Occupation</b>		
Public/civil servants	60	60.0
Trading/farming	25	25.0
Others	15	15.0
<b>Total</b>	<b>100</b>	<b>100</b>

Source: Field Survey, 2012

**APPENDIX-II**

**Table 2: Estimated Regression Results of Factors Influencing Insurance Consumption**

<b>Institutional Factors</b>	<b>Linear Functions</b>	<b>Semi-Log Functions</b>	<b>Double Log Functions</b>	<b>Exponential Functions</b>
Constant	15588.12 (6.043)***	3.310 (2.540)**	5.123 (4.283)***	4.242 (2.987)**
X <sub>1</sub>	0.995 (11.179)***	0.080 (0.091)	4.725 (21.018)***	- 0.004 (3.900)***
X <sub>2</sub>	612.467 (2.819)***	- 0.065 (- 0.765)	- 1.070 (- 1.465)	- 0.019 (- 0.158)
X <sub>3</sub>	1160.23 (3.460)***	0.2950 (2.458)**	0.596 (0.509)	0.0529 (2.786)**
X <sub>4</sub>	- 1.809 (5.724)***	0.190 (0.622)	0.071 (0.697)	0.002 (1.700)
X <sub>5</sub>	660.642 (6.445)***	- 0.486 (- 4.339)**	5.633 (5.867)***	0.037 (6.166)***
R <sup>2</sup>	0.49	0.33	0.48	0.45

(Figures in brackets are the t-values)

\*, \*\*, and \*\*\* indicates probability level at 10%, 5% and 1%, respectively.

Source: Field Survey, 2012

## **HEALTH AND SAFETY ENVIRONMENT OF READYMADE GARMENT INDUSTRY IN BANGLADESH: A CASE STUDY OF ZAHEEN KNITWEARS LIMITED**

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Mohammad Mamun Ur Rashid\*  
Mohammad Ashrafur Rashid\*\*

### **ABSTRACT**

*A strong health and safety program of any industrial establishment can assure safety and sound health of its employees. The present study is aimed at identifying and comparing the present condition of the health and safety environment in a garment company with the relevant laws. The nature of this study is exclusively a case study where only qualitative data were used. Personal observation and interview schedule were used to conduct the survey. 10% of the total population (i.e. 115) was selected randomly as the sample size which covers workers, concerned departmental executives, supervisors and managers of the garment company. It has been revealed from the present study that the sample organisation does not follow all the provisions regarding health, hygiene and safety of workers as per the Bangladesh Labor Act 2006 amended in 2013. This study found out that the organization does not ensure the prescribed space for every worker in a work-room; there is no emergency exit and fire exit; all the dangerous machineries are not securely fenced; the company does not thoroughly examine every part of cranes and other lifting machinery regularly, which may cause accident; the company does not follow the schedule to examine every hoist and lift thoroughly by competent person; the latrines, washrooms, dust beans and spittoons are not clean at all times. Finally, some important recommendations are given to improve the health and safety environment of the sample organisation on the basis of findings. Also it has been suggested that the garment organizations, concerned stake holders and regulatory body (including government of Bangladesh) should be sincere to improve the overall health and safety environment of the garment industry in Bangladesh.*

**Keywords: RMG, BGMEA, Health and Hygiene, Work Safety, Work Environment.**

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\* Assistant Professor (Management), Department of Business Administration, Manarat International University, Gulshan, Dhaka, Bangladesh.

\*\* Assistant Professor (Human Resource Management), Department of Business Administration, Bangladesh Islami University, Dhaka.

## 1. INTRODUCTION

Although Bangladesh is predominantly an agricultural country, a large number of large-scale industries based on both indigenous and imported raw materials have been set up. Among them readymade garments, cotton textile, pharmaceuticals, fertilizer, wood product, iron and steel, ceramic, cement, plastic products and chemical are the important ones. The manufacturing sector contributes about 18% of the GDP. Growth rate of manufacturing sector is dominated by ready-made garments (RMG). Bangladesh is the fifth largest garment exporter to the European Union and among the top ten apparel suppliers to the US. In the past two decades Bangladesh has emerged as a very successful manufacturer and exporter of ready-made garments (Statistical Year Book of Bangladesh, 2014).

The export-oriented readymade garments (RMG) sector in Bangladesh, started its journey in late 1970s as a small non-traditional sector of export. Bangladesh's thriving RMG industry has grown from USD 12,000 in exports in 1978 to USD 21.5 billion in 2012-13, and now accounts for about 78% of country's total export-earning. The industry now directly employs some 3.6 million Bangladeshis, 80% of whom are women, mostly from poor rural households. The industry has created a platform for 2.8 million women to engage in new productive role in the society and empowering them. Around 20 million people are directly and indirectly depending on this sector for their immediate livelihoods ([www.bgmea.com.bd](http://www.bgmea.com.bd)).

### 1.1 Objectives of the Study

#### 1.1.1. Main Objective

The main objective of this study is to conduct a comprehensive study to observe and compare the present condition of the health and safety environment of the sample organization, i.e., Zaheen Knitwears Limited (ZKL) with the existing relevant laws (i.e. *Bangladesh Labor Act 2006 amended in 2013*).

#### 1.1.2. Specific Objectives

Followings are the specific objectives of the present study:

- i.* to identify the present condition of the employees' health and safety environment of Zaheen Knitwears Limited (ZKL);
- ii.* to compare the present condition of the employees' health and safety of Zaheen Knitwears Limited (ZKL) with the relevant laws;
- iii.* to identify some deviations regarding employees' health and safety with the laws and provide some recommendations to improve employees' health and safety environment of Zaheen Knitwears Limited.

### 1.2 Literature Review

The ready-made garments (RMG) sector in Bangladesh has become the backbone of the Bangladesh economy, producing around 80% of the country's exports. Bangladesh is now the second largest garment exporter in the world, exporting over USD 17 billion worth of clothing in 2011. In recent

years the industry has boomed and the number of factories engaged in garment production has increased rapidly. Bangladesh is now estimated to have between four and five thousand garment factories, ranging from large first tier suppliers to small factories largely operating as subcontractors to bigger clients. But in recent few years this industry is facing threat by inadequate safety issue, bad working environment and demolishing workers' rights (Clean Clothes Campaign, 2012).

Safety is a very important and mandatory production function. Safety lapses are serious matters and the authorities concerned are harshly punished by the safety regulatory authorities for any acts of omission and commission. Unfortunately in Bangladesh, state safety regulation and intervention are extremely poor. Like everything else, it is also relegated more to a routine than any prevention or inspection function - based only on the whims and desires of the factory owner. Over decades, no worthwhile safety audit has been seen, not even any kind of investigation or positive measures from the RMG factory owners or inspection authorities who are primarily responsible for safety in the work place (Ahmed & Hossain, 2009).

The rapid expansion of the Readymade Garments (RMG) industry has led to the conversion of many buildings, built for other purposes, into factories, often without the required permits. Others have had extra floors added or have increased the workforce and machinery to levels beyond the safe capacity of the building. Many factories run throughout the day and night in order to meet production targets. The establishment of factories, or the conversions of other buildings into garment factories, has often been done as quickly and as cheaply as possible, resulting in widespread safety problems including faulty electrical circuits, unstable buildings, inadequate escape routes and unsafe equipment (Clean Clothes Campaign, 2012).

In April 2005, 64 garment workers were killed and 80 were injured when the Spectrum factory, producing clothing for Inditex and Karstadt Quelle, collapsed. The incident shone a spotlight on the poor safety record of industry that employs over 3 million workers often in buildings that are not fit for the purpose. Although the Spectrum tragedy brought world attention to the safety problems in the garment industry it appears to have done little to encourage either factory owners or the government to take the systematic action required to improve the safety of Bangladesh garment workers. Every year more workers lose their lives or their health as a result (Clean Clothes Campaign, 2012).

The Bangladesh Garment Manufacturers and Exporters Association (BGMEA) is one of the largest trade associations in the country representing the readymade garment industry, particularly the woven garments, knitwear and sweater sub-sectors with equal importance. Starting its journey in 1983 today BGMEA takes care of an industry that is at the backbone of Bangladesh's economy. BGMEA recognizes the fundamental rights of the workers, particularly access to healthcare facilities. On this spirit BGMEA runs 12 health centers for the garment workers and their families, and provides pre-medical services and medicines at free of cost. Besides, it runs awareness generation program on HIV/AIDS, tuberculosis, reproductive health and the use of contraceptive devices ([www.bgmea.com.bd](http://www.bgmea.com.bd)). The Rana Plaza collapse in 2014 and the Tazreen factory fire in 2012 are two sad episodes against the impressive story of our readymade garment industry which has been making outstanding contribution to bringing about revolutionary socio-economic changes

in Bangladesh by earning a huge amount of foreign currency, alleviating poverty and empowering women. The two tragic incidents brought the workers' safety issue to the fore and at the same time mobilized unprecedented support and commitment to improve working conditions and workplace safety in the RMG industry of Bangladesh ([www.bgmea.com.bd](http://www.bgmea.com.bd)).

As the largest association of garment manufacturers and exporters, BGMEA is also determined to bring positive changes in the area of workplace safety. To ensure the safety of apparel workers, the trade body has collaborated with the government, brands/retailers and ILO on several other initiatives. It is also in close cooperation with the Government of Bangladesh in implementing the recommendations made by the United States in the Bangladesh Action Plan 2013. However, BGMEA itself has taken a number of steps to address the issue of workplace safety in its member factories ([www.bgmea.com.bd](http://www.bgmea.com.bd)).

The following instructions were given by BGMEA to its member factories to comply with on mandatory basis:

- ✓ Move the generators from any level of the building to the ground floor. Keep all the stairs free for easy and convenient entry and exit to and from the factory floors at all time. No goods/materials are to be kept on the stairs/passage, which might cause obstruction for free movement of personnel.
- ✓ Factories must keep all the gates open during working hours.
- ✓ Check fire alarm and emergency lights at regular intervals. Arrange required number of fire extinguisher, ensure sufficient water in hydrant and install hose-reel and other related equipment serviceable for use. Factories should hold Fire Drill as per rule and keep records of all such activities.

## Research Gap

From the review of related past studies, it has been observed that, to the best of the researchers' knowledge there is no comprehensive study to compare the present condition of the employees' health and safety environment of the sample organization, i.e., Zaheen Knitwears Limited (ZKL) with the existing relevant laws (i.e. *Bangladesh Labor Act 2006 amended in 2013*). So there is a need to conduct a research to bridge the gap.

## 2. METHODOLOGY OF THE STUDY

### 2.1 Research Design

The nature of the present study is exclusively a case study which broadly falls under the exploratory study. Basically only qualitative data were used in this study. Personal observation and interview schedule method were used to conduct the survey.

### 2.2 Sampling Technique

Among the 1150 employees of the surveyed organization (Zaheen Knitwears Limited) 10% of the total surveyed population (i.e. 115) were selected randomly as the sample size, where 80 were workers of different floors and departments, 25 were concerned supervisors and another 10 were



departmental managers of the garment company. The study took place from October to December of 2014.

### **2.3 Sources of Data**

This study was basically based on the information collected from personal observation, informal conversation with the workers, face to face interview with the respective officers and staffs of the organisation. Secondary data sources were also used in the present study to compare the observed situation with the necessary laws and rules. These sources are discussed below:

#### **2.3.1 Secondary Sources**

Sources of secondary data include:

- The Bangladesh Labour Act 2006 and Bangladesh Labour (amendment) Act 2013;
- Guidelines of BGMEA regarding health and safety of garment workers;
- Health and Safety policy of Zaheen Knitwears Limited;
- Relevant Journals, different Newsletters;
- Different relevant Websites;

#### **2.3.2 Primary Sources**

As the study was about the impact of health and safety on a specific RMG organization in Bangladesh, personal observation, face to face interview with the respective officers, supervisors, managers and workers of the organisation were the main sources of primary data. Primary data were also collected through informal conversation with the workers and consultation with experts of the respective research fields.

### **2.4 Processing and Analyzing Data**

The collected data has been processed by using word processing software (MS Word). As the present study is a case study so it is basically qualitative research in nature. The collected qualitative data has been analyzed in descriptive form.

## **3. ANALYSES AND FINDINGS**

An industrial organization can run smoothly if its employees and workers are sound as regards their health, skills and efficiencies. Smooth industrial productivity can be ensured when workers are of good health and the safeties of their workplaces are ensured. Zaheen Knitwears Limited (ZKL) has its own in-house team of qualified health and safety surveyors who are dedicated to provide advice and guidance specifically tailored to the residential management sector. The organisation recently launched a comprehensive package named 'Health and Safety Plus' Scheme which aims to provide up to date risk assessments, prompt actions and remedies provided by its surveyor staff following any inspection and report by the enforcing authorities. The company has two part-time MBBS doctors and three full time nurses to ensure proper medical treatment to the workers, regular and

injured. Full time nurses attend all days from 8 am to 5 pm. The company also arranges first aid training once in every year.

### 3.1 Present Conditions of Employees' Health and Safety at ZKL

The Bangladesh Labor Act 2006 (amendment 2013) provides some provisions regarding the health and safety of industrial workers in Bangladesh. From Section 51 to -60, Health and Hygiene related provisions and from Section 61 to 78 Safety of workers in any establishment are mentioned. ZKL tries to follow the provisions of the Act to ensure sound health and safety of its employees in the workplace.

- i. Cleanliness:* ZKL tries to follow in full the provisions of Section 51 of the Act. As per this section, every establishment shall be kept clean and free from effluvia arising from any drain, privy or other nuisance. The floors of every work-room shall be cleaned regularly, effective means of drainage shall be provided and maintained, the factory shall be re-painted or re-varnished at least once in every three years and be cleaned at least once in every fourteenth months, finally the date on which the processes are carried out shall be entered in the prescribed register.
- ii. Ventilation and Temperature:* Section 52 of the Act states that, in every work-room in every establishment adequate ventilation by the circulation of fresh air and comfortable temperature shall be maintained to prevent workers' injury to health. The work-room of the company is not so comfortable although the office room is much comfortable.
- iii. Dust and Fume:* The organisation tries to follow the provisions of Section 53 in full. As per this Section of the Act, in every establishment effective exhaust appliance shall be applied as near as possible to the point of origin of the dust, fume or other impurity, which are likely to be injurious to the workers and such point shall be enclosed so far as possible.
- iv. Disposal of Wastes and Effluents:* According to Section 54, effective arrangements shall be made in every establishment for disposal of wastes and effluents due to the manufacturing process carried on therein. ZKL has effective arrangements for disposal of waste and effluents, but it has negative effect on environment.
- v. Overcrowding:* As per Section 56 of the Act, to prevent injury to the health of the workers, overcrowding of every work-room in any establishment shall be prevented and at least 9.5 cubic metre of space for every worker employed in a work-room in the establishment shall be provided. But the organisation does not ensure the prescribed space for every worker employed in a work-room.
- vi. Lighting:* As per section 57 of the Act, in every part of an establishment where workers are working or passing, there shall be provided and maintained sufficient and suitable lighting, natural or artificial, or both and all glazed windows and skylights used for the lighting of the work-room shall be kept clean on both the outer and inner surfaces and free from obstruction as far as possible. ZKL does not maintain the provisions of this section in full. Although the work-room is kept clean regularly but both the surfaces of all glazed windows and skylights are not kept clean regularly.

- vii. Drinking Water:** As per Section 58 of the Act, effective arrangement of sufficient supply of wholesome drinking water for all workers employed in every establishment shall be provided and maintained at a suitable point conveniently situated therein. The company ensures purified drinking water for workers and for regular use but the supplied water is not sufficient to the necessity.
- viii. Latrines and Urinals:** As per Section 59 of the Act, in every establishment sufficient latrines and urinals, separately for male and female workers, adequately lighted, ventilated, conveniently situated and accessible to workers at all times while they are in the establishment shall be provided and maintained in a clean and sanitary condition at all times with suitable detergents and disinfectants. Although the organisation provides three latrines and washrooms in every floor but these are not maintained in a clean and sanitary condition at all times.
- ix. Dust Bean and Spittoon:** As per Section 60 of the Act, in every establishment there shall be provided, at convenient places, sufficient number of dust beans and spittoons which shall be maintained in a clean and hygienic condition. No person shall throw any dirt or spit within the premises of an establishment except in the dust beans and spittoons provided for the purpose. Although the company provides sufficient number of dust beans and spittoons but it cannot maintain these in a clean and hygienic condition for all time.
- x. Precaution in Case of Fire:** Section 62 of the Act states that, every establishment shall be provided with at least one alternative connection stairway with each floor and such means of escape in case of fire and for carrying fire-fighting apparatus. In every establishment the doors affording exit from any room shall not be locked or fastened so that they can be easily and immediately opened from inside while work is being carried on in the room. In every establishment every window or other exit affording means of escape in case of fire shall be distinctively marked in red Bangla letters of adequate and clearly understandable size. A free passage-way giving access to each means of escape in case of fire shall be maintained for the use of all workers in every room of the establishment. It was seen that, there is no emergency exit and fire exit in ZKL, which is very critical for the safety of workers.
- xi. Fencing of Machinery:** Section 63 of the Act states that, in every establishment all dangerous machinery must be securely fenced; e.g., every moving part of a prime mover, and every fly wheel connected to a prime mover, the head-race and tail-race of every water wheel and water turbine, every part of an electric generator, every part of transmission machinery and every dangerous part of any machinery. But the all the dangerous machinery of ZKL are not securely fenced, which is dangerous and may cause accident.
- xii. Work on or near Machinery in Motion:** Section 64 of the Act states that, work on or near machinery in motion shall be carried out only by a specially trained adult male worker wearing tight-fitting clothing whose name has been recorded in the register prescribed in this behalf and while engaged he shall not handle a belt at a moving pulley unless the belt is less than fifteen centimeters in width and unless the belt-joint is either laced or flush with the belt. Although specially trained workers usually carry out such activities, they do not always wear the prescribed clothing.

- xiii. Cranes and Other Lifting Machinery:** Section 68 of the Act states that, every part of cranes and other lifting machinery, including the working gear, whether fixed or movable, ropes and chains and anchoring and fixing appliances shall be of good construction, sound material and adequate strength, properly maintained, thoroughly examined by a competent person at least once in every period of twelve months and a register shall be kept containing the prescribed particulars of every such examination. It was seen that as per the provisions of this section the company does not thoroughly examine every part of cranes and other lifting machinery regularly, which may cause accident.
- xiv. Hoists and Lifts:** Section 69 of the Act states that, in every establishment every hoist and lift shall be of good mechanical construction, sound material and adequate strength, properly maintained, shall be thoroughly examined by competent person at least once in every period of six months, a register shall be kept containing the prescribed particulars of every such examination, every hoist way and lift way shall be sufficiently protected by an enclosure fitted with gates, and the hoist or lift and every such enclosure shall be so constructed as to prevent any person or thing from being trapped between any part of the hoist or lift and any fixed structure or moving part, every gate shall be fitted with interlocking or other efficient device to secure that the gate cannot be opened except when the cage is at the landing and that the cage cannot be moved unless the gate is closed. The company does not follow the schedule (at least once in every six months) to examine every hoist and lift thoroughly by competent person.
- xv. Excessive Weights:** Section 74 of the Act states that, no person shall be employed in any establishment to lift, carry or move any load so heavy as to be likely to cause him injury. In ZKL sufficient trolleys and other means are used for this purpose.

### 3.2 Findings

After analyzing the health and safety matters of employees of Zaheen Knitwears Limited the following findings have been revealed:

- The company tries to follow in full the provisions of section 51 of the Bangladesh Labour Act 2006 regarding cleanliness of the work environment.
- The organisation has a comprehensive package named 'Health and Safety Plus' Scheme which aims to provide up to date risk assessments, prompt actions and remedies provided by its surveyor staff following any inspection and report by the enforcing authorities.
- The work-room of the company is not so comfortable although the office room is much comfortable.
- The company has effective exhaust appliance to the point of origin of the dust, fume or other impurity, which are likely to be injurious to the workers.
- ZKL has effective arrangements for disposal of waste and effluents, but it has negative effect on environment.
- The organisation does not ensure the prescribed space for every worker employed in a work-room, i.e., at least 9.5 cubic metre of space for every worker.
- Although the work-room is kept clean regularly but both the surfaces of all glazed windows

and skylights are not kept clean regularly.

- The company ensures purified drinking water for workers and for regular use but the supplied water is not sufficient.
- The company has two part-time MBBS doctors and three full-time nurses to ensure proper medical treatment to the workers, regular and injured, which is not sufficient.
- The company arranges first aid training once a year.
- Although the organisation provides three latrines and washrooms in every floor, these are not maintained in a clean and sanitary condition all the time.
- The company provides sufficient number of dust beans and spittoons but cannot maintain these in a clean and hygienic condition all the time.
- There is no emergency exit and fire exit in ZKL which is very critical for the safety of workers.
- All the dangerous machinery of ZKL are not securely fenced, which is dangerous and may cause accident.
- Although specially trained workers usually carry out activities like work on or near machinery in motion, they do not always wear the prescribed clothing.
- It was seen that as per the provisions of Section 68, the company does not thoroughly examine every part of cranes and other lifting machinery regularly, which may cause accident.
- The company does not follow the schedule (at least once in six months) to examine every hoist and lift thoroughly by competent person.
- In ZKL, sufficient trolleys and other means are used to carry or move heavy load which is likely to cause injury to workers.

#### 4. SCOPE AND LIMITATIONS OF THE STUDY

The present study is on a single garment company which is representing the garment industry in Bangladesh. The area of study is limited to observe and compare the present condition of the health and safety environment of the sample organization, i.e., Zaheen Knitwears Limited (ZKL) with the existing relevant laws (i.e. Bangladesh Labor Act 2006 amended in 2013). The present study is not covering all the sections of Bangladesh Labor Act 2006 followed and practiced by the sample organization. The study took place from October to December of 2014.

A few problems were faced while conducting the study. A wholehearted effort was applied to conduct the study to bring a reliable and fruitful result. In spite of that, there exist some limitations which acted as barriers to conduct the study. The interviews were conducted by using interview schedule that consist of views and opinions of those particular respondents, which might raise the hesitation, hide and seek of the information of the respondents. In some cases some of them were not able to provide concrete facts or figures. In this case some assumptions had to be made. Some other limitations are:

- Only a cross section of workers, supervisors and managers have been interviewed as sample respondents;

- Due to time constraints it was not possible to conduct extensive interviews and surveys covering all employees and stakeholders of the garment organization which could make the research paper more informative;
- The researchers are in the primary stage of their field of research; and
- Time constraints is another important barrier.

Beside these limitations, the researchers have tried their level best to make the study up to the mark. Experts' opinions have also been taken to ensure the quality as well as the standard of the research. So it can be said that the above limitations could not make any constraint to conduct this qualitative research work.

## 5. ABOUT THE SAMPLE GARMENT ORGANIZATION

The present study has been conducted on a single garment industry in Bangladesh named Zaheen Knitwears Limited. Zaheen Knitwears Limited, a sister concern of the Jamal Uddin Group, is one of the leading export oriented garments. It started business with basic T-shirt production but now it exports different items of knitwear for all groups and ages. It is a 100% export-oriented readymade knitwear garment industry, which started commercial production in 2007 in Madanpur, Bandar, Narayangonj and has been meeting the growing demand of quality trousers, shorts, T-shirt, polo shirt, ladies wear, tank top, etc. of customized designs. Its knitting capacity is about 5000 kgs per day and dyeing capacity is about 9000 kgs per day. The company has high quality sophisticated dyeing finishing machineries from USA, Germany and Asian origin along with Water Treatment Plant (WTP) and Effluent Treatment Plant (ETP). This organization is also adapting some important policies like getting official approval of ISO Quality Standard practices, ensuring total compliance of various Code of Conduct requirements of prestigious buyers across the world, prioritizing the need for creation of ideal work conditions for the workers and ensuring proper health care & safety for them ([www.jamaluddingroup.com](http://www.jamaluddingroup.com)).

## 6. CONCLUSION AND RECOMMENDATIONS

### 6.1 Recommendations

After all the analysis and the findings about the health and safety of the employees of Zaheen Knitwears Limited, some important recommendations are given below that will hopefully make the company more effective and efficient:

- Management should find out a sound way of disposing waste materials without hampering the environment.
- Management should try to ensure more hygienic work environment, because workers are the core element of production.
- Company should ensure that workers are getting proper treatment from the medical team.
- Enough pure drinking water should be supplied and abuse of water should be checked.
- Latrines should be kept clean and washed regularly, because the unclean and unhygienic latrines may cause fatal diseases.

- According to The Bangladesh Labor Act 2006, every company should have emergency exit. So ZKL should make an emergency exit for workers during danger situations.
- Dangerous machinery should be well fenced to avoid unexpected accident. If the machinery remains fenced, workers will be able to do their job fairly.
- Workers should be well trained so that they can deal with the machines properly. If workers become well trained rate of production will be more.
- Company should emphasize on maintaining the law so that they can avoid risk.
- The MBBS doctors should attend each working day to ensure proper treatment of the employees.
- There should be numerous nurses to serve the employees properly.
- First aid training program should be held twice in one year.
- Every first aid box should have necessary equipment for better treatment.
- Finally it can be recommended that, besides the sample organization, the concerned stakeholders and regulatory body of the garment organization (including Government of the People's Republic of Bangladesh) should be sincere to improve the overall health and safety environment of the garment industry in Bangladesh.

## **6.2 Conclusion**

A strong health and safety program of any industrial establishment can assure safety and sound health of its employees. It can be concluded from the present study that the sample organisation (Zaheen Knitwears Limited) does not follow all the provisions regarding health, hygiene and safety of workers as per the Bangladesh Labor Act 2006 amended in 2013. So the above recommendations should be followed by the sample organization. Not only the sample garment organization but also the concerned stake holders and regulatory body (including Government of Bangladesh) should be sincere to improve the overall health and safety environment of the garment industry in Bangladesh. If it is possible to improve the health and safety environment of the garment organization, the overall productivity, performance of the workers as well as the organizations could be improved which will contribute in the economic development of Bangladesh.

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## THOUGHTS ON GOOD GOVERNANCE: BANGLADESH PERSPECTIVE

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Md. Mostafijur Rahman\*

### ABSTRACT

*The issue of good governance has emerged at the forefront of global agenda for overall socio-economic development of a country nowadays. But in Bangladesh it is being hampered by unsatisfactory political instability in many ways. Political instability is a common phenomenon in Bangladesh since its independence in 1971. The latest episode of political volatility in Bangladesh began on January 3, 2015 when police banned proposed protests in the capital Dhaka called by opposition parties. In the recent years due to domestic political instability caused by hartals, strike and violence, the economic growth was affected in many ways. The main purpose of this study is to examine to what extent the political instability affects the good governance in Bangladesh. This paper is based on the study of political thought of the general people of Bangladesh. People's perception on the reasons of the political instability to hamper the good governance is also addressed in the study. While the Bangladeshi economy is very resilient, with a record of sustaining a GDP growth rate of around 6 percent in 2015, the ratio of people below the poverty line has come down to 31.5 percent in 2010 from 56.6 percent in 1992. This paper aims at showing whether it can sustain such a position to good governance due to political instability.*

**Keywords:** *Good governance, Political instability, Bangladesh.*

### 1. INTRODUCTION

Governance ordinarily means power of governing or running of government. Quality of governance is being considered as the principal pre-requisite for solving many problems with regard to socio-economic development in the developing countries. But it has not been taking place in Bangladesh due to frequent political instability. "During the 1980s political violence became commonplace in the move to unseat the Ershad regime. From the beginning of the 1990s, political violence became further institutionalized through inter-party conflict. Eventually, violence became a legitimate

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\* Md. Mostafijur Rahman is a Senior Lecturer at Department of Law, Prime University, Dhaka and M.Phil. Fellow of Law at Rajshahi University; E-mail: [mostafij.mithu@yahoo.com](mailto:mostafij.mithu@yahoo.com)

means of securing political demands. Violence, disturbances and interruption of normalcy in public life become part of the political landscape overshadowing the role and importance of parliament” (Moniruzzaman, M., 2009:122). The overall situation in Bangladesh was alarming in 2013, amid continuous political violence throughout the year, which appears at an annual report published by Ain O Salish Kendra on 01.01.2014. The report mentioned that political violence and the deteriorating law and order situation created panic among the people. Centering rows among political parties over the demand of general election in 2014 as many as 848 political clashes took place last year. The clashes left 507 people dead and 22,407 injured. Since the announcement of the polls scheduled on 25 November 2014, over 100 people died across the country, out of which 75 died during *hartals* and blockades from 25 November to 15 December in 2014 (Daily Star, 01.01.2014). Under the circumstances, Bangladesh has been marked as failure of promoting good governance. So, the present study will try to focus the hidden causes as to why political instability occurs in politics that intervenes the governance process. The study tries to justify the acceptability of political instability caused by the political parties among the general people and to find out the factors that led the government failure to restore the continuing good governance in Bangladesh. For this very reason, the author has given attention to the bad impact of political instability in attaining good governance in Bangladesh.

### **1.1. Objectives**

The purpose of this study is to find out the main barriers for ensuring good governance and to justify whether political instability led the government failure to restore the continuing good governance in Bangladesh

### **1.2. Literature Review**

Vries (2013) in his article “**The Challenge of Good Governance**” reveals that good enough governance is seen as governance that scores high on those factors that do matter for the reduction of societal problems, although it may fail on other indicators of good governance which are less relevant in a specific situation. According to him one of the crucial factors that matters in good enough governance is a well-functioning public sector.

Rouf (2007), in his paper “**A Pragmatic Model for Good Governance in Bangladesh**” points out that government functions everywhere – order in the area of governance permeates through all areas of society, polity and economy. Bureaucracy, private sector and civil society are the major catalysts for making changes in all spheres. In our country, private sector is to function under the auspices of bureaucracy. He mentions that civil society has not yet been adequately developed to take the lead. He further mentions that the practice of managerialism and partial formalization of informal income could have been extremely prospective to bring good governance.

Momen and Begum (2005) in their research paper “**Good Governance in Bangladesh: Present Situation and Future Challenges**” examined that that good governance initiatives need to recognize the importance of a conducive political economy and domestic ownership to sustainable reforms. According to them Bangladesh achieved nothing because of political instability. In this situation the spirit of the concept of Good governance will require a fundamental change in mentality and social expectations that will change only gradually. The present study will try to focus the hidden causes as to why political instability occurs in politics that intervene the governance process in Bangladesh.

### **1.3. Methodology of the Study**

In this study both primary and secondary data have been used. Secondary data have been collected from concerned books, periodicals, published journals, daily newspapers, internet and other materials. Primary data have been collected through an open interview with a standardized and structured questionnaire. A purposive sampling was considered initially while selecting 90 respondents belonging to six different occupational groups.

## **3. ANALYSIS AND FINDINGS**

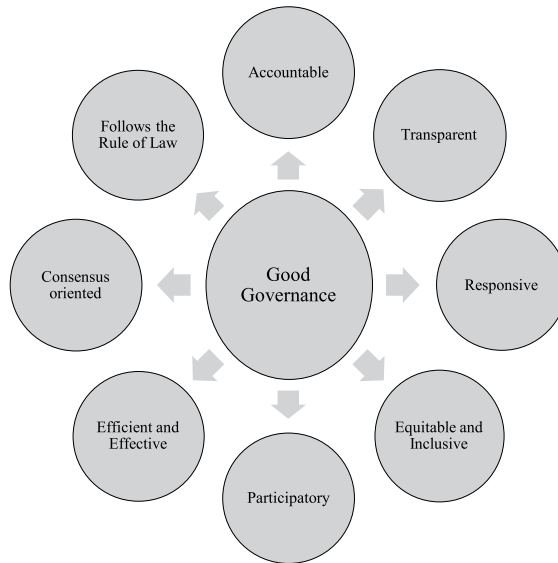
### **3.1 Concept of Governance**

The word ‘governance’ derives from the Greek verb *Kubernao* which means to steer and was used for the first time in a metaphorical sense by Plato (Kajer, A. M., 2005). It then passed on to Latin and then on to many other languages. Since the days of Plato and Aristotle, governance has been meant for the task of running government and administration. The 1992 Commission of Global Governance defines the term “as the sum of the many ways individuals and institutions, public and private, manage their common affairs.” Former UN Secretary General Kofi Annan defined good governance as ensuring respect for human rights and the rule of law, strengthening democracy, promoting transparency and capacity in public administration. Bilney (1994:17) said “good governance means the effective management of a country’s social and economic resource in a manner that is open, transparent, accountable and equitable.” According to the Worldwide Governance Indicators governance consists of the traditions and institutions by which authority in a country is exercised. This includes the process by which governments are selected, monitored and replaced; the capacity of the government to effectively formulate and implement sound policies; and the respect of citizens and the state for the institutions that govern economic and social interactions among them. (The WJI, 2015)

### **3.2 Eight Elements of Good Governance**

According to Dhiraj Kumar Nath (Nath, D. K., 2004) there are eight parameters of good governance. The parameters are shown in the following diagram:

**Figure-1: Parameters of Good Governance**

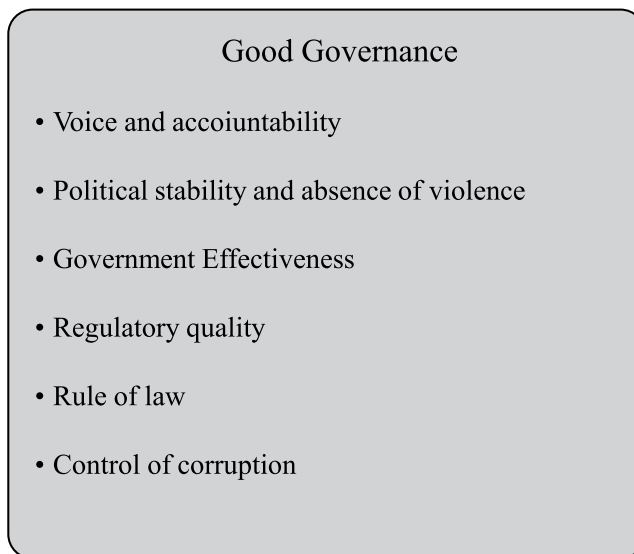


Source: Nath D. K., (2004)

### 3.3 Major Dimensions of Good Governance

The Worldwide Governance Indicators (WGI) project reports aggregate an individual governance indicator for 215 countries over the period 1996-2013, for six dimensions of governance:

**Figure: 2: Major Dimension of Good Governance**



Source: Worldwide Governance Indicators (WGI), 2015 accessible at: <http://info.worldwide.org/governance/wgi/index.aspx#home>

### 3.4 Current State of Good Governance in Bangladesh

Table: Governance score of Bangladesh among 213 countries by governance indicators:

Governance Indicator	Year	Governance Score (-2.5 to +2.5)
Voice and Accountability	2010	-0.28
	2006	-0.45
	1996	-0.15
Political Stability	2010	-1.42
	2006	-1.49
	1996	-0.65
Government Effectiveness	2010	-0.84
	2006	-0.78
	1996	-0.73
Regulatory Quality	2010	-0.86
	2006	-0.93
	1996	-1.05
Rule of Law	2010	-0.77
	2006	-0.89
	1996	-0.96
Control of Corruption	2010	-0.99
	2006	-1.41
	1996	-0.74

Source: (Kaufmann, D. A. Kraay and Mastruzzi, M., 2010 quoted from Miazi and Islam, 2012:78)

According to a report of the WJP Open Government Index, 2015 (produced by the World Justice Project, an independent organization working to advance the rule of law around the world) the position of Bangladesh in good governance among South Asian Countries is 73, India is topped the regional ranking, Nepal (40), Sri Lanka (52), Pakistan (83) and Afghanistan (89). The WJP Open Government Index uses four dimensions to measure government openness. Publicized laws and government data, right to information, civic participation and complaint mechanisms (The WJP, 2015).

### 3.5. Problems of Establishing Good Governance in Bangladesh

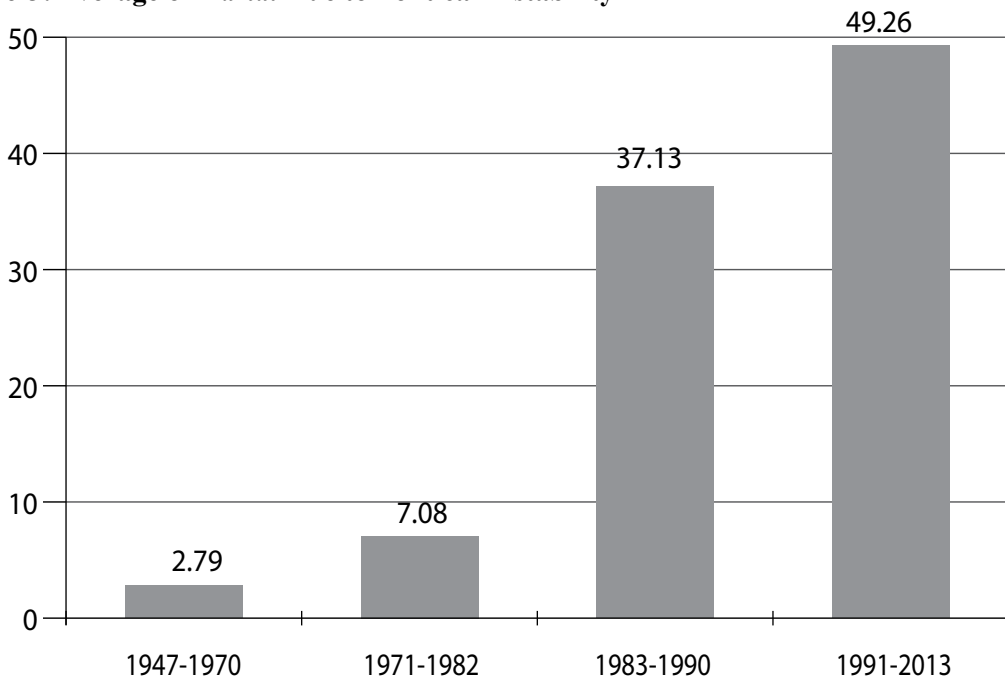
Hossain Zillur Rahman identifies four major problems on the path of good governance in Bangladesh. These are as follows:

1. A tendency towards encyclopedic wish list in agenda formulation;
2. An insufficient appreciation of the institutional and political realities through which reform initiatives have to be carried forward;
3. Over focusing on what does not work while ignoring which does work; and
4. A lack of clarity as to where the governance agenda best interface with poverty reduction goals (Rahman, Z. H., 2005).

### 3.6. Good Governance and Political Volatility

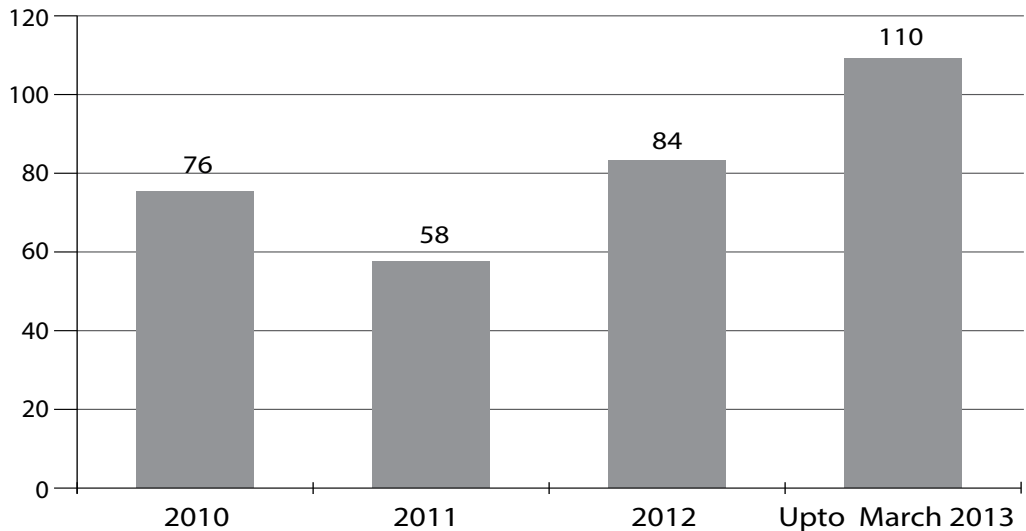
Almost all political instability causes *hartal*, *oborodh*, strike and deadly violence. Since the advent of parliamentary democracy in 1990, the number of *hartals* reached at all-time high. “Since the restoration of democracy in 1991, both the Awami League and the Bangladesh Nationalist Party led oppositions have been using *hartal* as a mechanism to put pressure on the government” (Biswas, Z. I., 2013:172). It is also evident from the following figure that the average occurrence of *hartals* from 1947-1990 (Pre-liberation) was 2.79%, from 1971-1982 (Post-liberation) was 7.08%, from 1983-1990 (The Presidential Regime) was 37.13% and from 1991-2013 (The Democratic Regime) was 49.26%. It is also evident from the figure that the *hartals* per year have been significantly higher (49.26) during the present democratic system in comparison to that of the previous autocratic regime and the periods before independence. Thus, *hartals* have become a concurrent phenomenon in Bangladesh politics. See the following figure:

**Figure-3: Average of *Hartal* Due to Political Instability**



Source: Sangbadpatre Hartalchitra by Ajoy Dasgupta; Ahmed, Imtiaz (2011); Odhikar; ASK and CPD

From the beginning of the 1990s, political violence became further institutionalized through inter-party conflict. Eventually, violence became a legitimate means of securing political demands. The number of political violence is threatening the congenial political atmosphere in Bangladesh, which is a great challenge for good governance. The following figure is to be seen as an example:

**Figure-4: Annual Average Political Violence in Bangladesh**

Source: ASK and CPD (Quoted from Textile Today, 2013)

The Figure shows that the number of people killed in political violence kept to below 100 persons in the years 2010, 2011 and 2012; but in 2013, it shows the figure 110 compared to 84 in 2012 and 58 in 2011 (including blockades). 236 people were killed in political clashes not involving *hartals*, 86 people were killed as a result of blockades and 185 died as a result of the occurrence of *hartals*. From 5 January 2015 to 5 February 2015, the total 72 general people died during the *hartals*, among them 35 died by petrol bomb and 200 burnt also. During this time, the total economic loss was 70620 crores tk. The experts say, if this situation goes on, the rate of economic loss will increase (Bangladesh Pratidin, 2015)

### 3.7. Good Governance and Corruption

At present Bangladesh is seen under poor-governance, because of the rampant corruption that exacerbates the crisis more. In a corrupted country there is no possibility of good governance. It is said that “Corruption is behavior of public officials which deviates from accepted norms in order to serve private ends” (Huntington, 1968). Bangladesh’s position was worsened in 2014 than 2013 as it scored 25 out of 100, in the global ranking from 136 in 2014 to 145 in 2013. Bangladesh is the second worst performer in South Asia, better than only Afghanistan, which scored 12 and ranked 172, the third lowest position in the global list of 175 countries. Iftekharuzzaman (2015) said that, politically stable states are more successful in controlling corruption, but concern can be genuinely raised whether the on-going cauldron of political violence exposes Bangladesh to join the ranks of such countries.

**Table-1: Sample Design of the Study**

Types of Respondents	Sex		Total
	Male	Female	
Students	10	10	20
Teachers	10	5	15
Civil Society	10	5	15
Civil Servants	10	5	15
Politicians	10	5	15
Businessmen	10	0	10
Total	60	30	90

### 3.8. Characteristics of the Respondents

A total of 90 people from six occupations are interviewed for this study. The study involves male respondents 66.67% and female respondents 33.37%. The status of respondents is Muslim 80% and Hindu 20%.

**Table-2: Respondents thoughts on good governance**

Items of Response	Yes%	No%	To Some Extent	Total
Ensuring of people’s basic needs and expectations	60	20	20	100
Ensuring transparency, accountability, rule of law and fundamental human rights	55	35	10	100
Equal distribution of wealth and national resources	45	25	30	100
Establishment of participation in politics	50	20	30	100
Economic growth and sustainable development is not possible without improving governance	55	30	20	100

The table shows that 60% of the respondents considered good governance as the condition for fulfillment of the people’s basic needs and expectation, 55% thought good governance implies the enforcement of transparency, accountability, fundamental human rights and rule of law, more than 45% believed in a good governance there shall have equal distribution of wealth and national resources, and 55% supposed that for good governance, economic growth and sustainable development is a must.

**Table-3: Good Governance and Political Instability in Bangladesh**

In the study it is found that, 65% of the respondents thought that if political instability goes on, good governance is not possible. It is evident that 55% supposed it the duty of political parties to improve governance.



Items of Response	Yes%	No%	To Some Extent	Total
Good governance is not possible if political instability is going on	65	15	20	100
Political parties should improve governance	55	25	20	100
Due to political instability good governance could not sustain	45	25	30	100
Good governance is impossible without good, effective and independent institutions	50	30	20	100
Necessity of democratic practice without political instability	45	25		100
Necessity of political instability in political crisis	55		30	100

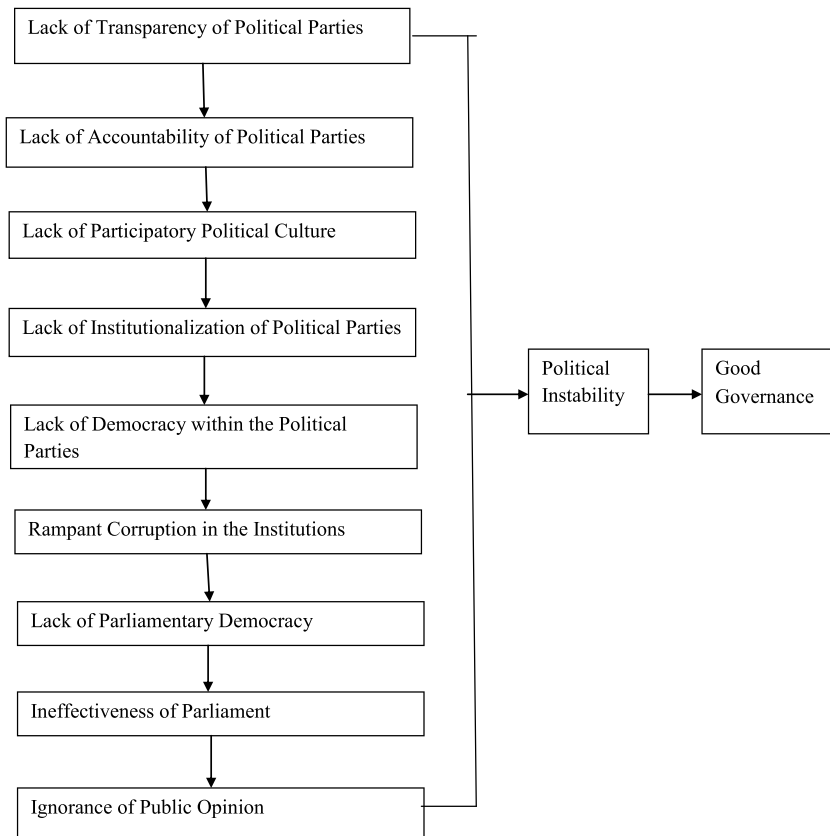
A significant number of the respondents (50%) opined that good governance is impossible without good, effective and independent institutions. 45% opined that democratic practice should be ensured among the political parties without political instability. 55% do not expect political instability in politics of Bangladesh.

**Table-4: Necessity of Political Culture for Establishing Good Governance in Bangladesh:**

Items of Response	Yes%	No%	To Some Extent	Total
Politics should be free from hereditary process within parties	55	25	20	100
Democracy is needed within the parties	50	20	30	100
Political parties should be institutionalized	60	35	15	100
People's participation in every sphere should be enhanced	55	15	30	100
Opposition should be given access to policy making	60	20	20	100
Institutionalizing the party	45	25	30	100
Avoiding confrontational politics	65	25	10	100

The above table indicates the respondents' opinion on the role of political parties in the establishment of good governance. Here, a majority (60%) viewed that political parties can help to establish good governance through institutionalizing the political parties, 50% of them emphasized practicing democracy within the parties, more than 55% focused on increasing people's participation.

### 3.9. Findings



### 4. CONCLUSION AND RECOMMENDATIONS

After analyzing the data gathered from the questionnaire, the researcher has got some results that indicate the relationship between political instability and good governance. It has been clearly understood that, there are various reasons behind political instability in a country like Bangladesh and political stability is one of the dominant factors behind the process of good governance. Although Bangladesh came into the process of political stability in 1990, the country is yet to achieve it because, Bangladesh has been facing a number of challenges like un-institutionalized political parties, lack of accountability and rule of law, inefficient leadership, ineffective political institutions, corruption, widespread poverty and so on which are the main causes of political instability. The struggling situation between the two major political parties, i.e., Bangladesh Awami League and Bangladesh Nationalist Parties created a situation excessive in the country. Under the circumstances, Bangladesh is now in a challenge on the way to good governance. It is also clear from the study that for good governance in the country no one wants political instability. A significant number of the respondents (65%) do not like political instability in politics. On the basis of the above discussion it is evident that the current state of governance of Bangladesh is poor

and to overcome this bad situation the following policy have been recommended to establish good governance in Bangladesh.

1. The major weaknesses that tend the political parties to political instability should be diminished soon. The ruling party should not adopt any instigating act so that the opposition can take part in violence in the name of politics.
2. Majority of population thinks that *hartal* is a package of destruction and ineffective tool in the present time. Violence in the name of *hartal* should be stopped immediately and all the political parties should abide by the decision of the Apex Court in *Khondaker Moderresh Elahi v. State*, 21 BLD (2000) regarding *hartal*.
3. Accountability and transparency of the political parties, the government and the people at large should be ensured. The rule of law should be established within the country for ensuring justice and equity.
4. Corruption is the main restraint for the implementation of good governance in Bangladesh. It should be minimized through the process of institutionalization soonest as possible for good governance.
5. Democracy within the party should be established in Bangladesh. Due to the absence of internal party democracy, the parties suffer from dominance of personality rather than rules, and it made the party leadership autocratic.
6. Parliamentary democracy should be strengthened. After coming into power, the ruling party in Bangladesh turns itself into a dictatorial one and almost all times the parliament is dominated by the ruling party. The opposition should be given chance to utter their voice in the parliament, otherwise, they will go to the street and will occur political violence frequently.
7. Civil society can play a vital role in creating consciousness among the people regarding good governance and the bad impact of political instability on socio-economy as well as democracy in Bangladesh.
8. Politics in Bangladesh is dominated mostly by those persons who earned money by illegal means and people with little academic background. The rich persons should render their services for the better development of economy first and then politics.
9. Good governance nowadays depends on the smooth working of the local government. The local government should be made autonomous with maximum decentralization of power and it is to be made free from government interference.
10. A talented and constructive political leader always tries with a sacrificing sentiment to settle all political problems in a democratic and compromising way (Halim, 1998). But instead of adopting democratic methods and techniques, the leaders of Bangladesh deal with the opposition forces in a dictatorial way. For this very reason, people of higher background and efficient leaders should be engaged in politics, and the hereditary nature of leadership in Bangladesh politics should be abolished.

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## **HOMICIDE IN ISLAMIC LAW AND CONVENTIONAL LAW AS APPLIED IN BANGLADESH: A COMPARATIVE ANALYSIS**

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Jiaor Rahman Munshi\*

### **ABSTRACT**

*Though the world is largely divided on cultural relativism and law is the most affected phenomenon of that relativity, there is hardly found any society in which the criminality of homicide is debated. Despite this universal abhorrence to this crime, it is the unique feature of Islam that it equates the killing of an innocent human being with the murder of whole mankind. But in and after the Age of 'Enlightenment', the secularists championed the dignity of human life so much so that they stood against any sort of corporal punishment, and some of them overtly opposed capital punishment for murder. As the large majority people of this country are the followers of Islam and at the same time they are governed by secular common law as inherited from the British colonial rule, attempt has been made to show a comparative picture of criminality of homicide and its variant punishments in both systems. This theoretical and comparative research finds that the Laws of Islam have taken the issue of homicide more seriously and provided the heirs with more options to meet their grievances compared with the existing secular form of criminal laws of the country.*

**Keywords: Homicide; Murder; Coercive Authority; Blood-money.**

### **1. INTRODUCTION**

Homicide (*qatl*) is an action causing the detachment of the soul from a human being (Al-Fayyūmī: 187). The Qur'ānic term *qatl* is used for two meanings: (a) the crime of murder and (b) the punishment of execution. Homicide is a crime except done in consequence of just causes. Just causes include killing of a combatant enemy in the battlefield (Qur'ān, 9: 5), renegade from Islam, married adulterer (Bukhārī: 6878) and highway robber (Qur'ān, 5: 33) etc. In both Islamic law and existing penal laws of Bangladesh, homicide is a crime for which both the systems have declared different types of punishments. During the British colonial era, serious allegations were made against the efficacy of Islamic laws. One of those allegations is that Islamic law is ineffective in

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\* Senior Lecturer, Department of Law, Manarat International University, Dhaka, Bangladesh.

combating crime. Is it so? This research reveals it in the strongest negative form and proves that Islamic law is more humane, more victim-friendly and compatible with the needs of the society.

### **1.2. Objective of the Research/Study**

The prime objective of this research is to show that Islamic law is unique and unparalleled among the legal systems of the world and to emphasize the gravity of this heinous crime, in providing the heirs of the victim, not the head of the state, with absolute power to choose any of the three options: retaliation (*qiṣās*), or blood-money (*diyyah*), or forgiveness (*‘afwun*).

### **1.3. Background of the Study**

Similar issues have been dealt with in different writings of Muslim scholars in the past century. More than sixty years ago, the noted Egyptian jurist ‘Abd al-Qādir ‘Awdah, in his seminal work *Al-Tashrī‘ al-Jinā‘ī al-Islāmī muqārīnan bi ‘l-Qānūn al-Waḍ‘ī* (*The Penal Laws of Islam in comparison with Man-made Laws*), gave a detailed guidelines of how and to what extent criminal laws of Islam differ from man-made laws. Though that work is exhaustive in what it includes, necessity of the present research has been strongly felt, because in the former work Islamic law was compared with continental law (or civil law) of Europe and, on the other hand, the present work concentrates in comparing Islamic law with the British common law as applied in Bangladesh.

## **2. METHODOLOGY**

As this article is basically a comparison between Islamic law and man-made laws as prevalent in Bangladesh, pure textual analysis method has been followed throughout the research. Supreme priority has been given to the verses of the Qur’ān. Sunnah of the Prophet has been used as the living commentary of the Qur’ān. As the Penal Code, 1860 is the major and guiding statute dealing with criminal laws of Bangladesh; utmost emphasis has been laid upon the texts of relevant sections of the Code and their illuminating illustrations.

## **3. ANALYSIS AND FINDINGS**

### **3.1 Origin of Homicide**

History of homicide is as old as the birth of mankind itself. The Qur’ān informs us that two sons of Ādam (Peace Be Upon Him) offered sacrifices before Allāh. Sacrifice of one brother was accepted while that of the other was rejected. The failed and jealous brother, instead of rectifying his deeds, killed his brother whose sacrifice was accepted for his piety. With regards to the beginning of homicide, the Qur’ān informs that each of the two sons of Adam [Abel and Cain] offered a sacrifice to Allāh. It was accepted from the one but not from the other. The latter said to the former: “I will surely kill you” and at last he killed him. (5: 27-30)

### **3.2 Different Phases of Prohibition on Homicide**

#### **First Phase: Raising the Sense of General Accountability in the Hereafter**

As per the general nature of the Qur’ānic legislation, direct prohibition was not imposed upon

homicide at the very outset; rather it primarily attempted to raise the sense of general accountability with regards to homicide in general, and infanticide in particular, in the hereafter. It reminds the people about the Day of Resurrection (81:8-9) and declares that lost are those who kill their children, from folly, without knowledge (6: 140) and presents the pathetic picture of the evil-mongers (16: 58-9). It removes the fear of want – one of the main causes of infanticide – and assures that Allāh will provide sustenance for both (6: 151) and repeats the same assurance in a later phase of Madīna as well (17: 31). In the light of the above instructions, the Prophet (PBUH) reminds “On the Day of Resurrection Allāh - the Blessed and the Most High - will at first adjudicate among the people the cases of homicide”. (Muslim, Chapter: Oaths)

### **Second Phase: Visualizing homicide as the practice of the rebels against Allāh, not that of devoted believers**

At the second stage the Qur’ān depicts homicide as suicidal plan inspired by the devil (6: 137) and informs that, at one time, Pharaoh also took resort to the heinous crimes of homicide and infanticide but the plots of unbelievers (end) in nothing but errors and delusions (40: 25-6) and tells that if they want to be the obedient servants of Allāh, they must refrain themselves from unlawful homicide (25: 63, 68).

### **Third Phase: Forbidding unjust homicide without prescribing any punishment for the perpetrators**

At this stage the Qur’ān addresses the issue of homicide more directly. Now infanticide and homicide are not only generally abhorred, but also brought within the periphery of the activities directly forbidden by Allāh. The Prophet (PBUH) is commanded, “Say: “Come, I will rehearse what Allah has (really) prohibited you from”: ... *kill not your children on a plea of want... take not life, which Allah has made sacred, except by way of justice and law* (6: 151 and 4: 29). Even the killing of a single human being is equated with the killing of whole mankind (5: 32). Though homicide has been declared unlawful, punishments and remedies are yet to be declared.

### **Fourth Phase: Empowering the State (*sulṭān*) to ensure justice to the heir of the victim**

This phase starts after the consolidation of *sulṭān* (i.e. state-authority) in Madīna. At this level the nascent state of Madīna has been vested with the power of adjudication of homicide cases and the heirs of the victim have been assured of state-interference and advised not to cross the limits set by law in punishing the criminals (17: 33). What punishment should be inflicted upon the murderer and what remedies are available for the heirs of the victim have not been given in this phase with sufficient clarity. It is to be noted that the Qur’ānic sentence *faqad ja ‘alnā li waliyyihī sulṭānan* is generally translated as ‘We have given his heir an authority’. In my opinion, this rendering is erroneous, because it gives the impression that punishing the killer is the personal responsibility of the heir without any institutional support. Therefore, its more accurate rendering may be, “We have made for his heir a coercive authority (i.e. the state)”. Besides, the end clause “Certainly he will be helped” also indicates to the institutional support of the state in favor of the heir. My rendering



is further supported by an interpretation given by Ibn Zayd who said, “*faqad ja ‘alnā li waliyyihī sulṭānan yanṣuruhū wa yantaṣifu min ḥaqqihī* i.e. (Allāh says) ‘We have made for his heir an authority’ who shall help him and ensure justice with regards to his claim”. (Al-Ṭabarī, 7: 390)

### **Fifth Phase: Confirming the retributive punishment of homicide as mentioned in the Tawrāt with certain developments**

Before the announcement of punishment for homicide, the Qur’ān mentions the punishment of *qiṣās* as prescribed in the Tawrāt (5: 45). Now the same punishment is prescribed with certain extra options: “O ye who believe! The law of equal punishment (*qiṣās*) is prescribed to you in cases of murder... But if any remission is made by his brother, adhering to it with fairness and payment of the blood money, to the heir should be made in fairness (2: 178-9). According to this verse, the heir of the victim has been given three options: (1) law of equal punishment; or (2) blood-money or (3) forgiveness. These provisions of homicide had been incorporated in the Madīna Charter as well (Art. 21)

### **3.3 Variant Legal Status of Homicide**

Sometimes homicide becomes permissible and sometimes punishable. From that perspective, homicide cases may be categorized into five (Al-Mawsū‘at, 32: 321-2): (1) *wājib*/ duty, e.g. the killing of a *murtadd* (*apostate*)– the renegade from Islam and the death penalty to married adulterers by the court, if his guilt is legally proved; (2) *mandūb*/ recommended, e.g. the killing of a man who insults Allāh or His Prophet; (3) *mubāḥ*/ permitted, e.g. killing in self defence; (4) *makrūh*/ disapproved; and (5) *ḥarām*/ unlawful, e.g. the killing of an innocent person without a just cause (Encyclopedia of Islam, 4: 768).

### **3.4 Classification of Unlawful Homicide**

Unlawful homicide, i.e., the killing of an innocent person without a just cause may take place in three ways: (1) *‘amd* or intentional and direct (Qur’ān, 4: 93); (2) *khaṭa’* or accidental (Qur’ān, 4: 92); and (3) *shibh ‘amd* or quasi-intentional (Abū Dāwūd: 4565), i.e. death as a result of an action not always but sometimes fatal. All these classes are based on the texts of the Qur’ān and the Sunnah and therefore agreed upon by the jurists. However, some jurists have tried to add more classes in homicide: (i) *jārī majrā al-khaṭa’* or equivalent to accident, e.g. someone falls upon another in his sleep and kills him; and (ii) *qatl bi sabab* or indirect killing, e.g. a person digs a well and someone falls into it and dies as a result. As these classes are not based on any divine text, jurists are of divergent views on these issues and, therefore, those rulings do not represent the universal laws of Islam.

### **3.5 Punishments for Homicide**

**Intentional homicide:** In this case the murderer faces several punishments: (1) moral i.e. hell as the dwelling place in the hereafter (Qur’ān, 4: 93), and (2) legal (a) *qiṣās* or equal punishment (unless forgiven by the heirs of the victim for blood-money or for nothing (Qur’ān, 2: 178-9) and



(b) exclusion from inheritance of the victim, if the murderer is the heir of the victim (Bayhaqī, 12372).

### **Accidental Homicide**

Based on the status of the victim, the accused of accidental homicide has to face the following punishments: (a) blood money cum expiation, if the victim is a believer residing in the Islamic state (Qur'ān, 4: 92); (b) mere expiation, if the victim is a believer residing in an enemy territory (ibid); and (c) blood money and expiation, if the victim is a non-believer residing in a state with which the Islamic state has a peace treaty (ibid). The same principle is applicable to the mistaken killing of a non-believer residing in an Islamic state under state-protection (*al-dhimmah*). Close scrutiny of this Quranic verse reveals that the main issue is whether the non-believer has any peace treaty with the Islamic state, either in the form of *al-dhimmah* (intra-state protection of the minorities) or in the shape of *al-mīthāq* (inter-state peace treaty). Hence came the consensus of the jurists that if a believer accidentally kills a nonbeliever in a territory with which the Islamic state has no peace treaty, then neither blood-money nor expiation is legally binding upon the killer. However, if the accused of accidental homicide is unable to perform the obligations (mentioned in a, b and c), he has to fast two consecutive months (ibid).

### **Quasi-intentional Homicide and its Legal Consequences**

Whoever commits quasi-intentional homicide shall be liable to *diyah*, and *qīṣāṣ* shall not be applied upon him. The Prophet (PBUH) is reported to have said, “The blood-money for quasi-intentional killing is severe like that for deliberate killing, but the perpetrator is not to be executed (Abū Dāwūd: 4565)”. Another narration makes it more specific: “The blood-money for quasi-intentional killing with a whip or stick is one hundred camels of which forty should be (she camels) with their young in their wombs. (Nasā'ī: 4795)”

### **3.6 Homicide in Common Law**

In terms of definition of homicide, there is no fundamental difference between Islamic law and common law. In common law, homicide is defined as the killing of a human being by a human being (Stephen: 158). Though Islamic law has divided the legal status of homicide into five categories: obligatory, recommended, permitted, disapproved and unlawful, common law divides it into two broad categories: lawful and unlawful. Homicide is lawful, if it falls within any of the general exceptions as mentioned in Chapter IV of the Penal Code, 1860.

Lawful homicide is further classified as (a) justifiable, and excusable. Justifiable homicide may be committed by (i) a person bound, or by mistake of fact believing himself bound, by law (The Penal Code, 1860, s. 76), (ii) a judge acting judicially (s. 77); (iii) a person acting in good faith and in pursuance of a judgment of a court (s. 78); (iv) a person justified by law (e.g. action by a police upon a person in self-defense thinking him a murderer) (s. 79); (v) a person doing lesser harm in prevention of greater harms (s. 81); or (vi) a person acting in private defence (s. 103). Excusable homicide may occur, where death is caused (i) by accident (s. 80); (ii) by a child (ss.

82-3), or a person of unsound mind (s. 84), or a person intoxicated against his will (s. 85); or (iii) by act done in good faith for the benefit of the person killed (ss. 87-8 & 92).

Islamic law has divided ‘unlawful homicide’ into: (i) intentional; (ii) quasi-intentional; and (iii) accidental. In common law, as applied in Bangladesh, unlawful homicide is classified as: (i) culpable homicide amounting to murder; (ii) culpable homicide not amounting to murder; (iii) abetment of suicide (if suicide occurs) and (iv) homicide by negligent act.

### **3.7 Culpable Homicide Amounting to Murder Equivalent to Intentional Homicide**

Culpable homicide is murder, if the act by which the death is caused is done with the intention of causing death (s. 300). From this perspective it may be likened with ‘intentional homicide’ in Islamic law. The first four illustrations in section 300 of the Penal Code, 1860 are also identical with illustrations of ‘intentional homicide’ found in classic texts of Islamic jurisprudence. In both, intention plays the central role.

### **3.8 Culpable Homicide not Amounting to Murder**

As per exception 1 of section 300, culpable homicide will not amount to murder, if done ‘whilst deprived of the power of self-control by grave and sudden provocation’. Though Islamic law exempts ‘lunatics’ from legal liabilities, it does not accept the excuse of grave anger to escape criminal liability of murder. Therefore, in illustration (z) of exception 1 of section 300, the criminal is exempted from the liability of murder; while in Islamic law both are to be held responsible for intentional murder.

### **3.9 Wrong Target: Accidental Killing or Mere Unlawful Act?**

The Illustration (c) of section 299 reveals that the penal law of Bangladesh does not recognize wrong target as homicide at all. In its eye, it is merely an unlawful act worth of very little punishment. On the other hand, in Islamic law it is accidental killing in which blood-money is obligatory unless forgiven by the heir of the victim. According to exception 4 of section 300, culpable homicide is not murder if it is committed without premeditation in a sudden fight in the heat of passion upon a sudden quarrel and without the offender’s having taken undue advantage or acted in a cruel or unusual manner. This illustration may be likened with quasi-intentional killing in Islamic law. Abū Dāwūd (4565) defines quasi-intentional homicide in following words: “When the devil incites people to do evil, and blood is shed blindly, with neither malice aforethought nor bearing weapons.”

### **3.10 Punishments for Homicide**

The above discussion reveals that the penal laws of Bangladesh do not treat the criminality of homicide as seriously as is treated in Islamic law. So many acts have been driven out of the ambit of murder and made into mere unlawful acts. It is all at the definitional level. The lack of seriousness is more evident, when the issue of punishment comes forward. Even culpable homicide amounting to murder is to be punished with “death, or imprisonment for life, and shall also be liable to fine” (ibid, s. 302). Culpable homicide not amounting to murder is lighter than that of murder. If the act

is done with intention of causing death, the punishment is imprisonment for life, or imprisonment for a term which may extend to ten years, and shall also be liable to fine. If the act is done without any intention to cause death, the punishment is imprisonment for a term which may extend to ten years, or fine, or both (ibid, s. 304).

It is the common feature of proponents of secular laws that they portray themselves to champion the dignity of human life. But when the punishment of the criminals – who have showed no respect whatsoever to the dignity of human life – comes forward, they always propose very soft punishment. By taking lenient position in favour of the criminals, they are, in fact degrading human dignity

### **3.11 Prerogative of Mercy of the President**

Another dissimilarity between the criminal law of Islam and that of Bangladesh is that in the former it is the heir of the victim, not the head of the state or anybody else, who is empowered to demand *qiṣāṣ* (equal punishment), or be satisfied with blood-money, or to forgive for nothing; while in the latter the heirs have been deprived from such rights and instead the head of the state has been vested with the power to pardon any criminal without showing any reason whatsoever. Constitutionally, it is known as prerogative of mercy. The law says, “The President shall have power to grant pardons, reprieves and respites and to remit, suspend or commute any sentence passed by any court, tribunal or other authority. (The Constitution, Art. 49)” Moreover, though Islamic law has kept the provision for the heirs of the victim to demand blood-money from the murderer, there is no binding provision in the penal laws of Bangladesh to that effect.

## **4. CONCLUSION & RECOMMENDATIONS**

Both Islamic law and the penal laws of Bangladesh treat homicide as a heinous crime. In punishing the criminal, the former authorizes the heir of the victim, not the state, to choose any of the three options: retaliation (*qiṣāṣ*), or blood-money (*diyyah*), or forgiveness (*‘afw*), while the latter considers it as a crime against state and empowers the head of the state to pardon the criminal at his sweet will with the exclusion of the heirs of the victim. In quasi-intentional homicide, both Islamic law and the criminal law of the country exempt the criminal from death penalty, but the former imposes blood-money in favour of the heirs of the victim (unless the remit) and the latter prescribes imprisonment for different terms.

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## **INDUSTRIAL DISPUTE SETTLEMENT MECHANISM AND ITS EFFECTIVENESS IN BANGLADESH: A LEGAL STUDY**

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Golam Sarowar\*

### **ABSTRACT**

*Dispute is a natural matter in human life. Rationally, no industry is exception to it. It is natural that there would be some disputes between workers and management. Conflicts or disputes begin due to terms of employment contract, working conditions, wage structure and financial interests etc. According to section 209 of the Bangladesh Labour Act, 2006 no industrial dispute shall be deemed to exist unless it has been raised by an employer or a Collective Bargaining Agent (CBA) in accordance with the provisions of chapter 14 of the Act but it doesn't clarify what will be the procedure to settle an industrial dispute where there is no CBA because industrial owners are always uninterested in raising any dispute. In Bangladesh to make CBA, Trade Union is a must but if there is no Trade Union then no CBA can be formed and for the reason an Industrial Dispute cannot be settled. In the above mentioned situation, this paper will try to evaluate the present industrial dispute settlement mechanism and adjudication system of Bangladesh in order to make out an adaptable solution.*

**Keywords:** *Labour, Industry, Disputes, Trade Union (TU), Collective Bargaining Agent (CBA).*

### **1. INTRODUCTION**

Industrial relations may be harmonious or conflicting. Conflicts or disputes begin due to terms of employment contract, working conditions, wage structure and financial interests etc. In Bangladesh generally there are mainly, four parties involved in any industry: government, industrial owners, buyers, and workers (Khan, 2011). Of four parties, the first three are immense beneficiaries, while workers remain deprived. Government receives a handsome amount of revenue from this sector. Buyers, who get the products at the cheapest possible price, make huge profits in national and international markets. Most of the industrial owners make adequate money out of this business to

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\* Senior Lecturer, Department of Law, Prime University, Dhaka, Bangladesh and M. Phil (Fellow), Institute of Bangladesh Studies, University of Rajshahi, Rajshahi, Bangladesh. E-mail: adv\_sarowar@yahoo.com

build palatial houses in premium area of capital, have their children educated and treated abroad, use luxury cars, spend holidays at tourist resorts across the world. But workers, who make all these profits and benefits possible for other three parties, are to live a sub-standard life for years. The wages they get is low. Very often they do not get their salary, overtime bills and bonus in time. Their recruitment system is ‘hiring and firing’ as they do not get any appointment letter and at any time they can be dismissed by owners for any reason. Being maltreated by owners and mid-level officers, working long hours in a congested room without sufficient rest, lack of recreational opportunity, nutritious foods, medicine, right to legitimate protest against ruthless exploitations, etc are their daily destiny. They don’t have any access to the decision making process (Khan, 2011).

### **1.1 Statement of the Problem**

In Bangladesh, disputes in industries, can be resolved by Bipartite Negotiation or Collective Bargaining, Tripartite Discussion or Conciliation, Arbitration and Adjudication by labour Court. Generally all these mechanisms are used for collective disputes but there is no alternative mechanism for settlement of individual disputes other than by the intervention of the Court. Individual disputes cannot be taken to court by the Collective Bargaining Agent (CBA) as industrial disputes. Although this issue has been raised several times before the Supreme Court of Bangladesh, the Court has made it clear that individual disputes cannot be entertained by the Labour Court as an industrial dispute (Faruque, 2009). Section 209 of Bangladesh Labour Act, 2006 clearly mentions that industrial disputes deemed to exist where it is raised by the Collective Bargaining Agent or by the employer but it doesn’t clarify what will be the procedure to settle an industrial dispute where there is no Collective Bargaining Agent. In Bangladesh to make Collective Bargaining Agent, Trade Union is a must but if there is no Trade Union then no Collective Bargaining Agent can be formed and for the reason an Industrial Dispute cannot be settled.

### **1.2 Research Questions**

It is to be mentioned that there are little research contributions in the field of industrial dispute settlement mechanism in Bangladesh. This study is an attempt to mitigate the research gap. Given emphasis in these problems, the following research questions are found relevant to this study:

- What is the nature and extent of existing industrial dispute settlement mechanism of Bangladesh?
- Why the existing mechanism does not fulfill the present demanded situation?
- How can the industrial dispute settlement mechanism be made harmonious and standard for Bangladesh?

### **1.3 Study Objectives**

The main objective of this article is to investigate critically the current status of dispute settlement mechanism of Bangladesh in order to succeed and to find out needs in the context of present demanded situation.

## **1.4 Review of Literature**

Khan (2006), suggested that Non-Governmental Organizations (NGOs), civil society, trade unions and other stakeholders should work together to adopt the Code of Conduct for a viable and competitive Ready Made Garment (RMG) industry. The government, Non-Governmental Organizations, international agencies, buyers and other stakeholder groups promote full compliance with mandatory requirements as specified in the law.

Baral (2010), focuses that compliance of Ready Made Garment (RMG) factories is a key requirement for most of the reputable global garments buyers. It ensures labour rights and facilities according to the buyer's code of conduct. Every Ready Made Garment factory should try to be compliant not only for profit reasons but also for the protection of human rights.

Priyo (2010), express those late or irregular wage payments are common in the sector. Usually most of the factories do not provide any pay slip. The factories, which provide pay slips, don't have transparency.

## **2. RESEARCH METHODOLOGY**

Content analysis method has been used to analyze the existing law. Necessary data is taken from both primary and secondary sources. Bangladesh Labour Act, 2006 and Constitution of the People's Republic of Bangladesh, 1972 is used as primary source whereas the secondary sources of data are taken from relevant books, journals, reports, published or unpublished thesis, dissertation, newspaper, different websites and data from various official and unofficial sources.

## **3. ANALYSIS AND FINDINGS**

### **3.1 Settlement of Industrial Disputes through Adjudication**

In 2006 Government of Bangladesh enacted Bangladesh Labour Act, 2006 in order to settle industrial dispute and to promote industrial peace and establish a harmonious and cordial relationship between labour and capital by means of conciliation, mediation and adjudication (Halim, 2007). The Act has been streamlined for some non-adjudicatory as well as adjudicatory authorities. Non-adjudicatory includes, bipartite negotiation, Conciliation and Arbitration, while adjudicatory (judicial) authorities include Labour Court, Labour Appellate Tribunal etc. The state provides machinery for the settlement of disputes which starts with conciliation and ends up with provision for the adjudication by court. Bi-partite negotiation and conciliation are two important methods of settlement of industrial disputes because they provide grounds for amicable settlement in a free and unfettered environment (Taher, 1994). As a third party the conciliators try to help the conflicting parties resolve their disputes amicably and restore good relationship between the disputants. In essence, bipartite negotiation and conciliation are complementary to each other and can, if successfully used, provide a solid foundation to industrial relations.

Adjudication	Extra- Judicial	Bipartite Negotiation
		Conciliation
		Arbitration
	Judicial	Labour Tribunal
		Labour Appellate Tribunal

Table No.1

### 3.2 Bipartite Negotiation

Bipartite negotiation as a means to prevent and solve disputes helps develop harmonious relationship between the management and workers. Bipartite negotiation takes place between the employers and their employees over job-related affairs. The employees are usually represented by their elected representatives who form the CBAs, while the employers are allowed to participate in collective bargaining themselves or through their representative. The legal provisions relating to the process of bipartite negotiation need a brief discussion here. A trade union, which is elected as CBA, can raise a dispute in writing and place it before the management for settlement through negotiation. Similarly, the employers can also raise a dispute and place it before the CBA for negotiation. Bipartite negotiation starts within 15 days of submitting a written demand from either party. It has to be completed within 30 days after first meeting. If bargaining is successful, a memorandum of settlement is recorded in writing and signed by both the parties and a copy thereof is forwarded to the Government, Director of Labour and conciliator. It has been reported that though the law provides a favourable environment for bipartite negotiation, the scenario is different in practice. Bipartite negotiation is not as successful as is desired by the legislature in incorporating such mechanism for settlement of dispute. Unfavourable and authoritarian attitude of management towards trade unionism, bribing trade union leaders, lack of experience and leadership skill in trade union officers, interference of the government and the ruling party in the settlement of industrial dispute, multiplicity of trade unions having political rivalries, low level of class consciousness among workers as well as trade union leaders, inefficiency in applying bargaining techniques etc. are the main reason for making bipartite negotiation as useless tools in the settlement of industrial dispute in Bangladesh (Faruque, 2009).

### 3.3 Conciliation

In simple sense, conciliation means reconciliation of differences between persons. In fact conciliation can be taken as an extension of the function of collective bargaining or simply as “assisted collective bargaining” in which the conflicting parties can have a fair chance of settlement of industrial disputes through the services of expert negotiators. If bipartite negotiation fails, any of the parties concerned may request the conciliator in writing, to conciliate the dispute within 15 days from the date of the failure of collective bargaining. The practice of conciliation is compulsory in Bangladesh before resorting to industrial action. The role of the conciliator is to suggest solutions that can help find a compromise between workers and the management, but cannot impose a solution. The success of conciliation depends on the willingness of the two sides to resolve their



differences. If a settlement of the dispute is arrived at in the course of conciliation, the conciliator shall send a report thereof to the Government together with a memorandum of settlement signed by the parties to the dispute. If the conciliation fails, the conciliator shall try to persuade the parties to agree to refer the dispute to an Arbitrator for settlement. If the parties do not agree to refer to the dispute of an Arbitrator for settlement, the Conciliator shall, within three days of the failure of the conciliation proceedings, give a certificate thereof to the parties. The conciliation proceedings may continue for more than 30 days if the parties agree. The Director of Labour may, at any time, carry on with conciliation proceedings, withdraw the same from a conciliator or transfer the same to any other conciliator, and the other provisions of this section shall apply thereto.

In fact, conciliation is a weak machinery in the settlement of disputes. As per the annual report of Ministry of Labour and Employment 2012-13, only 172 industrial disputes which took place before the conciliator among them 166 disputes has been solved and the rests are pending (Annual Report of Ministry of Labour and Employment, 2013). There are some shortcomings in the process which prevent the parties from reaching at an agreement:

- i. The choice of conciliator (or the composition of conciliation boards or committees, where they are used partially of the conciliator either in favour of the employers or influenced by the labour front backed by the ruling party).
- ii. Tendency to bribe trade union leaders during conciliation.
- iii. Attendance at conciliation proceedings.
- iv. Time limits for conciliation.
- v. Showing of muscle power by trade union leaders during conciliation.

### **3.4 Arbitration**

Arbitration is a process in which the conflicting parties agree to refer their dispute to a neutral third party known as 'Arbitrator'. Arbitration is a voluntary process for the settlement of industrial dispute. When conciliation fails, arbitration may prove to be a satisfactory and most enlightened method of resolving industrial dispute. The legal provisions relating to the process of collective bargaining needs a brief discussion. If the conciliation fails, the conciliator tries to persuade the parties to refer their dispute to an arbitrator. If the parties agree to refer the dispute to an arbitrator for settlement, they make a joint request in writing to the arbitrator agreed upon by them. Sub-section 12 to 17 of Section 210 of Bangladesh Labour Act, 2006 explains the rules regarding arbitration. The Arbitrator shall give his award within a period of thirty days from the date on which the dispute is referred to him or such further period as may be agreed upon by the parties to the dispute. After he has made an award, the Arbitrator shall forward a copy thereof to the parties and to the Government. The award of the Arbitrator is final and no appeal shall lie against it. An award shall be valid for a period not exceeding two years, as may be fixed by the arbitrator. In practice no dispute is referred to the Arbitrator due to the fact that either the dispute is settled at the time of conciliation or in failure the parties feel interested to go to the Labour Court rather going for arbitration (Faruque, 2009).

### **3.5 Adjudication by Labour Tribunal**

The Adjudication system after the stages of bipartite negotiation and conciliation are exhausted, the disputant parties may resort to settling their dispute by referring it to the arbitrator or by a strike action or lock-out as discussed above or through the Labour Court. The Labour Court is constituted with a Chairman and two Members to advise him, however, in the case of trial of an offence or adjudication of any matter under Chapters Ten and Twelve it shall consist of the Chairman alone. The Members of the Labour Court are appointed by the Government in prescribed manner and to be the Chairman of the Labour Court, a person is to be the sitting District Judge or Additional District Judge. While trying an offence the Labour Court shall administer its proceedings without its members. The Labour Court has the power to dismiss the case or to decide the same ex-parte. The award, decision or judgment of the Labour Court shall be delivered, unless the parties to the dispute give their consent in writing to extend the time-limit, within sixty days following the date Section 33(1) of the Bangladesh Labour Act, 2006. Any individual worker including a person who has been dismissed, retrenched, laid-off or otherwise removed from employment who has a grievance in respect of any matter covered under this chapter and intends to seek redress thereof under this section, shall submit his grievance to his employer, in writing, by registered post within thirty days of the occurrence of the cause of such grievance; provided that, if the employer receives the grievance directly with acknowledgement in writing, there will be no need to send the grievance by registered post. The employer shall within fifteen days of receipt of such grievance, enquire into the matter, give the worker concerned an opportunity of being heard and communicate his decision, in writing to the said worker.

### **3.6 Adjudication by Labour Appellate Tribunal**

Adjudication by Labour Appellate Tribunal, the Labour Appellate Tribunal has the power to hear or dispose appeals from the Labour Court. It consists of a Chairman or if the Government deems fit, of Chairman and such number of Members as determined by the Government. The Chairman shall be a former Judge or Additional Judge of the Supreme Court and any Member thereof shall have been a Judge or an Additional Judge of the Supreme Court or is or has been a District Judge for at least three years. The Labour Appellate Tribunal on appeal may set aside, vary or modify any award decision in judgment or sentence given by the Labour Court or send the case back to the Court for re- hearing; and shall exercise all the powers conferred by the Code on the Labour Court. The judgment of the Tribunal shall be delivered within a period of not more than 60 days following the filing of the appeal.

### **3.7 Loopholes of Existing Laws**

The loopholes of existing laws and the weak performance of courts frustrate the aggrieved persons. Generally, the time limit to dispose a case in the Labour Tribunal is 60 days but about 50 percent of the cases took a time period ranging between 12 months to 36 months. The time required for 25 percent of the cases ranged between three years to five years. About 8 per cent of the cases took more than five years. The average time taken to decide the cases by the First Labour Court

and the Second Labour Court of Dhaka was more than 17.5 months and 31 months respectively (Faruque, 2009). The Annual Report of Ministry of Labour and Employment shows that up to August, 2013 only 274 cases have been solved among 14427 and the rest 14153 number of cases are pending in different Labour Courts of Bangladesh (Annual Report of Ministry of Labour and Employment, 2013). Inadequacy of Courts for dealing with labour disputes, huge cases under different laws specially under section 114 of the Code Criminal Procedure, absence of members cause unnecessary delay in disposing of the case, frequent time petitions which are applied by the practicing lawyers and lack of logistic support of the Tribunal is the reason behind the backlog of cases in the Labour Tribunal.

#### 4. CONCLUSION AND RECOMMENDATION

The Bangladesh Labour Act, 2006 provides an important tool for minimizing industrial disputes at the very initial stage by the intervention of the Participation Committee. The Participation Committee is a bipartite mechanism comprising of equal number of representation of workers and employers. In an establishment where fifty or more workers are employed, the employer is bound to constitute a Participation Committee to his establishment. The main function of the Participation Committee is to inculcate and develop a sense of belonging and workers' commitment and in particular, to Endeavour to promote mutual trust, understanding and cooperation between the employer and the workers, to ensure application of labour laws, to foster a sense of discipline and to impose and maintain safety, occupational health and working condition and to adopt measures for improvement of welfare services for the workers and their families. However, the role of Participation Committee is very limited as such committee exists only in a very few industries and establishments Bangladesh Garment Manufacturers and Exporters Association (BGMEA) compliance team during the July-September 2012 period inspected 586 factories. They found that only 0.51 per cent have welfare committees (Islam, 2012). Some of them do not even operate regularly. Bangladesh is a country which ratified 7 ILO conventions out of 8 and those ratified conventions, specially Convention'87 and 98 are strongly relevant to the right of 'Freedom of Association' and 'Freedom of Choosing Leadership'. Therefore, it is an obligation of our government to make our national law compatible with concern ILO conventions. Despite government's ratification of such a big numbers of ILO conventions, the new Labour Act of the country still remains unfriendly to the workers, foreign buyers and sincere entrepreneurs. People who really want a stable industrial sector in Bangladesh always advocate for a Labour Law of international standard that provide possible maximum benefit for workers and ensure adequate work-place safety.

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## INDIA-BANGLADESH BORDER KILLING: IMPLICATION ON BILATERAL RELATION

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Dr. Kudrat-E-Khuda (Babu)\*  
Shahadat Hossain Sarker\*\*

### ABSTRACT

*Indiscriminate activities of Indian Border Security Force (BSF) have turned Indo-Bangla border line as one of the dangerous and bloodiest border lines. Every state of the civilized world is very serious about maintaining the standard of human rights. But BSF has been violating human rights with immunity in the border area by killing, torturing, abducting, beating, stoning etc.; By doing so they gradually are degrading the friendly relation between Bangladesh and India. BSF disregards human rights in the border area and they have shown utmost cruelty in this regard. This is a descriptive study based on secondary data. Analytical method has been used in the interest of this study. This study recommends that the local people should not be killed by any means.*

**Keywords:** *Indo-Bangla Border, Border Killing, Bilateral Relation, Human rights violation, BGB, BSF.*

### 1. INTRODUCCION

Bangladesh and India, historically and geographically, two neighboring countries located in the South Asia. The total length of border is about 5138 kilometer with 4427 kilometer land border and 711 kilometer water border. Bangladesh has 4156 kilometer common border with India and 271 kilometer with Myanmar. On the other hand, Bangladesh has 32 border districts whilst India has five border provinces. Bangladesh and India both the countries have bilateral issues from the emergence of them. Cultural cooperation between these two countries is very strong while both the countries have various cultural fests together that is the celebration of 150th birth anniversary of Bissho Kobi Rabindranath Tagore, sports activities etc. The economic, in particularly, trade issues between the

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\* Associate Professor and Head, Department of Law, Cox's Bazar International University, Kolatoli Circle, Cox's Bazar-4700, Bangladesh; International member of *Amnesty International* and Climate activist of *Greenpeace International*.

\*\* Lecturer, Department of Law, University of Information Technology & Sciences (UITS); Dhaka, Bangladesh; M.Phil fellow, Institute of Education and Research (IER), University of Rajshahi, Bangladesh.

two countries have been growing rapidly since the early 1990s. Amongst various issues between these two countries, border issue has come in the front line, because of the smuggling, trafficking and border killing by the Indian Border Security Force (BSF). In the year 2013, The United States based news agency “Global Post” opines that the border line between Bangladesh and India is the worst border line in the world. They are showing uncontrolled behavior in the border line by killing, abducting Bangladeshi people, violating human rights and offence relating to push-in etc.

However, Bangladesh and India, being the closest neighboring countries, it is felt, hoped and desired that the cultural, economic and other bilateral cooperation to be maintained on a long-term sustainable basis for the maximum common interest. A sound relation between Bangladesh and India may render a good opportunity for establishing peace and security as well as a hunger free, stable and developed South Asia.

### **1.1 Settlement of the Problem**

Bangladesh and India share a border of 2429 miles. The border between Bangladesh and India, popularly known as Radcliffe Line, first come into being when India and Pakistan became independent from British. They were divided among Muslim and Non-Muslim majority areas, on the basis of two nation’s theory. The Radcliffe Line was named after its architect, Sir Cyril Radcliffe, who as chairman of the Border Commissions was charged with equitably dividing 175,000 square miles (450,000 km<sup>2</sup>) of territory with 22 million people. A number of pillars are built in order to form the border between the two States. Small demarcated portions of the border are fenced on both sides. The border line of present day of Bangladesh divides the Ganges delta region and world’s largest mangrove forest Sundarban. It is crisscrossed by a large number of rivers. The area is mostly flat with slight hilly terrain in Meghalaya, Assam, Tripura and Mizoram sections. The border area is densely populated. The land is extremely fertile and is cultivated right up to the border pillars.

The Indo-Bangla border line is used for lawful as well as unlawful or illegal transaction. Lawful and legal transactions are caused through different land ports across the border. But the other parts of lawful or legal transactions are not like that. The border line is being used as a route of smuggling cattle and livestock, food items, medicine and drugs from India to Bangladesh by unauthorized people. On the other hand, fertilizer, diesel, fish, insect killer etc., are being smuggled from Bangladesh to India. Moreover, illegal immigrants from both sides cross the border line in search of improving their lives are often found. But the matter to be noted that the BSF, in the name of maintaining border line or checking illegal immigrants of preventing cross border terrorism or preventing smuggling, shoot Bangladeshi to kill indiscriminately. Even Bangladeshi farmers are tortured, abducted and shot by the BSF while working their own land that are adjacent to Indo-Bangla land border line. The BSF does not only shoot farmers but even innocent people those who were seen near or across the border line. In Indo-Bangla border area, the BSF quite often attacks and opens fire onto Bangladeshi people and Border Guard Bangladesh without any provocation that causes border unrest.

In July 2009, *Channel 4 News* reported that hundreds of Bangladeshi were killed by the Indian Border Security Force (BSF) along the Indo-Bangla barriers. But the BSF claims that the barrier's main purpose is to check illegal immigration and to prevent cross-border terrorism. According to the report of *Human Rights Watch* in 2010, over 900 Bangladeshi citizens were killed during the first decade of the 21<sup>st</sup> century.

Some major problems or issues are to be pointed out. These are:

- Killing innocent Bangladeshi citizens by Indian Border Security force (BSF) without any warning as well as justifications;
- Use of lethal weapons by the Indian Border Security force (BSF);
- Torturing or fatal beating of captured innocent Bangladeshi citizens;
- Trying to push Bengali speaking Indian citizens in Bangladesh by Indian Border Security force (BSF);
- Making barbed wire fence with high powered floodlights;
- “India’s shoot to kill policy” on Indo-Bangla border line;
- Unsettled enclaves problem between Bangladesh and India;
- Terrorist activities carried out by outfits based on both countries;<sup>12</sup>
- Lack of mutual faith and friendly relation between Border Guard Bangladesh (BGB) and Indian Border Security force (BSF).

## **1.2 Objective of the Research**

Every work has its own objectives. Objectives of any work lead it to the desired goal. It is one of the keys to succeed in any work. Likewise, this study has certain objectives that are placed here with:

- to find out the present circumstances in the Indo-Bangla land border line;
- to evaluate the human rights situation in the Indo-Bangla land border line;
- to identify border issue as national concern of Bangladesh;
- To draw certain suggestions for Bangladesh and to find out direction of diplomatic solution on these issues.

## **2. METHODOLOGY**

The present study is a descriptive work based on qualitative data. Secondary sources of data have been used in this study. In this study historical method is resorted to bring out reliable materials, information and data about the origin and background of the Radcliffe Line and the creation of Republic of India, Islamic Republic of Pakistan and The People’s Republic of Bangladesh. The true origin and background explored by historical method. In the present study analytical method is adopted for analyzing the different facts and issues relating to the Indo-Bangla border line. The violation of human rights and its effects as well as the present stories of Indo-Bangla border line has



been identified through a critical analysis of the same. In order to find out defective issues and area of contention, a comparative study and criticism has been carried out on the facts, circumstances, data and information. Case study method has also been applied in the present study to point out the victims of Indo-Bangla border line.

### 3. ANALYSIS AND FINDINGS

#### **3.1. Violation of Human Rights on Indo-Bangla Land Border Line**

The Global Post, America's World News site, rightly stated that Indo-Bangla land border line is the wall of death between the two neighboring countries Bangladesh and India. Indian Border Security Force (BSF) are exercising brutal shoot to kill policy to stop cattle smugglers and other civilians crossing the border. As per the BSF source, they only use this policy against extremists, drugs and weapon smugglers. But the Human Rights Watch (HRW), a New York based human rights organization disclosed its 81 page report titled 'Trigger Happy: Excessive Use of Force by Indian Troops at the Bangladesh Border', said that Indian Border Security Force (BSF) personnel routinely gun down cattle smugglers and other civilians crossing the border with Bangladesh despite negligible evidence of any crime. While BSF just says that suspects were killed in self-defense or for evading arrest, the HRW said they found no evidence of any death it documented that the person was engaged in any activity that would justify such an extreme response.

It is to be said that they (BSF) may think themselves as a unique and uncontrollable one in the Indo-Bangla border line. They can do anything with impunity. They place themselves as judge in the Indo-Bangla border area by executing death or other punishment in inhuman manner. 291 innocent Bangladeshi were killed and 163 others were injured as a result of violation of human rights on the part of Indian Border Security Force (BSF) in 27 years. Whereas slain number increased 967 people and injured 761 Bangladeshi people in 11 years. According to Article 3, 4 and 5 of the United Nations Universal Declaration of Human Rights-1948, all these are treated as inhuman treatment.

In term of executing judgment, the BSF kills Bangladeshi citizens in the border line and they turned border area into a bloodiest border line though use of lethal force or lethal weapons that should not be used in the border area except where strictly necessary to protect life. The Indian Border Security Force (BSF) is not only engaged in killing innocent Bangladeshi, but also they are engaged to detain, torture, fatal beating, abducting strangling and stoning the Bangladeshis.

#### **3.2. Case Study Report**

The following case studies are enough to show the human rights situation in the Indo-Bangla border line. For example:

##### **3.2.1. Case Study-1**

In the Village of Banarvita, Upazila Nageswari, Union Ramkahna, Kurigram, on Jan. 7, 2011, Felani Khatun and her father arrived at the barbed wire a little after the early morning to call to prayer at a nearby mosque. Dressed up in traditional bridal wear and wedding jewelry, the drowsy 15 years old



Felani fell asleep several times during their overnight journey from India to the border and could barely keep her eyes open. It means, she was in deep sleep.

Felani, born in India whose parents were undocumented migrants there, was returning to Bangladesh to get married. But it was daylight now, and Felani's father Nurul Islam was afraid. The local smugglers he had paid Rs 3000 (\$70) to help him and his daughter across. They insisted that, everything was fine, and father and daughter began to climb up the ladder that had been arranged for them. Nurul Islam made it over successfully. Moments later, as Felani reached the top of the 2.5m high fence, Indian border guards who had spotted them, came running out and shot her dead from close range. The Indian Border Security Force (BSF) shot her without any warning. Nurul Islam, father of Felani, who has been relocated with the rest of his family to the Bangladeshi village of Ramkhana, "I wish they would said 'stop.' If they would just say 'stop' she would have been saved."

Felani's lifeless body hung on the fence for five hours, it was held in full view of Bangladeshi and Indian farmers living nearby. Eventually, the BSF slung her hands and feet onto a bamboo pole and took her away. It was over 30 hours before her body was handed over to Bangladeshi authorities and returned to her father and they took her jewelry. A photo, first published in Indian newspaper *Anandabazaar*, of Felani's corpse hanging from the fence sparked a huge uproar in Bangladeshi media.

At last a special court formed by India's BSF on 09/09/2013 acquitted BSF constable Amiya Ghosh of the charge of killing 15 year old Bangladeshi girl Felani at the Cooch Behar frontier. A five-man BSF General Security Forces court headed by DIG (Communication) SP Trivedi, conducted the hearings from August 13 at Sonari BSF camp, near the North Bengal town of Cooch Behar. BSF's 181 Battalion constable Amiya Ghosh, the prime accused in the case, could not be found guilty due to 'inconclusive and insufficient' evidence against him, the court viewed. BSF officials said that the verdict was given on Thursday night and the proceedings of the GSF court were forwarded to the Director General for final approval. "The judgment has made a mockery of justice. It has not only cheated the family of Felani but also the whole nation"-Said most of the international Human Rights Organization & Activists.

### **3.2.2. Case Study-2**

Alauddin Biswas described the killing of his 24 years old nephew who was suspected of cattle rustling (in March 2010). "The Indian Border Security Force (BSF) had shot him while he was lying on his back. They shot him on the forehead. If he was running away, he would have been shot in the back. They just killed him." The BSF claimed self-defense, but no weapons were recovered.

### **3.2.3. Case Study-3**

One father recounted how his sons were beaten by Indian Border Security Force (BSF) officers. The Indian Border Security Force (BSF) personnel surrounded the boys and without giving any reason started beating them with rifle butts, kicking and slapping them. There were nine soldiers,

and they beat him mercilessly. Even as the boys fell down, the BSF men continued to kick them ruthlessly on their chest and other sensitive organs.

The facts of the aforesaid case studies show the aggressive, destructive, severe and ill mind as well as behavior of the BSF while acting under color of his office. These case studies are only indicating the facts of the Indo-Bangla border line. But the ground realities said border line are more severe and worst at certain extent. In other word, these case studies lead a specimen form of human rights violation in the Indo-Bangla border line. A human rights group “Odhikar” released their survey report that indicates a clear message regarding the human rights violation in Indo-Bangla border area over the last decade. Apart from last year, “Odhikar” accused the Indian Border Security Force (BSF) of killing over 1,000 of Bangladeshi in the past decade while the BSF themselves admit the responsibility for the deaths of 364 Bangladeshi and 164 Indians since 2006. That indicates the entire violation of human rights by the Indian Border Security Force (BSF) in the Indo-Bangla border line.

### **3.3. Expression of the writers**

System of demarcation of territorial boundary or territorial border has been introduced in modern civilization to give a territorial figure of a state that ensures the peaceful coexistence of the States. It may be very simple and easy one and border between two states may be the symbol of friendship and bilateral relation.

Likewise, indiscriminate activities of Indian Border Security Force (BSF) have turned Indo-Bangla border line one of the dangerous and bloodiest border lines of the modern world. Since every state of the civilized world is very serious about the standard of human rights. And there is an existing treaty between Bangladesh and India called Indra-Mujib Accord on Land Boundary Agreement, 1974 that come into force on 16<sup>th</sup> May of 1974. It is said that the treaty was meant to mend defect in the geographical dissections by Radclif during the partition of the subcontinent at the end of British rule, which cut down middle of some provinces districts villages and homesteads. But the BSF violates human rights with impunity in the border area by means of killing, torturing, abducting, beating, stoning and what not. Sometimes the BSF helps or allows Indian local people to take away crops from the Bangladeshi agricultural land. In fact they are responsible for guarding against extremists, drug and medicine smuggling, human trafficking and other relating issues. Do they do it so?

Of course, India has every right to impose strict controls over boundary, particularly Indian side. But India does not have the very right to use lethal force or lethal weapons in the border line except where there is the strict necessity to protect life. Under international border norms lethal weapons should not be used at border area but there is no effective accountability mechanism on India for the abuse of lethal force and lethal weapons in the Indo-Bangla border line. Some officials openly admit that unarmed civilians are being killed on border area. The chief of the Indian Border Security Force (BSF), Raman Srivastava, says that, people should not feel sorry for the victims, claiming that since these individuals were illegally entering Indian Territory, often at night, they were not innocent and therefore were a legitimate target. Even they are using lethal weapons if

any Bangladeshi goes close to the border line for example. Abdur Rakib, who broke no law and was killed simply because he was near the fence, It seems the members of the BSF became happy by exercising brutal and debated shoot to kill policy on unarmed, defenseless and innocent Bangladeshi people in the Indo-Bangla border line. The attitudes of BSF as well as Indians people deserve special thanks for introducing and exercising famous shoot to kill policy. Under no law the members of Indian Border Security Force (BSF) cannot place themselves as judge, jury and executor.

It is true that, India is not a state without functional Courts. If any Bangladeshi breaks laws by crossing Indian border and enter into Indian Territory unlawfully should not be the subject to shoot to kill policy. Victims should have the right to be charged before functional competent Courts. But there are some reasons for hope. Under pressure, senior Indian officials have expressed revulsion at the behavior of the BSF and have promised to send new orders to end the shoot kill policy. They have committed to use non-violent means to apprehend illegal border crossers or smugglers where they pose no risk to life. The question is whether this will be translated into action on the ground. Similar promises of zero tolerance for abuses have been made in Kashmir too and elsewhere by India but have not been fulfilled their own words yet.

#### 4. RECOMMENDATIONS

Bangladesh and India are the very closest neighboring countries. Both the countries share a border of 2,429 mile. Where, *Global Post* rightly says that Indo-Bangla border is a tense border. Indo-Bangla border line also termed as the longest bloodiest border line of the world. Apart from the stories regarding bloodbath there are different problems and issues in the Indo-Bangla border line. In order to improve border relation between Bangladesh and India following paces should be implemented and measures to be taken.

- i. It is felt that first of all, it needs to demarcate absolutely and properly entire border line between Bangladesh and India. In order to demarcate the entire border line Joint Border Commission ought to be established;
- ii. A Joint Human Rights Commission should be established to act as human rights watch dog in Indo-Bangla border area for the protection of human rights of border area people;
- iii. The Government should protest strongly against human rights violations on Bangladeshi citizens by the Indian Border Security Force (BSF); and investigate all violence and demand from the Indian Government adequate compensation for the families of the victims and trial and punishment for the perpetrators;
- iv. The Government should also ensure the safety and security of the Bangladeshi citizens residing at the border areas; should be added the recent law on border area by its own Parliament.
- v. Human rights values of border forces should be improved by means of participation in different human rights sessions;

- vi. Soft border diplomacy should be introduced between Bangladesh and India;
- vii. Other disputed issues should be settled diplomatically through bilateral, regional and international norms and principles;
- viii. Altogether friendly diplomatic relation is to be established between these two countries that leads the relation to a new dimension and phenomena.

## 5. CONCLUSION

Bangladesh and India are the countries of South Asia and both of them play crucial role in the economic and cultural aspects of the region. India is one of the world largest economic and democratic powers. During last decades, India's economy has grown up. As one of the world's largest democratic countries India should behave accordingly in all respects. And, of course, routinely shooting poor and unarmed villagers is not desired in the modern era of democracy and human rights. The Government of Bangladesh (GoB) should strongly establish neighbor's rights with India under the patronization of international community. It is important to keep in mind for all that bilateral and regional multilateral cooperation, respect and sound relation can make a happy, prosper, hunger free South Asia that we dreamt. In fact no law could have solution unless the people of both countries are morally and ethically found upright.

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## **PEACE BUILDING BETWEEN ISLAM AND MODERN WORLD: THE PERSPECTIVE OF SAID NURSI'S *RISALE-I-NUR* WITH SPECIAL ATTENTION TO THE QUR'AN**

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Muhammad Obaidullah, *PhD\**

### **ABSTRACT**

*The main objective of this research is to find out the ways of peace building between Islam and the modern world from Bediuzzaman Said Nursi's (1877-1960) views revealed in Risale-i-Nur with special devotion to the Qur'an. It is indeed sad to observe that how efforts and resources are being wasted in Muslim brethren's fighting each other instead of preaching the glories of Islam to the world. What is more heart-rending is Muslims are facing trouble to accommodate themselves with the modern world. Thus, the present world is enthusiastically looking for the ways to overcome those problems. This study finds that Nursi's fervent call for Islamic Unity is all the more needed in our contemporary times especially when Muslims nowadays seem to forget the very Qur'anic maxim of unity stated in the verse ÓÎÊ ÑImrÊn, 3: 103. This study finds that the Nursi's Risale-i-Nur could be one of the most persuasive guides and useful expounded works for eradicating horrible situation of the unhealthy realm and it can play a significant role towards promoting the harmonious relationship between Islam and Modern world as well. In this regard, this study emphasizes on the six major issues such as (1) true meaning of Islam, (2) religious freedom, (3) issue of head-scarf, (4) relationship between religion and science, (5) relationship between Islam and the West, and finally (6) the requirements for the world peace. The methodologies applied in this study are descriptive and analytical.*

**Keywords:** *Qur'an, Islam, Peace, Said Nursi, Risale-i-Nur, Modern world.*

### **1. INTRODUCTION**

Bediuzzaman Said Nursi's (1877-1960) contribution to unite Muslims has been concentrated by the modern scholars, thinkers, policymakers and others. His famous work entitled "Risale-i-Nur" got attention by the people towards numerous issues of modernity and Islam. Among them, peace

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\* Assistant Professor in Islamic Studies, Center for General Education, Manarat International University, Dhaka, Bangladesh.

building between Islam and modern world could play a good role towards eradicating conflict between two groups. His call for Muslim unity is also a very significant theory that can be used in promoting relationship among Muslims' sects and groups.

The paper highlights Said Nursi's biography in brief and his contribution towards promoting peace between Islam and the modern world. The study, in this regard, highlights only six significant issues which are the most discussed issues in the present-day world. How the challenges of those issues could be overcome from Nursi's thought reflected in "*Risale-i-Nur*" with special reference to the Qur'an. The present study, therefore, would answer the following questions:

1. Who is Bediuzzaman Said Nursi and what is "*Risale-i-Nur*"?
2. What are the challenges towards promoting peace between Islam and the Modern world?
3. How the ideas of Said Nursi reflected in "*Risale-i-Nur*" can be useful towards overcoming those challenges with special reference to the Qur'an?

### 1.1. Objectives of Research

The objectives of the present study are as follows:

1. To introduce Said Nursi and his most famous work "*Risale-i-Nur*".
2. To find out the most significant challenges towards peace building between Islam and Modern world.
3. To study the ideas of Said Nursi imitated in "*Risale-i-Nur*" towards overcoming those challenges with special reference to the Qur'an.

### 1.2. Literature Review

A good number of literature is found on the biography of Bediuzzaman Said Nursi and his works. However, not much literature is found on the concept of peace building with special reference to *Risale-i-Nur* and the Noble Qur'an. For example, "Islam and Modern Turkey (Kurdistan: An Intellectual Biography of Bediuzzaman Said Nursi)" by Sukran Vaide, "Globalization, Ethics and Islam: The Case of Bediuzzaman Said Nursi" and "Engaging with Bediuzzaman Said Nursi: A Model of Interfaith Dialogue" by Ian Markham, "An Introduction to Said Nursi: Life, Thought and Writings" by Suendam Birinci and Suendam Birinci Pirim, "Religion and Social Change in Modern Turkey: The Case of Bediuzzaman Said Nursi" by Serif Mardin and "Islam in Modern Turkey: An Intellectual Biography of Bediuzzaman Said Nursi" by Sukran Vahide emphasize on the biography of Said Nursi and his thoughts on the contemporary world. These works also demonstrate how Nursi's thoughts influence on the contemporary issues. The present world only concerns on His thoughts on few modern issues on the basis of *Risale-i-Nur* and links with the noble Qur'an.

## 2. METHODOLOGY OF THE RESEARCH

As the nature of this study is to study Said Nursi's ideas on Islam and Modernity which has been reflected in his famous work entitled "*Risale-i-Nur*" with special reference to the Qur'an, the methodologies used here are analytic and descriptive. The Qur'an and the *Risale-i-Nur* have been treated as the primary sources of the present study. Some other secondary sources have also been studied carefully, analyzed critically and quoted prudently in an academic way.



### 3. ANALYSIS AND FINDINGS

#### 3.1. A Short Biography of Badiuzzaman Said Nursi (1877-1960)

Said Nursi was born in 1877 in a Muslim family in eastern Turkey (Fedotoff: 2004). From the childhood, his gigantic memory was appreciated by people. He started his education in a religious school (madrasah) and completed at the age of fourteen. Later on, he studied various branches of knowledge such as physical sciences, mathematics and philosophy.

At the end of the second decade of his life, he realized that the religious education system especially the curriculum is not adequate to provide complete knowledge of Islam which can lead the people towards facing the modernity and modern world. Therefore, he constructed a new curriculum for the Turkish *madrasah* education. He also tried to establish an university namely *Medrestu'z Zehra*, (the Resplendent Madrasah) in the Eastern Provinces (Risale-i-Nur: accessed 2015). In 1917, he arrived in Istanbul to collect fund for the institution and met Sultan Abdul Hamid (Ibid.). He could collect the sufficient fund for establishing the university but he could not do that because of the World War-I (Ibid).

Said Nursi's remarkable work is Risale-i-Nur. Risale-i-Nur is an attempt to establish links between the Qur'an and the natural world. Many people make the mistakes as they consider it as the *tafsir* (commentary) of the Qur'an (Sukran Vahide, Sozler Nesriyat A. S., Istanbul: 1995). It was an attempt to show that there is not conflict between religious and science (Ibid.). He started to write this work during the World War (Fedotoff: 2004). Once he was caught that thrown into the jail by the Russians, he could not continue the writing. Later on, he completed the work. Now the book has been translated into many languages are available on internet (<http://www.iikv.org/en/the-risale-i-nur>).

Besides, Nursi also wrote a treatise on Resurrection and thirty-three other pieces which were later collected as *Sozler (The Words)*. This was followed by *Maktubat* (Letters), a collection of thirty-three letters of varying length written to his students. Two other works namely "*Lem'alar (The Flashes)*" and "*Sualar (The Rays)*", were completed in 1949. In addition, there are three collections of additional letters, *Barla Lahikast*, *Kastmonu Lahikast*, and *Emirdag Lahikast* from each of Bediuzzaman's three places of exile.

Said Nursi responded to his Almighty's call on March 23, 1960. A very short lifetime of eighty years was end. He spent his life for serving of faith for seeking the pleasure of Allah (s.w.t.) and he did so with complete honor, dignity, and victory (Fedotoff: 2004).

#### 3.2. Challenges towards peace building between Islam and the Modern World

There is no doubt that Islam is facing a lot of challenges in this modern and scientific era. The challenges are not from only outside of Islam and Muslim but also from its inside (Watson: 1999). The core challenges have been mentioned by the scholars and thinkers. Muslim world is trying to overcome those challenges. The challenges have been facing by Islam and Muslims in this modern world may include the lack of understanding the true meaning of Islam, the term used by the west such as fundamentalism, terrorist, extremist, etc., religious freedom and the concept of secularism, crises of unity, gender issue, revenges and forgiveness, issue of modern science and religion, issue of development, issue of modern and modernity and so on.

Watson (1999) states that the challenges from outside of Islam and Muslims could be overlooked as it is because of lack of knowledge and understanding but from the inside is the tensions. Most of the Muslim scholars emphasizes on the crises of unity and *ummahtic* attitude (Khatami: 1997). Allah says in the Qur'an: "*And hold firmly to the rope of Allah all together and do not become divided*" (3:103).

However, the consequent discussions are going to highlight only the challenges relating to the modern world.

### **3.3. Selected Challenges and the Ways to Overcome them**

#### **3.3.1. The Origin and Meaning of Islam**

The first challenge faced Muslims is the lack of understanding of the true meaning of Islam and its origin. The misunderstanding of Islam is of the following:

##### **i. Origin of Islam**

Some people may think that Islam refers to only the religion that Prophet Muhammad (sm.) brought from Allah (s.w.t.) to the mankind. It leads religious people to be divided into many groups such as Muslims, Christians, Jews and so on. However, Islam is the religious for all prophets from the first man and prophet Adam (as) to the last Prophet Muhammad (phAuh). Said Nursi's views go to support the same believe as he says that the earlier Prophets were Muslims by virtue of receiving revelation and submitting to the same God (Allah) and last in the sense that Muhammad was the final, the "seal of the Prophets" (Alatas: 2004). It is also proved by the Qur'an that all the prophets believed in One Allah and they worshiped Him alone and called the people to His way. For instance, regarding Ibrahim (AS), the Qur'an states that "*Ibrahim (Abraham) was neither a Jew nor a Christian, but he was a true Muslim Hanifa and he was not of Al-Mushrikun* (3:67)." The Qur'an also says about Jesus (AS) that "*Then when 'Isa (Jesus) came to know of their disbelief, he said: "Who will be my helpers in Allah's Cause?" Al-Hawariyyun (the disciples) said: "We are the helpers of Allah; we believe in Allah, and bear witness that we are Muslims* (3:52)."

Therefore, if we do believe that we, the religious people such as Christian, Jews, and Muslims are from the same origin so there will not be any conflict among us. The conflict between Muslims and Christians, between Muslims and Jews or between Christians and Jews are observed in around the world can be overcome with mutual understanding.

##### **ii. True Meaning of Islam**

Another misconception regarding the conflict is to understand the true meaning of Islam. The Arabic word "Islam" itself means peace and submission from two different Arabic roots. So, the Muslim is who is considered as peaceful and submissive man. It means A Muslim who is peaceful to the creations and submissive to the Creator, the Lord, Allah. Therefore, a Muslim can be harmful for anyone neither for Muslim nor for non-Muslim (Bukhari).

Nursi states in this regard that Islam as a civilization and a way of life refers not just to beliefs in the narrow sense of the term but also to knowledge of God and of creation. It is for this



reason that the Muslim scholars of the past cultivated with great fervor a wide variety of sciences (Alatas: 2004).

### ***3.3.2. Religious Freedom***

Religious freedom is another challenge in the modern era. In the name of religious freedom people are doing anything whatever they will and wish. Yes, Islam permits religious freedom but with such conditions. For example, it cannot be harm full to any ones' beliefs or religion. Moreover, there are some extremists who do not want to allow this kind of freedom.

In this regard, Nursi has an own thought of religious freedom. Among Muslims, there is a broad consensus concerning human duties in the first and of human rights in the second place. Nursi's fifth word mentions two duties: "The first creation and maintenance of life are responsibilities of the Creator alone. The second is our responsibility-begging from the Creator and Sustainer, relaying on Him totally... to avoid being a trouble or burden on others..." Thus, from the inner duty to practice religion there results an inner freedom granted by religion (Risale-i-Nur, Quoted from: Elsas: 2004).

However, Nursi's Eighth word is explaining the path of Islam which promises such security and freedom on the one hand puts people under the obligation to observe the Islamic laws and prescriptions and on the other hand as such should be chosen freely and consciously (Risale-i-Nur).

With Nursi's sixteenth Word, daily the five obligatory prayers of Islam can be seen "as a kind of ascension to heaven" and, its words being the words of God Himself, "as an example of pure grace (Ibid.)."

### ***3.3.3. The Issue of Head-Scarf***

Yet the gender issue is one of the most significant challenges in this modern era, Muslim world especially Muslim women are facing another challenge and that is issue of head-Scarf. The modern world does not women to be used of head-scarf. Few countries have already banned the head-scarf to use. Moreover, it is obviously dangerous that few Muslims countries also neglect and discourage to use head-scarf. Thus, the issue of head-scarf has been concentrated by the contemporary scholars. It is obvious that there is a common feeling in Muslim countries to belong to "*the best peoples evolved for mankind*" (3:110). In 1931, Nursi therefore emphasized in an article on "Nationalism in the View of Islam", now the Third Topic of the Twenty-Sixth Letter, that "positive nationalism must serve Islam", quoting Qur'ān 5:57; "soon will God produce a people whom he will love as the will love Him, lowly with the believers, mighty against the rejecters, fighting in the way of God" (Elsas: 2004). Although he was Turkish citizen of Kurdish origin, Nursi felt urged to utter a warning, because he perceived the danger of foreign infiltration by the west and by Christianity of rather by blind imitation: "O my Turkish brothers! You watch out in particular! Your nationhood has fused weigh Islam and may not be separated from it. If you do separate them, you will be finished! All your glorious deeds of the past are recorded in the book of Islam's deeds" (Risale-i-Nur).

Nursi declares in the Fourteenth Ray he would only acknowledge his sentence at court which he received for his explanation of the Qur'ān “if it is possible to deny numerous of its explicit verses, which do not bear interpretation, about the veiling of women, inheritance, polygamy...and if you can ... abolish ... freedom of conscience and freedom of thought, and intellectual and scholarly opposition...” (Risale-i-Nur). In his Twenty-Fourth Flash “On Islamic Dress for Women”, Nursi relates to Qur'ān 33:59: “*O Prophet! Tell your wives and daughters, and the believing women, that they should cast their outer garments over their persons (when abroad)...*”. Contrary to modern criticism, which “does not consider the veiling of women to be natural and says it is a slavery of a sort”, he contends, that “this injunction of the Qur'ān... is entirely natural. To veil themselves is natural for women... For ... they are in need of a man's protection and help for themselves and for their children whom they love more than their own lives... and want by nature to cover themselves so as not to suffer assault, nor to be accused of unfaithfulness in the eyes of their husbands... Being weak, their creation demands that through veiling themselves they do not excite the appetites of men outside the stipulated degrees of kinship, nor allow any opportunity for assault” (Risale-i-Nur).

#### **3.3.4. *Revenge and Forgiveness from the view of Nursi***

The intention of revenge creates a lot of problem in the modern world. In Islam, fighting against enemy who directly involved in harming Islam and Muslim is obligatory but the pre-requisites of this fighting is unity of *ummah*. According to Nursi (Risale-i-Nur), Jihad against the enemy is necessary but unity is more urgent. Therefore, he called for unity. This unity, for him, can be attained and achieved through the internal jihad of transforming the self. No change can occur in society, the Qur'ān tells, without the change to the self. The power of unity is far greater than any military power. The starting point for unity and brotherhood is the change of the self, both mind and heart. An open mind leads to tolerance. We now deal with another pathway to tolerance, the open heart that is inclined to forgiveness. Forgiveness is the anti-dote to anger and indignation.

Nursi (Risale-i-Nur) states that forgiveness has the power to heal our hearts of hatred, and to stop our limbs of violence. We look at others with a sense of good will, and we forgave them for their mistakes. And we realize that we too can make these mistakes.

Nursi (Risale-i-Nur) discusses the concept of forgiveness in the context of a brotherhood of believers who are guilty of minor wrongs to each other. These minor wrongs are not being underestimated. They can cause the breakdown of human relations.

Forgiveness should not be confused with compassion. We pity those who suffer, and forgave those who cause us suffering. We naturally sympathize with those who suffer on account of loss of wealth, health, or a dear one. We identify with such suffering because we too could suffer similar misfortunes. According to the Nursi's view, the human heart has two tendencies, the tendency for brotherly affection (*ukhuwāt*) and the tendency for enmity (*'adāwāt*). True affection should be shared between brothers who have a common faith. It does not pay to lose a brother because of some small argument or insult. By cultivation brotherly affection, our enmity will change into pity (Risale-i-Nur).

### **3.3.5. Relation between Science and Religion from the view of Nursi**

A controversial argument is frequently observed that is the relationship between religion and science is good or bad. Since, we are living in the era of science and technology and we cannot even think anything without technology, we should have an understanding that there is no conflict between religion and science. Religion is developed by the super natural knowledge as it is considered as the revelation from the Lord, on the other hand, science is based on acquired knowledge gained by the mankind. The source of knowledge is Allah.

In this regard, Nursi has contributed a lot to make and promote a good relationship between religion and science. His approach to science as well as scientific approach to religion made him unique. Nursi believed that the science as a subset of religion. In this 30<sup>th</sup> word, he provides a brilliant exposition of the command that Allah has ordained, even for the minutest entity that exists in the heavens and the earth. He states that science does not provide all the answers, only certain answers can be provided for practically an infinite number of enquiries. The answers that do obtain for the science are only approximate in nature (Risale-i-Nur).

Moreover, Said Nursi describes the limitation of religion. He mentions that the contradistinction between the Euro-American world-view and the Muslim world-view, using the analogy with trees. He asserts that the world-view that science yields, to which Euro-American countries subscribe is like the *Zaqqum* tree. The world-view inspired by the Qur'ān in then compared to the Tuba tree. He goes on to illustrate the distinction using the parable of the travelers.

The Qur'ān proposes scientific approach to learn about the universe (32:27), and it helps the metaphysical enquiry by declaring that everything and every being in the heaven and the earth celebrates (al-Qur'an: 24: 41 & 17:44) Allah's praises. In this regard, everything that we find out via the science is actually a pointer to the Necessary being that Allah is. Indeed Qur'ān declares that the natural phenomena are the signs of Allah (3:190).

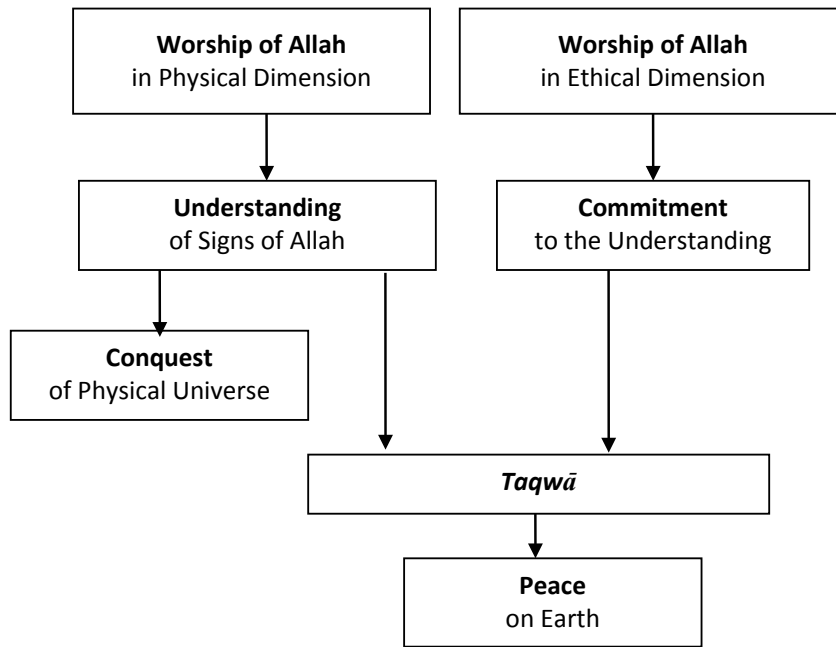
### **3.3.6. Islam Vis-a-Vis the Wes**

The issue of Islam vis-a-vis the West becomes another challenge towards promoting peace between Islam and the modern world. Some people do not allow anything form West as they consider it prohibited, on the other hand, some of them are very liberal and, in most cases, interested to accept everything without examining from religious perspective. It creates problem and becomes another significant challenge in this modern era. Nurs's views go to the middle of those two groups. As it is mentioned above that the misunderstanding is the reason behind this conflict, he suggests learning true knowledge of Islam and its teachings. There is no place of East and West or North and South. The issue is either Islam permits it or not. Yet, the West is now more developed and progressed in knowledge and economics; we should not forget our glorious history.

### **3.4. Nursi's Peace Theory**

Said Nursi spent his single moment of establishing true peace not only in his own society but also in the world which have been reflected in his speech and writings. He devoted his life to seek the pleasure of Allah in the way of establishing and promoting peaceful existence in the mankind

irrespective of culture, race, place, country and so on. Based on Nursi's views on peace theory that can only bring the peace in the globe, Rahim () structured a graph as in mentioned bellow:



According to Nursi (Resale-i-Nur) and based on the above graph, the first requirement for peace in the world is to worship Allah in true sense as He is the Creator (al-Qur'an: 2:30-34), Lord and only He should be worshiped. None is there who can be worshiped besides Him (al-Qur'an: 9:129). The worship can be from two dimension such as (1) form Physical and (2) form ethical dimension. The physical dimension of worship Allah lead people to the understanding of His Signs in this physical world and ethical dimension of worship leads people to the commitment of understanding that they are the servants of the Creator and He only should be worshiped. Once we have the understanding of the signs of this physical world, we do have the conquest in this world. Allah created mankind as His *Khalîfah* on earth (al-Qur'an: 2:30), then he made a promise with the mankind that those who believe and perform righteously, Allah will give them *khilafah* on the earth (al-Qur'an: 24:55). Moreover, both of these understandings lead a person to the piousness (*taqwa*) and *taqwa* can only bring inner and outer peace in this worldly life.

#### 4. CONCLUSION

Said Nursi, a Turkish man devoted his life for Islam and Muslims. His contribution to the Islam and Muslim *Ummah* is remarkable. His writings are more effective towards promoting the true peace between Islam and the modern world. While Islam is facing a lot of problems, Nursi's peace theory could be useful. The theory could remove internal and external challenges faced by Islam, Muslims and Muslim world. According to him, the most important things to promote peace between Islam and modern world is to learn about true meaning of Islam and its teachings, to be pious as we have

been asked for, to earn the quality of forgiveness rather than taking revenge and finally to go back to submit ourselves to Allah (swt) as He is our Creator, Lord and Only he should be worshiped. None is there beside Him. We should also have the understanding that there is not conflict between science and religious. Science is a special knowledge which is also form the Creator. Science is working for the mankind with the attained and acquired knowledge to promote our life easier and flexible and religion especially Islam guide mankind towards peace in this worldly life and the life hereafter. To conclude, therefore, it could be said that the views and ideas of Said Nursi could be useful towards promoting peace and stability between Islam and the modern world.

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## **THE CONCEPT OF PROPHETHOOD IN THE LIGHT OF *RISALE-I NURSI* OF SAID NURSI AND *ITHBAT-I NABUWWAH* OF IMAM RABBANI**

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**Afroz Ahmad Bisati\***

### **ABSTRACT**

*This paper aims to highlight and compare the views and methods of Said Nursi and Imam Rabbani on the concept of prophethood and to underline the points of convergence and divergence. The methodology applied is comparative, historical and analytical. The writings *Risale-i Nur* and *Ithbat-i Nabuwwah* of Said Nursi and Imam Rabbani respectively serve as the primary source for this paper. The paper arrives at the conclusion that though the two thinkers are separated by time but are linked by the mission and spirituality. They both used combined approach and methods to defend the institution of prophethood and its relevance and efficacy in the ever changing times. In doing so they were greatly successful in rejuvenating the faith and importance of prophethood.*

**Keywords:** *Bediuzzaman Said Nursi, Imam Rabbani, Risale-i Nur, Ithbat-i Nabuwwah, Prophethood.*

### **1. INTRODUCTION**

Bediüzzaman Said Nursi (1877-1960 AD) and Imam Rabbani (1564-1624 AD), two extraordinary personalities-separated by time but linked by mission and spirituality, revisited the role and function of prophethood in their respective times. Especially, when the question came under pressure of transformation due to the emergence of new interpretations rising from both within the fold of Islam as in the case of Imam Rabbani and through the emergence of modern scientific and technical age in the case of Said Nursi. As such both tried to revive and renew Islam by addressing the faith-questions arising out of intellectual encounters of their times. At the heart of any renewal and ‘change’ lies a great leader or champion of change – prophets of God. (Ansari, 2013) Therefore, after the Qur’an and God’s Oneness (*tawhid*), prophethood (*nabuwwah*) was sought to be re-affirmed by Muslim theologians as ‘agents of change’ or ‘role models’ that would

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\* Senior Assistant Professor, Department of Islamic Studies, Islamic University of Science and Technology, Awantipora (Pulwama), Kashmir-192122 (India)



be the ‘agency’ for change or the ‘pillar’ of continuity in society. To this effect the various aspects of prophethood became important at various junctures of history of Islam, specifically here, in the writings of Nursi and Imam Rabbani. For this reason, and for their spiritual link, the two great thinkers warrant a comparative study of their views of prophethood. The comparison is also apt and significant for the *Tajdidi* links between two illustrious Muslim personalities.

The relationship between Said Nursi and Imam Rabbani is neither geographical nor nationalistic but a spiritual interface exhibiting the universal dimension of Islam’s Ummatic consciousness. It is founded in their Naqshbandiyah fellowship, a Sufi order from Muslim Asia associated with Muhammad Ibn Muhammad Bahauddin Naqshband (1317-1389 AD) of Bukhara. Said Nursi saw Imam Rabbani worthy of respect and emulation and refers to him as, “the hero and a sun of the Naqshbandi Order”. (Nursi, 2017)

### 1.1 Objective of the Research

The views of Said Nursi and Imam Rabbani on the concept of Prophethood in the light of their respective writings *Risale-i Nur* and *Ithbat-i- Nabuwwah* constitute the kernel of this paper. The conclusion will include a comparative analysis of their ideas of prophethood to arrive at the points of convergence and divergence between the two.

## 2. METHODOLOGY OF THE RESEARCH

As the very title suggest the methodology applied will be comparative as well as historical and analytical. The writings *Risale-i Nur* and *Ithbat-i-Nabuwwah* of Said Nursi and Imam Rabbani respectively serve as the primary source for this paper. In addition, the relevant letters from *Maktubat-i Imam Rabbani* will also be utilised. Each scholar will be addressed separately and their views on the role and function of prophethood will be compared and analysed.

## 3. ANALYSIS AND FINDINGS

### 3.1 Prophethood: Concept and History

Islam’s view of prophethood has five distinct and significant elements. Before elucidating them one should bear in mind that a belief in previous prophets is a fundamental of the Islamic creed. First, Muhammad’s mission is the same divine message with which god entrusted all human prophets, of whom Adam was the first and Muhammad was the last. The second meaning of prophethood refers to prophet’s qualifications. A prophet must be sinless, infallible, trustworthy, steadfast and sharp-witted. Third, Muhammad received God’s messages through Qur’anic revelations. Muslims believe that the Qur’an is the literal and eternal word of god as revealed to Muhammad.

The fourth feature of prophethood in Islam is the distinction between a prophet-messenger (*rasūl*) and a prophet (*nabī*). The *nabis* were entrusted to convey the divine message while *rasul* were endowed with books in addition, thus assigning major role to the latter. The fifth meaning of prophethood in Islam revolves around the miraculous abilities that God grants each prophet-messenger as a way to demonstrate His divine signs to humans. (Tayara, 2013) Prophethood in Islam thus acquired a unique meaning that paved the way for the religious distinctiveness of Islam. But this construction of prophethood came under scrutiny and challenge at different times of history.



### 3.2 Nursi's Views on Prophethood: Main Objectives

In Nursi's words, his main objective is to 'defend the truths of the Qur'an and *iman* [belief in God]'. In fact, Nursi begins writing about prophethood and the prophet while explaining the 23-24<sup>th</sup> verse of surah al-Baqarah on the originality of the Qur'an. Thus, while defending the Qur'an, Nursi begins his discussion of *nubuwwah*. As such, due to the centrality of the Qur'an to prophethood, Nursi's discussions of *nubuwwah* are the second most central theme in his writing, second only to God.

#### 3.2.1. Nursi's Method and Argumentation

Nursi offers a unique blend of the various approaches, applied by his predecessors to *nubuwwah*\*\* in his esoteric Epistles of Light, the *Risale-i Nur*, and provides a culmination of all categories in order to discuss Prophethood. Nursi employs almost all sciences to defend his arguments on *nubuwwah*; this unique approach was arguably unprecedented. (Ansari, 2013) Nursi's aim is not to detail the historical aspects of the Prophet's life or to go into detailed theological discussions on prophethood, rather he chooses to focus on and address areas that he thinks require a new explanation. (Khalil, 1995) Nursi's prophetology is built on the existing discourse in Islamic *kalam*, his unique contribution lies in his address of the challenges of modernity and doubts put forward by the Orientalists (*mustashriqeen*). Therefore, his view on prophethood is 'reconstructed' with the use of reason, metaphors and combined methodology to appeal to the mind, heart and spirit.

#### 3.2.2 Why Prophethood?

Nursi uses logical arguments and teleology reasoning to state the 'essentiality' of prophethood for mankind. In the 734<sup>th</sup> Gleam, in the Words, he adopts the method of analogy of the ant to highlight that prophets are 'essential'. He states that just as divine power 'does not leave the ant without a leader, or bees without a queen, it surely would not leave mankind without a prophet or code of laws'. In doing so, Nursi demonstrates the 'essential need' for prophethood and prophets, and also the key function of the need being a 'guide' or leader.

Nursi's appeal to reason is further evidenced in the *Isharat-al I'jaz* (the Signs of Miraculousness) and in the Rays. In the *Isharat al I'jaz*, to the question of the reason for the various outlooks of the prophets and their different ways, he equates the 'change of seasons' to the differences in prophetic laws and prescriptions. (Nursi, 2006) Nursi thus demonstratively 'simplifies' complex theological issues; his aim is not to enter into 'systematic logic' in his argumentation, but rather to employ what he calls the 'Qur'anic method' of simple 'analogies' that address the rational mind and are easily grasped due to the nature of the example. Nursi adopts this approach throughout the *Risale-i Nur* in order to put forward his theological understanding of the nature of prophethood.

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\*\* Scholastic discourses on the topic of *nubuwwah* provide many illustrious works from various fields, such as biographical outlines of the Prophet's life (Ibn Ishaq) and Al Tabari's epistles to theological discussions like those of Taftazani's 'Creed of Islam' and Ibn Taymiyya's *Nubuwwah*; the mystical epistles (Jalaludin Rumi's *Mathnawi* and philosophical approaches (Ibn Sina and Ibn Rushd). In the centuries closer to Nursi the writings of Shah Wali Allah provided glimpses of a new theosophical approach to *nubuwwah*. (Ibid.)

### 3.2.3. *Prophethood and Miracles*

Nursi, like Imam Rabbani, used 'logic' in addition to the Qur'an and hadith in order to argue for the essentiality of miracles as part of *nubuwwah*. Nursi's position on miracles is unique as he explains not only the need but also the various instances of wisdom underlying the miracles attributed to prophets. In the Twentieth Word, Nursi details selective key prophetic miracles outlined in the Qur'an including Abraham's escapade whilst being in the pit of fire and Solomon's flight through the air covering many kilometres distance in short periods. (Nursi & Vahide, 1992) Here Nursi's theological and ontological explanations are unique; his sophisticated explanation does not negate the possibility of the occurrence of these 'miraculous events', rather it strengthens his re-occurring argument in the *Risale-i Nur* that 'causes or nature are not the real Law Giver' and that causes 'do not have creative power' but are rather governed by the Creator and the governor of causes 'whose kingdom has the hand-hold of every molecular, atomic and celestial and cosmic object in the universe and creation'. Such is the explanation that Nursi puts forward while discussing the verse 'O fire be cool and calm', where Abraham was thrown in the fire pit. Nursi explains that:

"God almighty suspends his own laws of nature temporarily as a sign and mark for a people of that time by the request of one of his own sent envoys or prophets and grants permission as a final chance for those that may need further proof for strengthening of faith."

Nursi does not delve into historical accounts of miracles or geological proofs, but selectively deducts stories and shows that 'miracles are all an aim and goal for humanity to achieve it in material life'. For example, Solomon's traversing of space became a reality thousands of years later with the invention of the transportation modes of trains and aeroplanes. (Ibid.) This unique view of miracles sheds a whole new light and opens a wide door for scientific interest or study on prophetic miracles and other Qur'anic stances to see if they have been scientifically realised in our time. (Baljon, 1970)

Nursi therefore extends the understanding of miracles. His unique exposition on miracles of the prophets is innovative in that he sees miracles as 'the confirmation by the Creator of the cosmos of his declaration of prophethood; they have the effect of the words, 'You have spoken truly! (Ibid.) In doing so he upholds the position of 'orthodoxy', by showing miracles as part of everyday life.

### 3.2.4. *Nursi on Prophetic Guidance and Philosophical Truths*

Nursi affirms the superiority of prophethood over philosophy. In Nursi's prophetology, the world's historical events may be seen through this lens of 'prophetic history' or 'philosophy' with the aspect that prophetic line represents 'divine law', guidance and favouring from God, and philosophy represents the rational mind that dominates the '*ana*' or sense of I-ness in humanity. For Nursi, when revelation and reason are combined humanity produces great fruits – this means prophetic guidance and philosophy. Therefore, Nursi prefers holistic approaches that will advance humanity.

Know that among mankind prophethood is the summary and foundation of human good and perfections; True Religion is the index of prosperity and happiness; belief is sheer, transcendent

good. Since apparent in this world are a shining beauty, an extensive and exalted good, an evident truth, and superior perfection, self-evidently truth and reality lie in prophethood and in the hands of prophets. While evil, misguidance, and loss are with those who oppose them. (Nursi, 2004).

In summary, Nursi's position amidst orthodoxy is very clear as he uses logical reason, more theological and philosophical approaches. He uses analogies to prove and reaffirm the need for prophethood as guides as part of God's mercy and creation.

### **3.3 Imam Rabbani's Views on Prophethood**

According to Sayyid Nadwi, an acclaimed scholar of the modern Muslim world, Imam Rabbani's main achievement as the Mujaddid was his reemphasising the need and importance of the prophethood. After acknowledging the other achievements of Imam Rabbani, he writes, "but the fact that the greatest achievement of the Mujaddid which is the nucleus of his entire endeavour or the focal point of his multidimensional reformatory programme was his success in creating a trust in the need and abiding nature of Muhammad's prophethood". (Ali Nadwi, 1988) Imam Rabbani as an erudite scholar was expected to write on any issue pertaining to Islam and Muslims including prophethood but the circumstances necessitated him to respond to certain developments.

Sirhindi's approach, objective and the factors in writing the defence of the prophethood can be had from the very title of the epistle i.e. *Ithbat al-Nabuwwah-(the Proof of Prophethood)*. The very institution of prophethood was put in doubt for myriad reasons. That thousand years had elapsed as such the very edifice of prophethood was made doubtful and outmoded. In fact there was a movement propagating the 'ideology of second millennium'. (Numani, 1986) It was made to believe that the prophethood is concerned only with external aspects of human life, people would mock at the blessed names of the Last Prophet and the rank of the Prophet was also undermined. Under the influence of philosophy and logic it was being promulgated that "the 'ibâdât are not *munjî* (able to save) and that salvation depends upon beautiful habits". Moreover, even men of religion, who were expected to be healers for the disease of disbelief, were falling for this disaster and drifting into calamity. (Rabbani, 2011)

Although Sirhindi identifies many more aspects of Islam that were under attack in India but since he believed that the cause behind all ills is lack of proper understanding and importance of the prophethood, he therefore concentrated specifically on this important institution of Islam. He writes, "I have studied the causes for this corruption in Muslim children's belief and have scrutinized the origin of their doubts. I have come to the conclusion that there is only one reason for the slackness in their îmân. And the reason is that much time has elapsed since Rasûlullah ('*alaihi 's-salâm*'). (Ibid.) This shows the centrality that Imam Rabbani gives to prophethood in his thought and writings.

#### **3.3.1 Main Objective of writing on Prophethood**

While referring to the abovementioned issues in the preface of the book-*Ithbat al-Nabuwwah*-Imam Rabbani himself marks the objectives to put pen to paper for prophethood. He writes, "with the intention of removing the doubts and suspicions of those who acquired their religious knowledge

from the books of religiously ignorant people and from the venomous pens of the enemies of the religion, I have thought of writing what I know.” He further marks the various facets of the prophethood that he was going to address in the epistle. He writes, “By writing this book, I have tried to explain what prophethood means, to verify that Muhammad (‘alaihi ’s-salâm) was in full possession of prophethood, to eliminate the doubts of the unbelievers concerning this fact, and to display the wickedness and harms of a few bigots of science who attempt to suppress this fact with their personal thoughts and opinions.”

### 3.3.2 What does prophethood mean?

Imam Rabbani employs many approaches, in addition to theosophical, in defence of the prophethood. He quotes classical scholars of Kalam, uses logical and philosophical argumentation and metaphors to elucidate his point of view. Here the Nursi’s and Imam Rabbani’s approach converge to a great extent. Imam Rabbani starts by detailing what prophethood means.

Quoting *Sharh-i Mawâqif* by Sayyid Sherîf al-Jurjânî, Imam Rabbani first tries to identify the qualifications of a prophet. According to him a person to whom Allâhu ta’âlâ says, “I have sent thee to the people in such and such a country or to the whole of mankind,” or “Reveal [My will] to my slaves!” or gives a similar command, is called a “nabî” or “payghambar” (Messenger or Prophet). Being a Prophet does not require having certain conditions like *riyâda* or *mujâhada* or having been born with qualities suitable for prophethood. (Rabbani, Ibid.) Allâhu ta’âlâ can bestow this gift upon anyone He chooses. He knows everything and does what is best. He does whatever He wills to do. He is the Almighty. He also says that it is not necessary for a Prophet to display a *mu’jiza* (miracle), either. To have knowledge of unseen past and present with the grace of god is part of prophetic life but not a condition. Here he was disputing the influences of Greek philosophical thought on the conditions of a prophet.<sup>1</sup>

To highlight the essentiality of the prophethood for the mankind Imam Rabbani uses logical arguments and reasoning. He states that ‘He has decreed that, as a blind person entrusts himself to those who will lead him or as a helplessly ill person commits himself to the care of compassionate doctors, people must submit themselves to Prophets He has sent so that they will attain benefits beyond mind’s grasp and escape calamities’. In doing so Imam Rabbani demonstrates the essential need for prophethood and their key function of guides and leaders in continuity.

### 3.3.3 Prophethood and Miracles

According to Imam Rabbani a *mu’jiza* (miracle) is something proving the truthfulness of a person who said he was a Prophet. He lays down seven conditions for a *mu’jiza*. He also makes a mention of *irhâsât* (preparatory signs of a prophet), and *karamas* to distinguish them from prophetic miracles. Wonders that happened before [the announcement of his prophethood], such as ‘Îsâ’s (‘alaihi ’s-salâm) talking when he was in a cradle, his being handed dates when he asked for

<sup>1</sup> According to ancient Greek philosophers, to be a Prophet requires three conditions; firstly, to reveal the *ghaib* (unknown, mystery), that is, to explain past and future events when required; secondly, to do extraordinary things, things that are mentally and scientifically impossible; thirdly, to see an angel in object and body and to hear Allâhu ta’âlâ’s way from the angel.

dates from a withered-up tree, and in Muhammad's (alaihi 'ssalâm) childhood, the cleavage of his chest and his heart being cleansed by washing, there being a cloud over his head continuously and his being greeted by trees and stones were not *mu'jiza*, but *karâmas* explains Imam Rabbani. They are called *irhâsat*. They emphasized prophethood. It is possible for such *karâmas* to happen through Awliyâ' as well. Before Prophets were informed of their prophethood, their status was not lower than that of the Awliyâ'. *Karamâs* were seen from them. He says that, therefore, *karâmas* of Awliyâ' are not *mu'jizas* because they do not claim prophethood and because there is no *tahaddî* (challenge) in them.

Like Shah Wali Allah and Sabri, Imam Rabbani does not reject the view that 'a prophet should have miracles at his disposal for legitimation'. However, he deems it not a 'condition per se'. Sirhindi deals with miracles as a theologian and philosopher going into its nuances and at times taking recourse to rational explanations.

### 3.3.4 Imam Rabbani on Prophetic Guidance and Philosophical Truths

Imam Rabbani affirms the superiority of prophethood over philosophy, as the horizon of prophethood is beyond intellect and the methods of reasoning. In order to establish the argument Sirhindi starts on the note that the knowledge gained through intellectual process as well as spiritual intuition is imperfect. Their incompetence lies in the fact that they cannot penetrate the metaphysical truths, such as the gnosis of god (*mu'rifah*), His attributes, the ultimate truth and reality of existence etc. (Sirhindi, nd.) Also, the *Tasfiya* (purification) and *Tazkiyya* (embellishment) of soul which depend on the divinely approved virtuous deeds are unattainable without the assistance of the prophets. He thus asserts that the knowledge through the sources other than prophethood was neither beyond doubt nor free from mistake. In regard to intellect he writes that, it ought to be kept in mind that it is not self sufficient to perform its functions of knowing, analysing and reasoning, since it has to depend on other subordinate faculties i.e. sensory organs which by themselves are insufficient to supply the information to the intellect, and operate within a limited compass. (Ibid.) Thus prophethood is indispensable, as it is through the agency of prophets alone that the knowledge of god and the correct way of divine worship could be known.

## 4. CONCLUSION

In the writings of the two great mujaddids, Syed Nursi and Imam Rabbani, the concept of prophethood has seminal importance and significance. In particular, in their devotional and mystical depiction of the Prophet, their recounting of prophetic stories to demonstrate important lessons and their vision of the Prophet as the culmination of the perfected human self (*Insane kamil*). In addition to the devotional and mystical depictions, Nursi also approaches the Prophet with a focus on his role as messenger and prophet, and makes it the central focus of his prophetology to emphasise and highlight the underlying and essential meanings of this role and function. This is in line with his greater objective of 'defending Qur'an and truths of belief *iman*'. Whereas, Sirhindi's main objective is protect prophethood from all sorts of attacks and doubts, and project it as an indispensable component of Islam for all times and ages, they both are engaged in the criticisms on prophethood and the Prophet.

They both appeal more to reason and the heart as well as the mind, and use a combined method, including the use of analogies, parables, science and literary tools, in order to illustrate the ‘necessity’ of prophethood as essential guide and role model for humanity. Nursi at times simplifies complex theological debates of medieval times (such as the issue of the need for prophets), whereas Rabbani addresses them like a pure theologian.

Aware of their responsibilities and position as the *Mujaddids* of their time they address the subject of prophethood to the wider audience keeping in consideration both Muslims and non-Muslims, another convergence of their method and worldview. At the heart of their prophetologies lies the essential assertion for contemporary Muslims to find a role model and resolution to their myriad problems in prophethood and prophet only. Their elaboration of prophethood echoes the voices *Ahl al-Sunnah wa al-Jama‘ah*.

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## **THE IMPACT OF ICT ON STUDENTS' PERFORMANCE: A CASE STUDY ON UNDERGRADUATE UNIVERSITY STUDENTS**

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Md. Shamim Talukder\*  
Md. Jahangir Alam\*\*  
Md. Ariful Islam Apu\*\*\*

### **ABSTRACT**

*Information and communication technology (ICT) now a days is the part and parcel of our daily life . Even the students also are spending a lot of their time using the ICT or internet facilities. This study has explored the impact of ICT on the performance of students at the undergraduate level. The research sample was taken from a group of students studying in the undergraduate level at different private and public universities in Bangladesh. The study found that there is not significant relation between the use of ICT and the performance of the students but the ICT addiction (habit based use of internet everyday) affects the performance of the students negatively. Finally, the study suggests that proper steps should be taken by the academic or related institutions to promote the use of ICT for focusing academic purposes so that the students may be benefitted much of using ICT.*

**Keywords:** *Information and communication technology, ICT addiction, Undergraduate student, Student performance.*

### **1. INTRODUCTION**

ICT stands for “Information and Communication Technologies”, that refers to technologies which provide access to information through telecommunications. It is similar to Information Technology (IT), but focuses primarily on communication technologies. This includes the Internet, wireless networks, cell phones, and other communication medium<sup>1</sup>”. In Wikipedia it is defined as:

“Information and communications technology (ICT) is often used as an extended synonym for information technology (IT), but is a more specific term that stresses the role of unified

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\* PhD Student, HUST, China & Lecturer, Department of Management, Bangladesh University of Business & Technology, Mirpur-2, Dhaka-1216

\*\* Assistant Professor, Department of Management, Bangladesh University of Business & Technology, Dhaka Commerce College Road, Mirpur-2, Dhaka-1216

\*\*\* Lecturer, Department of MIS, University of Dhaka, Bangladesh.



communications and the integration of telecommunications (telephone lines and wireless signals), computers as well as necessary enterprise software, middleware, storage, and audio-visual systems, which enable users to access, store, transmit, and manipulate information.”

The impact and use of ICT has become a new topic of argument in the area IT in different sectors mainly in education. Educators use ICT as a modern tool that enables to modify the teaching methods in order to improve students’ performance. Educational institutions are adopted ICT based teaching method and offering ICT related academic programs.

Students are availing the ICT facilities using different smart devices and internet. So it is essential to measure the students’ openness to ICT and its impact on students’ performance.

### **1.1 Objectives of the Study**

The broad objective of the study is to find out the relationship between use of ICT facilities and performance of the undergraduate level students.

The specific Objectives are:

- i. To identify the reasons for students access to ICT facilities;
- ii. To explore how and how much students spend their time by using ICT.
- iii. To find out relationship between students use of ICT on academic and non-academic purpose and their performance.

### **1.2 Literature Review**

The use of ICT and the impact on student performance in higher education is not immaculate and found mixed results in the literature. Earlier research has failed to provide a clear harmony regarding the effect of ICT on students’ success.

Firstly, some studies could not show a realistic impact of ICT on students’ performance in higher education. The evidence on the effect of computers and internet in schools on students’ performance is much more limited. Kirkpatrick and Cuban (1998) found that the effect of computer use on student performance is questionable. Similarly, Goolsbee and Guryan (2006) report that, increased uses of computers and internet connections have had no measurable impact on any measure of student’s achievement. Additionally, Conrad (1997) found that, although Internet use increases enjoyment, there are no statistically significant gains observed in student academic performance. In the same way Trucano (2005) identified that ICT impact on schools and concludes that the impact of ICT use on learning outcomes is unclear. Identically Sosin, Blecha, Agawal, Bartlett; and Daniel (2004) conduct a study on USA in 2002 and they found significant but small positive impact on students’ performance due to ICT use. But they show that some ICT seem to be positively correlated to the performance while the others are not.

Moreover some other researches show mixed result like Coates and Humphreys (2004); Banerjee, Cole, duflo, and linden (2004); Leuven, Lindahl, Oosterbeek and Webbink (2004); Brown and Liedholm (2002); Angrist and Lavy (2002); demonstrate that there is no evidence of ICT playing a key role in higher education.



On the contrary, some studies show a factual impact of ICT on students' achievement. Agarwal and Day (2000) find that creative use of the Internet allows use of small class interactive techniques in larger classes and has a beneficial impact on student performance. One important assumption by (Polly, 2011: 12-14) "Technology has been shown to positively influence student learning when students explore technology-rich tasks that simultaneously require them to use higher-order thinking skills (HOTS), such as analyzing or evaluating information or creating new representations of knowledge." A very important study conducted by (Balanskat, Anja, Roger and Kefala, 2006) the result reveals that, ICT impact on competency development, team work, independent learning and higher order thinking skills. Furthermore, 86% of teachers in Europe state that students are more motivated and attentive when ICT facilities are used in class. Not only ICT has a strong motivational effect and positive effects on behavior, communication and process skills, but also students feel greater responsibility for their own learning when they use ICT, working more independently and effectively. So it can be said that, ICT helps to improve the quality of learning and educational outcomes. Moreover, Fuchs and Woessman (2004) use of digital technologies in higher education can have significant positive effects both on students' attitude and achievement.

The similar positive result on impact of ICT on student performance found in several studies such as, Talley (2005); Sosin, et. al (2004); Coates et.al (2004); Li, Boeuf, Basu, and Turner (2003); Kulik (1999); Attwell and Battle (1999). Finally some other surveys like as, (Iqbal, & Ahmed, 2010; Hameed, 2006; Amjad, 2006; Khan, and Shah, 2004) argue that, in order to be successful, a country should improve its education system by implementing effective and robust ICT policies.

From the above studies we understand that there are mixed results regarding the relationship between the use of ICT in higher education and the students' performance. In our study we try to find the exact relationship between these two variables would provide the real scenario.

The objective of the study is to measure various impact of ICT on education and the consequences in implementing the ICT based education. For our study purpose students' CGPA refer is the basis of performance; the higher CGPA indicates higher performance and the lower CGPA indicates lower performance.

## 2. METHODOLOGY OF THE STUDY

In order to achieve the objectives of this study we have used primary source of information. Primary data have been taken from the respondents through a close ended questionnaire. The sample size of the study was chosen from the BBA students at the different public (Dhaka University) and private (East-West, BUBT, UITS, UIU and ULAB) Universities. The sample size consisted of 300 students (those who have completed at least 3 semesters with their results published) and a questionnaire was provided to them in order to fill it in. The questionnaire was divided into two main areas. The first part of the questionnaire sought demographic characteristics, living conditions, and academic status of the respondents in the sample. The second part of the questionnaire focused ICT facilities available for students and purpose of internet use. This part attempted to examine whether the

respondents have computer and Internet access, whether they use these for their academic purpose or other purposes like watching movies, social networking, listening to music or browsing only for entertainment. In terms of data analysis, correlation analysis was used, applying SPSS, to identify the impact of ICT on the CGPA (performance) of the students. Correlation was calculated between these variables ‘CGPA’ and ‘access to ICT’.

### 3. ANALYSIS AND FINDINGS

#### 3.1 Performance comparison of the respondents

Table 1 (appendix-I) shows the performance (CGPA) of the respondents and comparison of performances on the basis of the percentage of the total scale of results. It is noticed that the performances of the students are gradually decreasing (from 81% to 76% to 73.25%).

##### 3.1.1 Academic Use of ICT

Table 2 (appendix-I) shows the descriptive statistics of the variables regarding the academic use of ICT. The scale for the first variable (Hours spent on web browsing per week) is 1=Less than 10 hours, 2= 10 – 20 hours, 3= 20 – 30 hours and 4=More than 30 hours. The scale for the rest of the variables is same, that is 1=Most of the time, 2=Sometimes, 3=Rarely and 4=Never.

The descriptive results of the above table (table 2, given in the appendix-I) tells that most of the respondents use more 15.6 hours internet and other ICT facilities per week that means about 2 hours per day (since the mean value is 1.56) but they rarely use these to download books (mean value 2.42) or to browse some information which will be helpful for their exam preparation (mean value 2.35). Sometimes the respondents use internet to prepare their lecture sheet or to prepare their presentation slides (the mean value of the second variable: Browsing internet to prepare lecture sheet and the third variable: Browsing internet for presentation slides and other information are 1.90 and 1.65 respectively). That means the time they spent on web browsing per week major of them they spent for non-academic or social media or recreational purpose. However the results of the tables will make it clear.

##### 3.1.2 Non-academic and Social use of ICT

Table 3 (appendix-I) shows the descriptive statistics of the variables regarding Non-academic and Social use of ICT. The scales for the variables shown in the table 3 are given in the following table:

Table I: Scale for the variables shown in the table 3.

Variable	Scale
Browsing non-academic sites	1=Most of the time 2=Sometimes 3=Rarely 4=Never

Social media accounts with	1=Facebook 2=Twitter, 3=Both Facebook and twitter, 4=Google plus 5=Others
Frequency of use of social media	1=More than once in a day 2=Once in a day 3=At least once in week 4=At least once in a month
Hours spent on social media per week	1=Less than 10 hours 2= 10 – 20 hours 3=20 – 30 hours 4=More than 30 hours
Primary use of social media	1=Keep in touch with friends, family and peers 2=Keep in touch with academic friends for academic purpose 3=Others

In the results, (table 3, appendix-I) it is noticed that that most of the respondents use about 15.1 hours internet and other ICT facilities per week (mean value 1.51) on different social media accounts (basically facebook sometimes tweeter: mean value 1.49). So from the table 2 and 3 it is found that the respondents spend total hours for web browsing is more than 15.6 per week while they spend time in social and other non academic purpose is about 15.1 hours per week. That means the half an hour spent per week is for academic purpose only. This finding support the result of the table 1(appendix-I) that is the time they spent on web browsing per week major of them they spent for non-academic or social media or recreational purpose. So the respondents spend very much little time in web browsing and internet for their academic purpose (about 1 hour) per week.

### 3.2 ICT Addiction

Table 4 (appendix-I) shows the descriptive statistics of the variables regarding ICT Addiction. The scales of the variables are given in the following table:

Table II: The scales of the variables shown in the table 4

Variables	Scales
Browsing recreational sites	1=Most of the time 2=Sometimes 3=Rarely 4=Never
Browsing internet for watching movies and other recreational clips	1=Most of the time 2=Sometimes 3=Rarely 4=Never

Downloading movies and dramas from internet	1=Most of the time 2=Sometimes 3=Rarely 4=Never
Regular use of internet as habit	1=Yes 2=Not yet 3=Never
Respondents can't even keep themselves away from using internet during exam. (because of habit)	1=Yes 2=I don't do this during my exam

The table (table 4) shows the mean value of the variable (Regular use of internet as habit) is 1.66. That means the regular use of internet is becoming a habit of some respondents. For this some of them cannot keep themselves away from using internet during the time of exam. (mean value 1.7). So these two causes may lead the low performance of the respondents using ICT. Following correlations tables will give the concrete decision regarding this hypothesis.

### ***3.2.1 Correlations between non-academic & social use of ICT and Students performance***

The above table (table 5, given in the appendix-I) shows the correlation statistics between the variables of academic and social use of ICT and Browsing non-academic sites & Hours spent on social media per week and students performance. And it is found that there is not significant positive or negative correlation between the performance of the students and the variables (.049 and .082 respectively). So this result says that though the respondents use majority of their time spent for social or non-academic media browsing it has not so much effect on their performance (CGPA).

This survey found that some of the students are much more addicted to the regular browsing of internet even in the time of exam they cannot keep themselves away from it. Following table says whether this tendency of the students affect their performance or not.

### ***3.2.2 Correlations between the variables of ICT addiction and Students performance***

The above table (table 6, given in the appendix-I) shows the correlation statistics between the ICT addictions and regular use of internet as habit & respondents using internet during exam (because of habit) and students performance. And it is found that there is not significant positive or negative correlation between the performance of the students and using internet during the time of exam (because of the regular internet using habit), but there is a negative correlation between the regular use of internet as habit and the students' performance. That means whether they use internet is not so much crucial, but the most influential factor is whether they use it as habit or not. So it can be decided that the habit based regular use of internet or ICT (the researchers named it ICT addiction) affect the performance of the students negatively. This is the major cause of low performance of the students using ICT.

#### 4. RECOMMENDATIONS

- It has been found through this study that students, who do use ICT, use it mostly for non-academic purposes. In order to ensure that the ICT facilities made are accessed to enhance academic performance.
- There should be enough logistic supports within the academic institutions in order to allow all students to have regular access to ICT facilities but need strict supervision.
- Some students are avoiding the use of ICT. Such notion should be reversed with initiatives taken by the educational institutions themselves if we are to enjoy the benefits of technological advancement.
- Educational institutions need to take an active initiative to introduce the students to ICT by highlighting ways through which it can be of great help in enhancing their academic performance. This would make the use of ICT much more relevant to academic tasks.
- Parents need to be very conscious to ensure that their child should not too much involve of using ICT for recreation purpose. Because ICT addiction could be the cause of low performance as well as physiological imbalance.

#### 5. CONCLUSION

In this era where technology is playing an important role in our daily activities including the academic arena, so it is the high time we assessed the impact of ICT in our daily life and ensured its positive use as much as possible. In this context, this study reveals a fact that the habitual use of ICT which is named ICT addiction affects negatively on the performance of the students. If proper steps are taken by the academic or related institutions to promote the use of ICT for solely academic purposes taking into consideration the findings and recommendations of this study, the students would be better benefitted using ICT.

#### 6. LIMITATIONS OF THE STUDY

Following limitations are pointed out in this study:

- o Research area: the area of this research is not so wide rather it is confined into few universities. It could be more wider;
- o Tendency to hide the truth: the respondents are found to feel shy to answer the private questions or to show over estimating tendency to answer the questions regarding their performances;
- o Data collection method: the data are collected through the class teachers before or after the class, where some of the respondents might be biased by others, rather it could be through mail survey.

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**Appendix I: Tables**

**Table 1: Descriptive statistics of Performance (CGPA)**

<b>Part I: Performance (Results) comparison</b>							
Variables	N	Minimum	Maximum	Mean	Std. Deviation	Average CGPA	% of total scale
SSC	300	1.00	4.00	3.1500	.87753	4.05	81 (Scale 5)
HSC	300	1.00	4.00	2.9600	1.05931	3.80	76 (Scale 5)
CGPA up to the current semester	300	1.00	6.00	3.1600	1.40748	2.93	73.25(Scale 5)

**Table 2: Descriptive statistics of Academic Use of ICT and Internet**

<b>Part II: Academic Use of ICT</b>						
Variables	N	Minimum	Maximum	Mean	Std. Deviation	
Hours spent on web browsing per week	300	1.00	4.00	1.5600	.95364	
Browsing internet to prepare lecture sheet	300	1.00	4.00	1.9000	.72277	
Browsing internet for presentation slides and other information	300	1.00	4.00	1.6500	.79347	
Downloading and reading books from internet	300	1.00	4.00	2.4200	.94157	
Browsing internet for exam preparation	300	1.00	4.00	2.3500	.87484	

**Table 3: Descriptive statistics of Non-academic and Social use of ICT**

<b>Part III: Non-academic and Social use of ICT</b>						
Variables	N	Minimum	Maximum	Mean	Std. Deviation	
Browsing non-academic sites	300	1.00	4.00	2.0500	.90011	
Social media accounts with	300	1.00	5.00	1.4900	.94492	
Frequency of use of social media	300	1.00	4.00	1.6600	.90948	
Hours spent on social media per week	300	1.00	4.00	1.5100	.85577	
Primary use of social media	300	1.00	3.00	1.3400	.62586	

**Table 4: Descriptive statistics of ICT Addiction**

<b>Part IV: ICT Addiction</b>						
Variables	N	Minimum	Maximum	Mean	Std. Deviation	
Browsing recreational sites	300	1.00	4.00	2.0400	.90617	
Browsing internet for watching movies and other recreational clips	300	1.00	4.00	2.0900	.97214	
Downloading movies and dramas from internet	300	1.00	4.00	2.0500	.93295	
Regular use of internet as habit	300	1.00	3.00	1.6600	.72536	



Respondents can't even keep themselves away from using internet during exam. (because of habit)	300	1.00	2.00	1.7000	.45902
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**Table 5: Correlations between the variables of non-academic & social use of ICT and Students performance**

		Browsing non-academic sites	Hours spent on social media per week	Performance (current result)
	Pearson Correlation	1		
	Sig. (2-tailed)			
	N	300		
	Pearson Correlation	-.176**	1	
	Sig. (2-tailed)	.002		
	N	300	300	
Performance (current result)	Pearson Correlation	.049	.082	1
	Sig. (2-tailed)	.397	.157	
	N	300	300	300
**. Correlation is significant at the 0.01 level (2-tailed).				

**Table 6: Correlations between the variables of ICT addiction and Students performance**

		Regular use of internet as habit	Respondents using internet during exam.	Performance (current result)
	Pearson Correlation	1		
	Sig. (2-tailed)			
	N	300		
	Pearson Correlation	-.216**	1	
	Sig. (2-tailed)	.000		
	N	300	300	
Performance (current result)	Pearson Correlation	-.035	.018	1
	Sig. (2-tailed)	.541	.761	
	N	300	300	300
**. Correlation is significant at the 0.01 level (2-tailed).				

## SOFTWARE PIRACY IN BANGLADESH: THE STUDENT PERCEPTIONS STUDY ON TWO SELECTED PUBLIC UNIVERSITIES IN DHAKA CITY

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Mohammad Azizur Rahman\*  
Sharmin Sultana\*\*

### ABSTRACT

*Software piracy, the unauthorized copying or distribution of software, has been emerged a growing criminal behavioural problem in Bangladesh. The piracy rate of 92 percent Bangladesh has placed in the top of the Asia-Pacific. Many previous researches concluded that software piracy is pervasive among students, and that preventive and deterrent techniques were not effective in combating the piracy problem. Therefore, there is a great urgency to identify the factors that lead to software piracy. This paper is an attempt to meet this need for Bangladesh. The study aims to explore the student views on software piracy in Bangladesh. A sample survey was conducted on a convenience sample of 120 students chosen from two purposively selected public universities in Dhaka City. The study found out that high price of software, low income, value consciousness, perceptions, and weak law enforcement are the factors which have significant relationship with intention to use them. It is also revealed that gender and age were not so strong factors that influence the intention to use pirated software in Bangladesh. Based on the factors identified and student views examined by the study, effective strategies can be undertaken to address the rising piracy problem in Bangladesh.*

**Keywords: Software Piracy, Perception, Student, Bangladesh.**

### 1. INTRODUCTION

Software piracy means unauthorized copying of software. It is one of the most prevalent computer crimes in the world. Criminals have exploited weaknesses in technology, legislation and lack of public awareness that is created by the global reach of the Internet and its rapid expansion, to

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\* Associate Professor, Department of Criminology and Police Science, Mawlana Bhashani Science and Technology University, Santosh, Tangail- 1902, Bangladesh

\*\* MS Student, Department of Criminology and Police Science, Mawlana Bhashani Science and Technology University, Santosh, Tangail- 1902, Bangladesh & Research Assistant, ICA Bangladesh.

develop new crimes, and to facilitate traditional crimes in a new way. The creative use of personal computers has built a demand for intellectual property. Unfortunately, as the use of computers has grown up, software piracy has also been increased. The software industry lose a lot of money due to pirated software and no matter whatever legal manoeuvres they adhere to it seems that the software pirates are always one step ahead of them.

Pirated software includes operating systems, systems software like databases and security packages and application software like office packages, finance and tax packages and PC computer games and so on. When the end users purchase the software they do not become the owner of the product, however they have the rights to use the software under the terms and conditions as suggested by the copyright owner of the software. According to Microsoft (2001), there are 5 basic types of piracy. 1. End user copying: Here individuals or organizations copy and distribute unlicensed copies of the software or purchase a licensed copy and use beyond the allowed limits; 2. Hard disk loading: this is practiced by computer manufacturers who use a legal copy of a software to install as many PC they want and sold to end users who are not aware of the wrong doing; 3. Counterfeiting: software and its packaging are illegally produced in a large scale; 4. Online: Online piracy occurs when the end user download the software from an online source without the permission of the copyright owner; and 5. License misuse: software distributed with a discount rates for the high-volume customers, computer manufactures, and academic institutions that then redistribute these software to others who are not qualified for the software.

Software piracy is one of the worst problems facing the software industry in many countries including Bangladesh. According to the Business Software Alliance (BSA) 2001 Report on Global Software Piracy, business software applications accounted for global revenues of US \$21.6 billion in 2000. During that same year, BSA estimated global revenue losses for the business software application market of US \$11.75 billion due to piracy. The software industry alone lost more than US\$ 5.3 billion due to piracy in 2008 (The BSA Report 2008).

The piracy rate around the world is rising. The BSA piracy report 2008 shows that Georgia had the highest in the globe (95 percent) followed by 92 percent (Bangladesh, Armenia, Zimbabwe) followed by 90 percent (Sri Lanka, Azerbaijan, Moldova), 89 percent (Yemen). Among countries with lower piracy rates, the USA had (20 percent), 21 percent (Japan, Luxemburg), 22 percent (New Zealand), and 25 percent (Belgium, Denmark, Sweden and Switzerland). The piracy rate of New Zealand (22 percent) is lower than that of Australia (26 percent). In China, the average piracy rate dropped to 80 percent in 2008 from 82 percent in 2007. According to a newspaper article, Bangladesh topped the Asia-Pacific in 2008 with a piracy rate of 92 percent, followed by Sri Lanka at 90 percent and Pakistan at 86 percent (The Daily Star, May 15, 2009).

According to the BSA piracy report 2008 and the review of Data Soft Systems Bangladesh Limited (2007), Bangladesh is the second country of the world in software piracy. The unauthorized duplication of software or illegal transfer of data from one storage medium to another is common in our country. Researchers have found that colleges and universities are breeding grounds for piracy. Bangladesh has more than 100 universities, and higher education colleges are numerous. We can simply get copy of unlicensed software from our friends and use it in our PC. It is a very strange

for outside world that in Bangladesh, there is no need to go to an underground market in search for pirated software because they are virtually found far and wide. Starting from small shops in alleys to big shopping malls in front of the main roads, the country has a surplus of pirated software. We can compare software piracy with traditional theft because it is also a modern stealing of other's intellectual property without his consent.

Being a third world country, Bangladesh would require a lot of effort to raise their economy and keep up the competitive trend with other countries in the worldwide information technology (IT) market. The present technological advances occurring all around the world, it is very much important that we have the necessary property to compete in the IT market. However, if pirated software continues to dominate the IT markets within the country, the local programmers and developers do not will have a chance to show their potential. Bangladesh has a lot of talent in the software development sector and the recent results in programming competition such as the ACM Programming Competition are evidences of that. These programmers have all the skills to produce similar software such as Microsoft Word, Excel, Adobe Photoshop, etc. As a matter of fact, they have the skills to produce even better software. But due to pirated software these developers are not getting the chance to expose their talents.

There are various legal instruments to ensure legal protection towards software piracy in Bangladesh. They include: The Copyright Act, 2000 (herein referred to as the 2000 Act); The Copyright Rules, 2006; The Berne Convention for the Protection of Literary and Artistic Works, 1886 as revised up to 1971 since May 4, 1999; and The Agreement on Trade-Related Aspects of intellectual Property Rights (herein referred to as TRIPS Agreement), 1994 since January 1995. The law ensures punishment of pirating software in Sec: 84 of Copyright Act, 2000, that includes: (a) If anybody creates copy illegally and distribute, sells them illegally will be punished under the act of maximum 4 years imprisonment and not less than 6 months. He will have to give fine a maximum taka 400,000 and not less than taka 100,000; (b) If anybody uses pirated copy of software then he will be punished 3 years of imprisonment and minimum 1 year and fine maximum 300,000 taka and not less than 100,000 taka; and (c) If the court satisfied with reasonable ground that this copy is not used in business purpose then the punishment is not more than 3 years imprisonment and fine not more than 25,000 taka.

### **1.1. Objectives of the Study**

Most of the computers in the world are online for one or other activity. Individuals are now reliant on internet particularly in case of students. Computers will perpetually be online and therefore server-side verification will help in combating the menace. There is hardly any scientific study on the student perceptions towards software piracy in Bangladesh. The main aim of the paper is to investigate the factors or variables that influence the use of pirated software among university students in Bangladesh. The specific objectives of the study are:

- I. To investigate the nature and condition of piracy software uses among the students.
- II. To identify the student views one software piracy.
- III. To suggest effective solutions to reduce the software piracy.

## **1.2. Literature Review**

Software piracy is a concept that can be understood as behaviour (Limayem et al., 2004). A number of researchers have attempted to identify individuals' intentions, attitudes and moral propensity toward piracy and factors that might impact their decision to be involved in such illegal activity. Liang & Yan (2005) provides the most comprehensive review of software piracy among college students in the last 30 years suggesting the technical, legal and educational strategies that deal with college students' software piracy. The study conducted by Ang Yang Ang and Bruce W N Lo explored some of the issues perceived by tertiary students and examined the relationship between attitude to software piracy and age, gender, computer ownership, study area of concentration, and history of software copying to attitude. Gopal & Sanders (1998) found that gender, age, ethical predisposition and ethical propensity were related to software piracy behaviour.

An empirical analysis of the relationship between software protection and national piracy rates across 23 European countries over a period of three years (1994, 1997, and 2000) indicates that copyright software protection and income are the most determinant factors of software piracy (Antonio Rodríguez Andrés, Department of Economics, University of Southern Denmark). The model predicts an inverted U relationship between piracy and per capita income. Gopal and Sanders (1997) used deterrence theory to examine factors that may reduce software piracy and increase profits. They observed that certainty would increase the perception of costs and increase industry profits. Cheng, Sims & Teegen (1997) identified two factors: software price and household income as significant. They suggested that a higher software price might cause potential buyers to buy pirated copies. Also, by pricing software according to buyers' household income a further reduction in their piracy intention might be expected. Situational factors such as cost of purchasing legal software become impossible for students in certain situations. According to a study by Moores and Dhillon (2000), results reveal that cost of purchasing legal software in Hong Kong becomes expensive for students. Furthermore, two more additional factors was investigated in their study, low punishment levels and high availability of pirated software along with the cost factor leads to the trend of piracy.

The Theory of Planned Behaviour and Reasoned Action by Ajzen and Fishbein (1980) also influenced several researches (Lin, Hsu, Kuo, and Sun, 1999). A study carried out by Lin et al. 1999 looked at the factors that may affect the piracy intention. They showed that that IS professional's piracy acts are straightly influenced by their attitudes, subjective norms, and perceived de-individuation. It is also argued that the attitude and subjective norms are influenced by their ethical perception of piracy issues and organizational ethical climates (Lin et. al. 1999). Peace and Galletta (1996) developed a predictive model of software piracy behaviour based on the theory of planned behaviour, expected utility theory and deterrence theory confirming that the first theory was a good fit to data. Gupta, Gould & Pola (2004) found that ethics as a factor is embedded in a set of factors (attitudes, legal aspects, social support, perception of economic loss and age) which have impact on software piracy. Limayem, Khalifa and Chin (2004) used the Triandis' cultural model as a conceptual framework to measure factors that have an impact on software piracy intention and actual behaviour. They found that social factors and perceived consequences

were influential while affect did not have a significant influence on intention to pirate software. The effect of cost structure on buyer purchase intention was studied by Nunes, Hsee and Weber (2004). They found that buyers are less willing to pay for information products with relatively low variable cost and high fixed cost.

The influence of various psychological variables was studied by some researchers (Lian & Yan 2005; Peace & Galletta (1996; Glass & Wood, 1996). Lian and Yan (2005) identified what factors (e.g. demographic variables) influence software piracy behaviour or how the factors influence a person's behaviour through the use of various models e.g. Peace and Galletta (1996) and Glass and Wood (1996). Peace and Galletta's model (1996) is very comprehensive since it integrates a psychological, economic and criminal aspect software piracy through the integration of three theories: the planned behaviour theory, the expected utility theory and the deterrence theory respectively. Bandura's Social Cognitive Theory (1984) argues that the SCT is cross culturally applicable because it has the ability to predict and explain human behaviour in various contexts. It utilised in some software piracy studies (e.g. Kuo & Hsu, 2001). Kohlberg (1969) developed the theory of moral development, which consists of 3 level of moral development and each level contains 2 stages. The concept behind the moral development stages is that, an individual mature morally when they mature intellectually.

## 2. METHODOLOGY OF THE STUDY

This paper is exploratory by nature. The study used quantitative approach for gathering data. Field survey was the main technique. A pretested questionnaire was developed and used for the survey. The survey instrument was constructed with questions to understand students' intentions and attitudes toward piracy behavior. The field level survey was the key in this study.

Two universities located in Dhaka City – the capital of Bangladesh were considered as the study area. Two top public universities - Dhaka University and Bangladesh University of Engineering and Technology were selected for conducting the survey.

Students were the subjects of the study. Due to time and resource issue, the sampling frame was not made possible. Hence non-probability sampling method was used to obtain a convenience sample. Since there is a limited number of people who have knowledge about the software piracy problem, to get expected outcome and real information of the state of software lifting, data were collected from graduate, undergraduate and post graduate students of these two universities. In selecting respondents, two computer related disciplines - ICT and CSE, and the students who have the access to or are knowledgeable about computer and internet and who were willing to participate in the study were considered.

For the survey, 120 students were in the sample. Among 120 respondents of the study, 93 were male and 27 were female. Out of 120 respondents, 76 respondents were 20 years and above and 44 were below 20 years. The sample included 23 percent CSE students, 15 percent ICT students, 19 percent engineers, 28 percent graduate, 10 percent postgraduate and 5 percent is undergraduate of other disciplines.

### 3. ANALYSIS AND FINDINGS

Among the respondents, 89 respondents owned their personal computers and 31 did not have their own. Regarding the perceptions of respondents towards technology, 78 percent of the respondents reported that they had used computer for over a year and the rest had minimum experience (Table 1). Among the respondents, 90 percent students used computer for class purpose and 79 percent used for recreation purposes. Among the users, 47 percent respondents used computer at their work place. Most of them used it for their university work, almost half used it on the job and many of them used computer for recreation as well. Table 1 shows clearly that most of the students were fairly familiar with computer usage, though an overwhelmingly majority also used computer for non-educational purpose.

An overwhelming majority (80 percent) personally copied software illegally, 54 percent of the respondents allowed another person to use his or her copy, and 90 percent of the respondents used pirated software for educational purpose (Table 2).

The study revealed that 54 percent students used commercial pirated software instead of buying (Table 3). An overwhelming majority of respondents viewed this for students and general people (78 percent and 68 percent respectively) and around one-third respondents perceived professors and administrators use pirated software (39 percent and 36 percent respectively) (Table 3). Table 4 showed that the percentage of respondents agreeing with the statement did not differ by more than 10 percent, most cases the difference was within 5 percent. This implies that not only students, but also professors, administrators and general people do not buy but use pirated software in Bangladesh.

The study showed that majority of undergraduate students (over 80 percent) used pirated software for graphics comparing with applications, multimedia and system (below 45 percent), and they used less (around 30 percent) for applications (Chart 1). Graduate students used pirated software mostly for multimedia, graphics and applications (above 45 percent) while they used less for graphics (below 40 percent). Postgraduate students use mostly graphics and system software comparing with application and multimedia (below 45 percent).

Among the respondents, majority (74 percent) of the respondents supported educational use followed by 66 percent (commercial software at free cost) and 54 percent (commercial software for trial purpose). Table 3 indicates student attitudes on copying software under different circumstances. More than half of the respondents agreed that use of pirated software for educational purpose, for trial and for use at no cost were ethical (Table 4). Among the respondents, majority (74 percent) supported educational use followed by 66 percent (commercial software at free cost) and 54 percent (commercial software for trial purpose). In all but one case, the percentage of students agreeing with the statement differed by 2 percent or less while in the case of copying software for educational purposes, the difference was 15 percent with other purposes (Table 4).

The majority of respondents (about 22 percent) mentioned weak law enforcement, and the lack income as the reason for increasing piracy followed by about 19 percent (poverty, moral degradation, and the lack of awareness of law breaking) (Table 5). The obvious question is why students believe that there is no potential ethical problem with making copies of software. Although



the survey did not ask students to explain the reasons for their opinions, informal discussions with students suggest that there are a few misconceptions that help promulgate the belief that the duplication of copyrighted materials is permissible.

#### 4. CONCLUSION & RECOMMENDATIONS

Software piracy is a criminal behaviour and it is rising at alarming rates in Bangladesh. Internet users are increasing many folds in today's Bangladesh and the rate of piracy is likely to be increased in the country. It degrades our country reputation. It represents the weak condition of law and order situation of our country. It is a crime committed by educated people; the person must have to know the application of computer. Piracy demands also advanced knowledge on Internet use. We can treat it as the dark side of modern technological advancement. With the raise of computer use in our country the piracy rate of software is also increasing.

The study identified the variables - high price of software, low income, value consciousness, attitude, and weak law enforcement - that influence the intention of students to use pirated software. These indicate that effective prevention of software piracy requires multiple tactics. Software companies must ensure to protect their intellectual property, reduce consumer's desire to pirate their software, and implement software protection methods to stop those who want to steal it.

Based on the findings the government and software industries can undertake appropriate measures. Students learn at their early age to do illegal use of software or as opportunities to get pirated software are available to them. The findings also indicate that students who are well versed with the knowledge of the computer are involved more in the piracy as compared to other. Students come in close with illegal activities in their study life through a learning process. It degrades our country reputation. It represents the weak condition of law and order situation of our country. It is a crime committed by educated people; the person must have to know the application of computer. Piracy demands also advanced knowledge on Internet use. We can treat it as the dark side of modern technological advancement. With the raise of computer use in our country the piracy rate of software is also increase. Starting from small shops in alleys to big shopping malls in front of the main roads, the country has a surplus of pirated software. We can compare software piracy with traditional theft because it also modern stealing of other's intellectual property without his consent.

Some immediate steps should include awareness-raising about anti-piracy methods and legal measures to ensure intellectual property (IP). The industry must educate the public about the IP laws. Without proper enforcement, the laws can do nothing. It is important that there are criminal penalties for IP infringers, or the laws will be broken. Software companies can take several steps to do this, including making it easy to legally obtain the software, ensuring proper pricing, and changing social attitudes. Further empirical research is needed to identify the issues and problems regarding the uses, causes and remedies of software piracy and cybercrime in Bangladesh.



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## APPENDIX

Table 1. Ownership and experience of computer and software use (n=120)

Items	Percentage
Own personal computer	74
Use computer for more than a year	95
Use computer at work	47
Use computer for class	90
Use computer for recreation	79

Table 2: Piracy behavior among the students (n=120)

Variable	Indicators	No. (Percent)
Copy software	Have illegally copied	96 (80%)
	Have not	24 (20%)
Allowing others to copy	Let others copy	54 (45%)
	Did not let	66 (75%)

Table 3. Student access to commercial pirated software and perceptions towards software piracy (n=120)

Items	Percentage
I have copied commercial software instead of buying it.	54
I think that most people copy commercial software instead of buying it.	68
I think that most students copy commercial software instead of buying it.	78
I think that most professors copy commercial software instead of buying it.	39
I think that most administrators copy commercial software instead of buying it.	36

Table 4. Agreements on software piracy (n=120)

Variable	Percentage
For people such as myself to copy commercial software instead of buying it.	66
For people such as myself to copy commercial software instead of buying it when we use it for educational purposes.	74
For employees to copy commercial software to evaluate it for possible purchase.	54

Table 5. Student opinion concerning the reason for increasing software piracy in Bangladesh (n=120)

Reasons	Percentage
Poverty	18.75
Weak law enforcement	21.87
Moral degradation	18.75
Unaware of breaking laws	18.75
Lack of income	21.87

Chart 1. Types of software pirated by students

## SUBALTERN STUDIES IN ARUNDHUTI ROY'S THE GOD OF SMALL THINGS: A CRITICAL OVERVIEW

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Md. Hafijur Rahman\*

### ABSTRACT

*Though 'Subaltern other' is theoretical specific, it is also a social, cultural and political construct. It derives its force from the colonial, post-colonial and from post-modern studies. The study dives deep into The God of Small Things, a modern Indian classic, by Arundhuti Roy to examine the nature of subalternization and its impact on the individual and on society as well. Roy's fiction is primarily a portrayal of political malpractices, personal relationships, caste and class conflicts, traumatic experience of family feuds, shattered faith, love, marriage, conjugal discord and sex. It is also a story of alienation, loss of identity, marginalization of women with the onslaught of irrational male dominance. The study attempts to analyze how casteism, patriarchy, colonial legacy, women's sensibility along with some socio-political factors contribute to the subalternization of women and the lower caste people in India. The study also incorporates the socio-psychological consequences of subalternization.*

**Keywords:** *Patriarchy, Casteism, colonial legacy, the untouchable, subaltern other*

### 1. INTRODUCTION

Subalternization is originally a cultural phenomenon which draws its strength from colonial and post-colonial studies. Subaltern studies derive its force as postcolonial criticism from a catachrestic combination of Marxism, Post-Structuralism, Gramsci and Foucault, the modern west and India, archival research and textual criticism (Jameson, 1986: 65-88; Arif Dirlik, 1997: 55). The concept of subalternity has invaded in Indian society in the form of patriarchy, casteism, gender discrimination and through the marginalization of the weak and untouchables. Masculinity and casteism are deciding factors which control the society at large (Andal, 2002: 33). Male egoism, Indian women's sensibility and colonial legacy have also greatly contributed to the process of subalternization. Subalternization has tremendously affected the feminine sensibility, the individual psyche and the society at large. *The God of Small Things* faithfully exposes the social, cultural,

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\* Assistant Professor in the Department of English at Bangladesh Islami University. He is a life time member of BELTA and a research fellow in the M. Phil Program, in the Department of English, Jahangirnagar University.

religious and political malaise by shedding light on the position of women and the lower class people in post-colonial Indian society.

### **1.1. Objectives of the Study**

The primary objectives of this study are:

- To know the nature of subalternization in Indian society
- To trace the impact of subalternization on the individual's psyche and on society
- To explore the issue of 'subaltern other' in *The God of Small Things*

### **1.2 Literature Review**

In the postcolonial studies the 'subaltern other', the 'marginalized other', 'colonized other,' 'the cultural other' and the 'oriental other' have been used interchangeably to mean the backward and the subjugated who stand at the last level of the social and economic ladder and who fall prey to prevalent political practices and class conflicts. By 'Other', postcolonial critics like Edward Said (1978), Gayatri Spivak (1988), Homi K. Bhaba (1997) refer to the marginalized or the colonized subject. The terms 'marginality, 'subaltern' and the like refer to the colonized people in Asia, America or Africa during the colonial period, when they were marginalized by the colonizers. Originally, the treatment of 'Other' as a concept is to be found in the writings of Sartre, Derrida and Lacan. Lacan (1996) states that the 'Other' refers to both the colonizer and the colonized. According to him the 'Other' can be compared to the master, the lord, the colonizer, the empire or the imperial centre which makes the colonized subject conscious of his/her identity as they are somehow 'other' and dependent'. Spivak (1990) argues that the colonizing 'Other' gets established when the colonized 'Others' are treated as subjects.

The 'subaltern' owes its origin to Antonio Gramsci's (1973) writings and it underlines a subordinate position in terms of caste, class, gender, race and culture. The term was popularized by Gayatri Chakravorty Spivak. In her essay titled, "*Can the subaltern speak?*" (1988:35) she says: "The subaltern cannot speak." Subaltern means the colonized and oppressed subject whose voice has been silenced. Spivak uses the term 'subaltern' to mean people of 'lower rank' and to mean the colonized, the working class, the blacks and women.

The term 'subaltern' has a relevance to the study of Third World literature especially to Indian literature. Spivak laid stress on the gendered subaltern – woman, who undergo oppression doubly inflicted by both colonial legacy and patriarchy in the Third World countries. And in some contexts contesting representational systems violently displace and silence the figure of 'gendered subaltern' (Spivak, 1988: 306). Though Spivak's silencing of 'subalterns' refers to women in colonial India, her contention equally encompasses women in the decolonized India as well.

## **2. METHODOLOGY**

The study is a critical analysis of the theory of 'subaltern other' as reflected in Roy's fiction *The God of Small Things*. The information and the idea used in this study have been procured mostly from secondary sources. The references used to validate the study have been cited from different

books and literary articles published in recognized journals. The literature review which has been elaborated to enrich the study is randomly borrowed from different books and journals on literary theory specially the theory of 'subaltern other'. The target text *The God of Small Things* have thoroughly been fortified for references for the authentication of the analysis presented in the study and also to prove the points of the researcher.

### 3. ANALYSIS AND FINDINGS

#### 3.1. Subaltern other in *The God of Small Things*

India in the post sixties has been X-rayed and has undergone a microscopic observation both at micro as well as macro-structural levels in *The God of Small Things*. The story rotates around the postcolonial Kerala reeling with effects of cross-cultural encounters. Ayemenem shows up to be a catalytic world – in miniature that is often torn in dissensions. The Paradise Pickles & Preserves stands for a symbolic empire in post-independent India. It implies industrialization and modernization which holds promises and hope forth for its subjects to change their fortune. The factory in reality never becomes the paradise for the powerless and the 'Dalits'. Rather it appears to be an apparatus of exploitation for both women and the 'Dalits'. Hence the workers in the factory stand for 'the subaltern other' (Roy, 1997: 103).

#### 3.2. Colonial Legacy in Effecting Subalternization

The workers in the Paradise Pickles & Preserves are the colonized natives – the 'subaltern other' who are appropriated, regulated, disciplined and fed by a man like Chacko. Mammachi and Chacko here embody the colonial power. They are settlers who came from Syria; Syrian Christians. They are outsiders but they are the governing race. Fanon (2001) states, "The governing race is the first and foremost, those who come from elsewhere, those who are unlike the original inhabitants, 'the other'".

#### 3.3. Role of Patriarchy in Subalternization of Women

Patriarchy is psychological, social, cultural and colonial specific. Subalternization and silencing of women go on at different forms and colour in Indian society and are perpetuated by different forces in the society. As a representative of dominant patriarchal culture Reverend Ipe always tries to control the female members of his family. Pappachi also always thinks about his family reputation and preserves the discriminatory values. Mammachi becomes a prey to patriarchy. Mammachi's entomologist husband, Pappachi, tortures her mentally and physically (47-48). Mammachi's pickle making job earns Pappachi's jealous frowns instead of favour. He greatly resents the attention she gets in society for her skill in it. Pappachi's egoism puts Mammachi's talent for music to an end. A few words of praise from the music teacher provokes him to put an end of her lessons abruptly. Pappachi used to beat Mammachi and finally gave up speaking to her until his death. Therefore, Mammachi's position in her own house is no better than a 'subaltern other'. She becomes a 'subaltern other' in her own house.

Chacko, another patriarchal voice in the Ayemenem house, enjoys all privileges, which are deliberately denied to his sister, Ammu. He sexually exploits women workers in his pickle factory. He calls pretty women who work in the factory to his room, and on the pretext of lecturing them on labour and trade union law, flirt with them outrageously (55).

Roy's *The God of small Things* raises objection against the misinterpretation and misuse of power, politics, social systems, traditions, norms, culture, custom, religion and knowledge. Roy's voice of protest carries significant weight in decrying religious and social institutions like the church, family traditions, civil administration and so on.

### **3.4. Treating of Women as a Sex Object**

Treating women as sex objects is both colonial and cultural specific. Soon after marriage, Ammu discovered herself in the same net of male exploitation. Her alcoholic husband tortures her physically and harasses her mentally. Ammu's physical exploitation by her husband indicates the typical Indian male's inherited assumption of superiority. Velutha even goes to the end of forcing her to accept the proposal of having sex offered by his English boss Mr. Hollick. The attempt of using Ammu as a commodity and continuous physical assault inflicted upon her by her husband forces Ammu to desert him.

Quest for sexuality is integral to colonial intervention as is shown by Said (1978:190) in his *Orientalism*. Sexual exploitation of the factory women and the tea pickers by Chacko and Mr. Hollick respectively is a testimony to the continuity of such sexual quest in the postcolonial era. The superior white Englishman is coveting his subordinate's wife; it is the colonizer's coveting (Millet, 1972: 143). Before this, he coveted the poor tea-pickers and became successful. The tea-pickers did not protest, neither did Ammu's husband. It is the silence of the colonized as is Velutha's in front of Mammachi and Chacko.

Inspector Thomas Mathew's tapping of Ammu's breast with his police baton is a postcolonial perversion of sex perpetuated by an Englishman – a colonizer Mr. Hollick does it with the native Indian women; Chacko, the Anglophile does it with the factory women and the Inspector Thomas Mathew with Ammu. Mathew's lecherous glance at Ammu's breast and hurling foul comments on Ammu by addressing her a 'Veshya' are a sign of commonality among the powerful and the ruling class. Another similarity which is commonly found with the power mongers is that the powerful people misuses their knowledge to gain control over sex and society. Michel Foucault (1980) in his concept of 'discourse' shows how different discourses in society contend for power using knowledge. He states that power controls sexuality and uses knowledge for its own interest and thus regulates the knowledge of sexuality to ensure a knowledge-based administration of power. Mr. Hollick, Chacko, Pillai and Mathew know that the weak do not have a say, they cannot protest. So they dare to regulate them as they wish. Mr. Hollick uses his colonial status, Mr. Chacko his 'Oxford'/capitalistic knowledge, Pillai his knowledge of communist ideology and Inspector Mathew his knowledge of criminology in exploiting Ammu and Velutha.

Arundhati Roy voices against the consumerism of sex in the global market monopolized by men. A woman longs for equilibrium between physical and the spiritual. Ammu feels that she



is not merely in possession of a man who by virtue of being a man, has his sole right over her body. Apart from her physical self she is also a person who longs for emotional communication (Prasanna, 2007: 75-96 ). In *The God of Small Things* Roy shares the shocking experience of the lustful and carnal nature of man.

### **3.5. 'Widowhood' and 'Divorce-hood' in Subalternization of Women**

The fate of the divorced women too is brought to the fore in *The God of Small Things*. Comrade Pillai's pronunciation of the word as "Die-voiced", confers mortality to Rahel. Divorcee Margaret is no more than a whore in Mammachi's eyes. Baby Kochamma's attitude towards deserted Ammu is typically Indian. Indian society sometimes accepts widowhood graciously, but not a divorced girl. A widow does not have any status either in her parents' house or in society. The fact becomes clear from the comments made by Baby Kochamma:

"She subscribed wholeheartedly to the commonly held view that a married daughter had no position in her parent's home. As for a divorced daughter –according to baby Kochamma, she had no position anywhere at all." (45-46).

### **3.6. Gendered Subaltern Other**

Gendered subalternity is a theoretical, psychological and social construct. Chacko misses no chance of exploiting his women employees. He pays the factory workers less than they deserve. Though Ammu did as much work in the factory as Chacko, whenever he was dealing with food inspectors or sanitary engineers, he always referred to it as 'my factory', 'my pineapples', 'my pickles'. Legally, this was the case because Ammu, as a daughter, had no claim to property (57). What is Chacko's is Chacko's and what is her's is also Chacko's (Hossain, 2012: 107-133). Ammu's position in Paradise Pickles as a business partner illustrates the status of corporate women in India. She becomes a gendered subaltern in her family and a marginalized other in the factory.

Ammu is robbed of her rights and opportunity to continue her education like her brother, Chacko, who enjoys all the privileges of studying abroad. He goes to Oxford to pursue his higher education. Pappachi violates the principles of equal opportunity by depriving Ammu of higher education. Pappachi stands as a typical orthodox Syrian Christian patriarch who inculcates the beliefs that college education is an unnecessary expense for a girl (38). Pappachi also neglects and escapes his fatherly duty of seeking marriage proposals from eligible grooms for his daughter, Ammu. After her separation from her husband, Ammu was compelled to come back to Ayemenem, her father's house, her brother's house only to live like a colonized slave, like a subaltern other, and an exile in her own land (Kundu, 2001: 43). *The God of Small Things* "emerges as a strong statement of love and strong indictment of all that inhibits in." Roy is against the hypocrisies and irrationalities of patriarchy, pseudo idealism whether Marxian or Christian, legitimacy of marriage and meaningless masculine prerogative.

### **3.7. Casteism in Promoting Subalternization**

Casteism and class feeling is a social and cultural construct. In India higher caste people enjoy more wealth and opportunities than lower caste people who perform manual jobs. Among the lower



caste people, untouchables have the lowest standing and usually the lowest economic position. The 'touchable' workers at Paradise Pickles sniff at Velutha because Paravans are not meant to be carpenters (77,159). Though Velutha is more skilled than any other workers in the factory, he is paid less by Chacko. He exploits Velutha on the ground of his being an untouchable Pariah. Untouchables happen to turn to be a subaltern race in post-independent Indian society.

Inspector Matthew and the 'crusader of the oppressed' Comrade Pillai, willfully shake hands with each other to favour the false FIR lodged against him by schemy Baby Kochamma, merely on the ground that all of them are touchable whereas Velutha is an untouchable. Comrade Pillai does not even mention that he is a member of the Communist Party. At another place comrades are seen discussing with Chacko, the owner of the Paradise Pickles, Velutha's dismissal from his job (279).

When Chacko came to know the relation of Ammu and Velutha he threatened her to oust her from the house and to break all her bones. In the eyes of Syrian upper class Christians the untouchables Veluthas and Vellaya Pappans are not human beings; they are no more valuable than the lowly beasts. To the former the later are Pariahs, the 'Pariah dogs' only. Caste consciousness is so pervasive in Indian society that the pure and the high try all sorts of tactics to flaunt their superiority. The maid-servant Kochu Maria puts on Kunukku in her sewn-up earlobes just to impress others about her touchableness (70).

Velutha is deprived of the opportunity of developing his innate engineering skill to full fruition due to his social inferior position. "...that if only he hadn't been Paravan, he might had become an engineer." The comment highlights the concept of untouchability. Roy gives a graphic description of the suffering of untouchables or the subaltern other in *The God of Small Things*. The Paravans like other untouchables were not permitted to walk on public roads. They were not allowed to cover the upper part of their bodies. They were not allowed to carry umbrellas. They had to put their hands on their mouths when they spoke to divert their polluted breath away from those whom they addressed (74). Because of the low status in society they were not even allowed to enter the house of any respectable Syrian Christian in Kerala. When Velutha went to Mammachi to plead innocence against the fake charge of murder and abduction Mammachi treated him like the subaltern other in a colonized society. Mammachi spat on Velutha hurling inaudible abusive language at him:

"If I find you on my property tomorrow I'll have you castrated like the pariah dog that you are! I'll have you killed!... Mammachi spat on Velutha's face. Thick spit. It splattered across his skins. His mouth and eyes. He just stood there. Stunned." (284)

#### 4. RECOMMENDATIONS

Subalternization leaves a traumatic scar on the mind of the victims leading them to lose their mental equilibrium, individual identity and social recognition. They lead a psychologically disturbed life. A feeling of insecurity as an outcast in the family and an alienated social being haunts them throughout their life. Such shocking and traumatic experience helps create a psycho-generation who are physically disabled and mentally handicapped. Rahel and Estha bear good

testimony to this fact. Vainglorious attitude regarding class distinction, prejudiced standing about love and marriage, snobbish and fake concept of family traditions and values bring no profit either for the individual or for the society. Rather, they create new problems ranging from family discord to pushing a person to undertake a suicidal attempt in utter frustration or killing, vandalizing or sex-perversion or to creating other chaotic situations in society. Arundhuti Roy expresses his deep concern about the freedom of expression and the restoration of the right to live and love regardless of caste, colour and gender.

## 5. CONCLUSION

*The God of Small Things* emerges as a novel of protest. It is an assertion of the subaltern other or the marginal other through meaningful self expression which transgresses socially given relationships. Ammu, Velutha, Rahel, and Estha are the spokespersons of Roy. Through Ammu, Estha and Rahel, Roy voices the female self and sensibility. She aims at exploring the female psyche boldly encountering male chauvinism, patriarchy, social discrimination, political exploitation, sexual subjugation, religious vandalism, with the assertion of their authority and identity. Ammu views her marriage with Velutha as a release from her imprisoned life. She represents the resistant post-colonial spirit. She becomes the spokesperson of the author herself. In marrying a Bangali 'Dalit', she attempted to obtain social dignity and ensure the right to fulfill her sexual and emotional needs. Velutha prompted to violate age-old love-laws which forbid genuine cross-cultural relationship. When Ammachi humiliated and threatened him to kill, he boldly protested Ammachi's fulmination replying "We'll see about that" (285). It is a protest of untouchables, a protest of the silent and the subaltern other. Though Ammu and Velutha were finally silenced by the state apparatuses and patriarchal society, they have at least been able to raise their voice for a space for both the 'cultural other', the 'subaltern other' and the 'biological other' (women) in the male dominating and caste committed society.

The twins, Rahel and Estha's incestuous love, bears the trait of protest against traditions, custom and love-laws. Social, economical, political and psychological repression often leads people to enjoy sex perversion (Hossain, 2012:120). Roy registers her protest against patriarchal systems of operations and exploitations by articulating a feminine sensibility in her novel *The God of Small Things* and by demonstrating their equal footing with the male counterparts having the parameters of their own. Roy attempts to offer a set of directions in her fiction to change and to define the status of women in Indian society. She supports the rebellious perspectives of women and gestures at the prospect of the emergence of a healthy society inhabited by a new generation who would find space enough to live a decent life with the guarantee to love and marry anyone. The subaltern other thus finds a voice and speaks out in safeguarding his/her rights in Roy's *The God of Small Things*.

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## ENGLISH SYLLABUS IN HIGHER SECONDARY LEVEL IN BANGLADESH: ITS TARGET AND ACHIEVEMENT

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Md. Ataul Karim\*

### ABSTRACT

*In order to meet the communicative challenge through language in the present modern world, the National Curriculum Board modified and started implementing a new English syllabus at the higher secondary level by putting emphasis on the Communicative Language Teaching approach keeping in mind the importance of all the four skills of learning a language – listening, speaking, reading and writing. Since the implementation of the 2010 National Education Policy, no tangible progress in the field of English Language Teaching has been achieved. This paper is an endeavour to search the hidden reasons responsible for not having the proper result from the new, improved syllabus and there will also be an effort to find out some probable solutions to the crises.*

**Keywords:** *CLT, H.S.C, Education, Syllabus, Bangladesh.*

### 1. INTRODUCTION

The National Education Policy 2010 endorses the need for learning English for communicative purposes that will help prepare the country's future generation for the competitive globalized world of the 21<sup>st</sup> century. Therefore, the curriculum focuses on teaching-learning English as a skill-based subject so that learners can use English in their real-life situations by acquiring necessary language skills as well as knowledge, learning about cultures and values, developing positive attitudes, pursuing higher education and having better access to local and global employment.

The successful implementation of a communicative language curriculum depends mainly on skilled and competent teachers with proper training. This is because in a communicative language curriculum 'how to teach' is more important than 'what to teach'. This emphasizes that:

- All four basic language skills would be practiced in classrooms.
- Skills would be practiced in an integrated manner - not in isolation.

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\* Senior Lecturer, Department of English, Northern University Bangladesh, Rajshahi Campus, 256 Jahangir Sharani, Talaimari, Rajshahi – 6204.

- Skills practice would be done in meaningful contexts, i.e. practice in language use should go beyond the textbook and include real-life situations.
- Interactive activities would be carried out between teachers and students, and more importantly between students and students.
- Graded grammar would be taught through communicative approach.

So, it becomes clear that if this syllabus is properly followed and practiced in the higher secondary level of education in Bangladesh, a student after completing his/her H.S.C level will not face any difficulty to communicate with other English language users – both in oral and written form.

### **1.1. Objective of The Research/Study**

The aim of this research is to find out why the students of H.S.C level in Bangladesh even after completing the syllabus that has been designed based on CLT approach to make them communicatively competent are failing to prove them efficient users of English in all the four different skills and this research also aims to find out some suitable ways to overcome those problems.

### **1.2. Literature Review**

According to *Longman Dictionary of Language Teaching and Applied Linguistics*, “CLT is an approach to foreign or second language teaching which emphasizes that the goal of teaching is communicative competence”. In the same dictionary communicative competence is defined as “the ability not only to apply the grammatical rules of a language in order to form grammatically correct sentences but also to know when and where to use these sentences and to whom.” That means a communicatively competent person will not only be able to use grammatically correct sentences but also that person will know the appropriate use of them in the appropriate social context. Littlewood (1981: 1, cited in Richards and Rodgers, 1994: 66) states that “one of the most characteristic features of communicative language teaching is that it plays systematic attention to functional as well as structural aspects of language”.

Canale and Swain (cited in Richard and Rogers, 1994: 71) identified four dimensions of communicative competence – grammatical competence, socio-linguistic competence, discourse competence and strategic competence. This is a common notion of most of our teachers that Grammar Translation Method focuses mainly on reading and writing skills whereas the communicative approach focuses exclusively on listening and speaking skills. But according to Richards and Rodgers, the communicative approach aims to “develop procedures for teaching of the four language skills that acknowledge the interdependence of language and communication” (1994: 66). But even among some of the teachers it is found that they believe that while in Grammar Translation method the main focus is given on reading and writing, in CLT the main focus should be on listening and speaking. And for obvious reasons, CLT covers the teaching of all the four language skills. Some people even think in CLT fluency should be achieved even if it is necessary at the cost of accuracy. But this is an inappropriate idea of fluency that CLT approach will never

suggest because in that case this approach will fail to produce any ideal educated communicator. *Cambridge Advanced Learner's Dictionary* says, "When a person is fluent, they can speak a language easily, well and quickly." And here best possible meaning of the word "well" is correctly. According to *Longman Dictionary of Teaching & Applied Linguistics*, in second and foreign language teaching fluency describes a level of proficiency in communication which includes the ability to produce written and spoken language with ease. That means, fluency applies not only to speaking but also to writing. At the same time, if anybody wants to achieve proficiency in communication, they should also be fluent in listening and reading because without being a proficient listener, a person cannot communicate properly with a fluent speaker. In the same way, an imperfect reader cannot communicate with a fluent writer.

## 2. METHODOLOGY

This research involves library research as well as empirical and experimental survey. As a part of the field study, a survey has been done on 150 students of Rajshahi division and among these students some are the current students of different reputed colleges like New Govt. Degree College, Rajshahi College, Rajshahi Women's College, Rajshahi Model School and College of Rajshahi city and so on and in addition to them this survey has also been done on some students who have completed their H.S.C recently and now are the students of honours first year.

## 3. ANALYSIS AND FINDINGS

But nowadays, it is found that even after following this syllabus and completing their H.S.C students fail to communicate with other English language users. Sometimes when in the honours first year level a student is asked to write down five-six sentences on a particular topic, shockingly none of the sentences written by that student becomes correct. And at the same time, when they are asked to say something on a topic, they simply remain silent and they get nervous to speak in English. Fortunately if some of them prove themselves courageous enough to speak, their speeches are found full of incorrect expressions both in consideration of sentence construction and also pronunciation. Sometimes in the honours first year level when the teachers give their lectures exclusively in English, the students request them to translate it into Bangla or to give lectures in a mixed up language – both Bangla and English – because they cannot understand the speeches of the teachers if it is delivered completely in English. In addition to it, if the students are asked to read something from a given material, they face a lot of difficulties to read them out and they complete their tasks with lots of pauses and wrong pronunciations and sometimes they even fail to pronounce some of the most common words as if they have never seen them before.

So, I have dealt with both the written material and the delivered speeches of some of the students who have got good grades in H.S.C to find out the mistakes they are making. Here is the speech of a student of honours first year on his feeling and experience about 'a winter morning':

That's the morning which is not regular or normal. This morning is so much cold and there is no sunlight from the starting of the day. When I get up my/ get from my bed, I feel so much cold that that is why I'm j/ I'm just get again sleeping. That's why I am late from my

class and it is cold that not much a than yesterday but cold enough a cold enough to harm my sch schedule of all of my days. First of I am just late of my first class in university. Then when I come to the university I I am feel so much pain because of cold wint wind waind and a fog a fog. That's all sir. (ID: 06130350708, Honours 1<sup>st</sup> semester, Northern University Bangladesh)

Now, if we just analyze this speech, we can find a lot of problems like – wrong choice of expressions, presence of confusion, and wrong use of grammar. In the introductory sentence he could have used ‘This morning is not a regular or normal one’. He is giving reference to the incidents that have already taken place but he is using present tense to mention them. In addition to this, he is making some other mistakes like ‘I’m just get again sleeping’ where he should have used ‘I started sleeping again’ to express the idea correctly. In the same way, he is using ‘it is cold that not much a than yesterday’ and ‘schedule of all of my days’ where he may have used ‘it was not that much cold as it was yesterday’ and ‘all of my days schedule’. He sometimes is repeating the same thing – ‘I get up my/ get from’, ‘that that’, ‘I’m j/ I’m just’, ‘cold enough a cold enough’, ‘sch schedule’, ‘I I am’, ‘wint wind waind’, ‘a fog a fog’ and all these repetitions show his lack of confidence and proper control over himself while he is speaking. He has also made a mistake with the pronunciation when he pronounced the word ‘wind’.

Here is a script of another student of honours first year where she has written some sentences about her school life and she got A grade in English in H.S.C:

My school life are like a salt and suger. It look alike but tottaly differ in taste. I obtain different information and knowledge in my school life. I played various types of games in the off periods. Several times I bunk my classes. I enjoyed my full school life. I liked to gossip that time so much and for that reason my teachers gave me warning many times. I also punished several times. But now I miss my school life so much. Because those days are very memorable for me. (ID: 06130350719, Honours 1<sup>st</sup> semester, Northern University Bangladesh)

Now, if we analyze this particular piece of writing, the first mistake she has made is subject-verb agreement and tense. After the subject, ‘My school life’, in the first sentence, instead of using ‘was’, she has used ‘are’. The next mistake is wrong choice of expression ‘salt and suger’ where she has also misspelled the word ‘suger’. In addition to it there is another misspelled word ‘tottaly’. In the second sentence, she has used incorrect subject ‘It’ because it refers to ‘salt and suger’. In the third sentence, she has used ‘different information and knowledge’ where she should have used ‘different pieces of information and knowledge’ because ‘information’ and ‘knowledge’ are uncountable nouns. In the fifth sentence, the mistakes are of tense and preposition where she has used ‘I bunk my classes’ but it should be ‘I bunked off my classes’. In the sixth sentence, there is a problem with diction where instead of ‘full’ the suitable word may be ‘whole’. The next problem is with the expression ‘so much’ that she has used in simple sentences in her writing twice but in case of simple sentence the suitable expression for ‘so much’ is ‘very much’. In the eighth sentence, she has used active form where the suitable mode is passive form.



Now, the question is why this is happening. Is there any problem with the syllabus or with the way it is being implemented?

To find the answers to this question, we have to go back once again to the objectives of this syllabus. This syllabus is made completely on the basis of Communicate Language Teaching approach where the teachers are supposed to involve the students always in different types of tasks to give the students the opportunity to develop themselves properly in all the four basic skills of language – listening, speaking, reading, and writing – that means the students should learn through involvement and communication.

According to Jim Scrivener, there are three kinds of teachers – teacher: the explainer, teacher: the involver, and teacher: the enabler.

Teacher (the explainer): This kind of teacher relies mainly ‘explaining’ or ‘lecturing’ as a way of conveying information to the students. Here students are not usually involved in any kind of discussion.

Teacher (the involver): This kind of teacher is confident enough to share control with the learners, or to hand it over entirely to them. Decisions made in his/her classroom may often be shared or negotiated. In many cases the teacher takes his/her lead from the students; seeing himself/herself as someone whose job is to create the conditions that enable the students to learn for themselves.

Teacher (the enabler): This teacher knows about the subject matter and about methodology, but also has an awareness of how individuals and groups are thinking and feeling within the class. The teacher actively responds to his/her planning and working methods and in building effective working relationships and a good classroom atmosphere. A teacher’s personality and attitude can be an active encouragement to learning.

Now, the question is what kind of teachers we are getting at our H.S.C level. Are they efficient enough to implement the CLT approach in the classroom? Do they have proper understanding of what is CLT? This is a very vital issue because without properly trained efficient teachers, the goal of H.S.C English syllabus will not be achieved.

Professor M. Jahurul Islam, one of the writers of English H.S.C textbook, has shared his experience in one of his articles, “... it is a matter of concern that many of our school and college teachers have not yet understood the meaning of CLT clearly. ... A few years ago I went to National University Gazipur to teach a class of college teachers. I was discussing the communicative approach to language teaching. One of the teachers took part in the discussion but he was speaking all the time grammatically unacceptable English. At one stage I was disgusted with his English and asked him what kind of English he was speaking. I pointed out that most of his sentences were grammatically wrong. He then defended himself by saying that he was speaking communicative English and in communicative English speakers should not bother about grammar. When I asked him if the writers should bother about it, he categorically said, “*Sir, reading and writing does not fall among communicative English.*” (Praxis: Vol. 5. p.173). So, this is one example and I think if we make a survey, we will find a large percentage of H.S.C English teachers who have the same notion of CLT – but I am not saying that all the teachers will have the same idea.



Now, just to find out the real scenario of English teaching and learning at the H.S.C level in Bangladesh, a survey has been done on some of the students of Rajshahi division and among these students some are the current students of different reputed colleges of Rajshahi city like New Govt. Degree College, Rajshahi College, Rajshahi Women's College, Rajshahi Model School and College and so on and in addition to them this survey has also been done on some students who have completed their H.S.C recently and now are the students of honours first year. Here is the questionnaire that was used for the survey:

Name of the student:

Name of the institution:

Please tick the answers you want to choose:

Questions				
1. Is the medium of instruction in the class exclusively English?	Yes	No		
2. Does the teacher involve you in speaking?	Yes	No		
3. Does the teacher give you any writing task?	Yes	No		
4. Does the teacher check your writing task?	Yes	No		
5. Does the teacher discuss grammar in his/her lectures?	Yes	No		
6. Does the teacher check grammatical errors in your task?	Yes	No		
7. Do the students ask the teacher any question?	Yes	No		
8. When they speak, do they speak English or Bangla?	English	Bangla	both	
9. To which particular skill (listening/speaking/reading/writing) does the teacher give more importance?	listen	speak	read	write
10. How many students are there in your class?	70-250			

There were 150 respondents in this survey. Among them, for the first question, according to 25 respondents, the medium of instruction in the class is exclusively English but for the rest of the 125 respondents, it is not exclusively English. So, according to the majority of the respondents, the medium of instruction in the class is Bangla. For the second question 44 respondents have said that the teacher involves them in speaking but 106 respondents have given their opinion against it. So, for the second question, according to the opinion of the majority of the students, the teacher does not involve them in speaking. In response to the third question, 60 respondents are in favour of their involvement in the writing task by the teacher, whereas 90 respondents are against this opinion. Here, also the majority of the respondents' opinion is that they are not involved in the writing task by the teacher. 68 respondents have chosen 'yes' option when they have faced the question whether the teacher checks their writing task but 82 respondents have chosen 'no' option here. So, here also according to the majority of the respondents the teacher does not check their writing task. In response to question no.5, 62 respondents have said that the teacher discusses grammar in his/her lectures but 88 respondents have said that he/she does not. So, in this question majority of the respondents' opinion is that the teacher does not discuss grammar in his/her lectures. At the time of choosing answer to the question no.6, 54 respondents have given their opinion that the teacher checks grammatical errors in their task but 96 students have given their opinion against it. So,

here also, according to the majority of the respondents, the teacher does not check grammatical errors in their task. In reply to the question, whether the students ask the teacher any question, 132 respondents have said that they do but 18 respondents have gone against it. Here, the majority of the respondents agree that they ask the teacher questions. Now, in response to the question, when the students ask the teacher any question, if they speak English or Bangla, no respondent has said that they use English, only 22 have said that they use only Bangla and rest of 128 respondents have given their opinion for both languages. In question no.9, when the respondents are asked to which particular skill the teacher gives more importance, 30 respondents have gone for listening, 24 for speaking, 9 for reading and 87 for writing. So, here it becomes clear that according to the respondents, the teacher gives importance to writing skill. And in reply to the last question, as the respondents have given different number of students, the range of students varies in different classes from 70-250.

From the result of the survey it is found that majority of the students have said that the medium of instruction in the English class is not exclusively English; the teacher does not involve them in any task; if the teacher involves the students in any task, he/she does not check their tasks and point out any errors and gives any instruction to overcome their mistakes; the students do not usually ask any question to the teacher and if they do, they do it in both English and Bangla; the teacher gives more importance to writing among all the four skills. And the result of this survey focuses on the improper implementation of the new syllabus that makes it clear that if things go on in this way, the target of learning English at the H.S.C level by implementing the new syllabus will never be achieved.

But why is this happening?

In an article titled 'Sorkari college e shikkhoker tin hazar pod faka (Thirty thousand teaching posts vacant in different government colleges)' in the *Daily Prothom Alo* (Saturday, March 08, 2014 p.20), it is said that a large number of government colleges in Bangladesh do not have the sufficient number of teachers against the posts created for different subjects and among these vacant posts majority of them are for English teachers. So, from this report we can easily find one of the major issues behind the failure in teaching English in Bangladesh at the H.S.C level.

In addition to this shortage of teachers of English, another issue that is also very important is the lack of proper training among the existing teachers and as a result of this, they sometimes fail to create such an environment which is necessary for the CLT learners. For an effective classroom for the CLT learners, we need the teacher to be an enabler. But in most cases in Bangladesh we find the teachers functioning like the teacher as explainer. And that is why the students usually learn some English in the instructional method going against the principles of the Communicative Approach. According to Harmer, to develop an overall communicative competence in the target language students must have maximum exposure to both spoken and written use of the language and it is the responsibility of the teacher to ensure such exposure. The next issue that has a vital role in the case of creating suitable environment is the class size. From the survey, it has become clear that most of the classes consist of 70-250 students but in a standard class the number of students should not be more than 30. So, when a teacher has to conduct a class of 70-250 students,

it becomes impossible for the teacher to pay concentration to each and every student and to make them involved in different types of tasks and to go through their tasks for corrections even though the teacher may have interest. Another problem in Bangladeshi colleges is the lack of logistic support. In most of the colleges, there is no multimedia projectors and also no language lab. But without having such kind of facilities, a teacher is quite helpless to involve the students in listening practice and unless the learners are good listeners, they cannot be good communicators. And sometimes a general objection is raised from both the students' side and also from the parents that in some of the colleges the teachers are not responsible enough to take their classes regularly and they are more interested in teaching the students either in private tuition or in coaching centers.

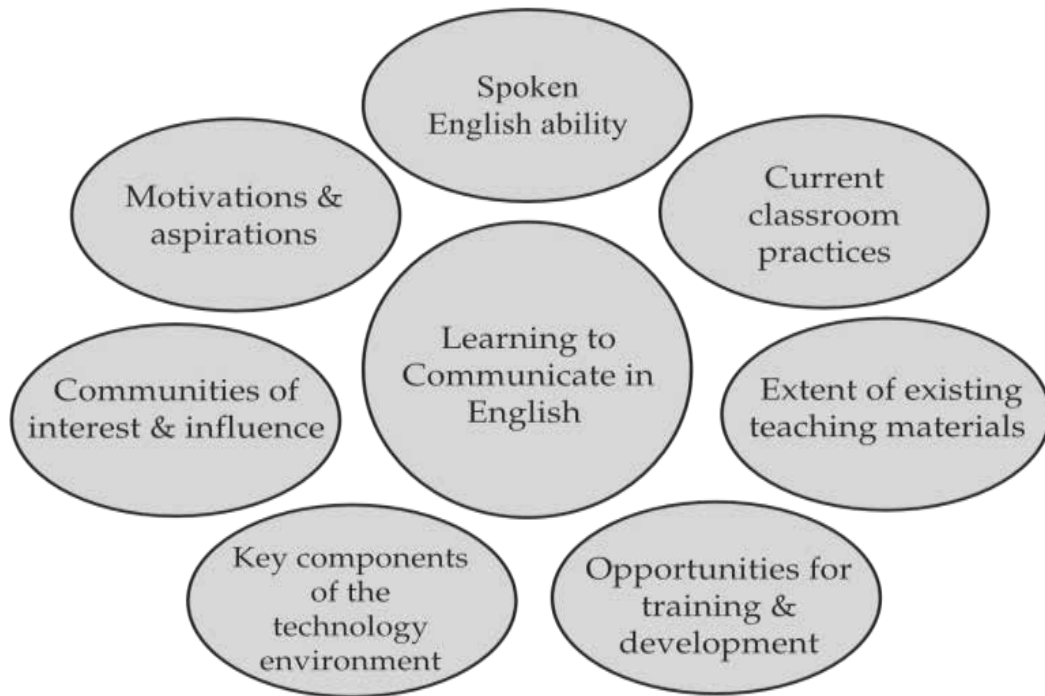
#### 4. CONCLUSION & RECOMMENDATIONS

To make the H.S.C English syllabus more effective, we have to overcome these problematic issues. And some suggestions to overcome these problems may be:

- i) Class size should be reduced.
- ii) More teachers should be recruited to conduct sufficient number of classes with the standard number of students.
- iii) The teachers' regularities in conducting the classes should be ensured and strictly monitored by the head of the department.
- iv) The teachers should have experience in the field of teaching.
- v) The teachers should go through rigorous training process and thus have the proper knowledge of teaching methods and also classroom management.
- vi) The teacher should create a learner friendly atmosphere where each and every student will actively participate without any hesitation or shyness.
- vii) The teacher should always try to involve the students in different types of tasks either individually or in groups and monitor their tasks properly and correct the errors in such a way that among the students a positive mental attitude will be created.
- viii) Teacher should always speak in the easiest form of English using all the well-known expressions and easiest words and motivate the students to involve themselves speaking in English.
- ix) Like physics and chemistry lab, there should be a language lab in every college.
- x) There should be some changes in the examination system also like provisions of listening and speaking tests in the H.S.C final examination. So, there may be practical examination in English like some of the science subjects.
- xi) The last but not the least, the teachers' involvement in the private tuition and coaching centers should be highly restricted by properly implementing the newly approved law against coaching centers and private tuition by the Ministry of Education.

The following figure gives us an idea of effective communicative environment:

*Figure 1: The Communicative Environment*



If these suggestions can be implemented properly, it is to some extent possible to overcome the present crises and in this way, a positive environment can be created for the English learners in the H.S.C level through which the fixed goal – having students as experts in all the four skills (listening, speaking, reading, writing) – will be achieved.

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## PROGRESSION OF WRITING IN TEACHING AND LEARNING FOR SECONDARY AND HIGHER SECONDARY EDUCATION: BANGLADESH CONTEXT

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Muhammad Afsar Kayum\*  
Mohammad Ehsanul Islam Khan \*\*

### ABSTRACT

*Effective writing is a very important sector for the English language learners. For the learners of Bangladesh context, it is much more significant because here the learners are generally evaluated through their writing skill. But it is an inevitable fact that in most of our English language classes the learners are engaged in activities like writing paragraphs, formal and informal letters, essays, dialogues etc. They are often pressurized from writing from their creative faculty and making correct sentences. Most of the time, the learners find it unpleasant and difficult. So, the language teachers need to find out ways to make the writing classes interesting as well as effective for their learners. This work aims at finding out the strategies to be skilled in teaching and learning process of writing in Bangladeshi schools and colleges. The observation method and the conceptual analysis method were helpful for the research study.*

**Keywords:** *Effectiveness of Writing, Error Analysis and Correction, Suggested Writing Activities, Recommendations*

### 1. INTRODUCTION

“Reading maketh a full man, conference a ready man; and writing an exact man”- is truly a wise saying of Francis Bacon. Writing is certainly one of the very imperative skills of a second language learner. But in the context like ours in Bangladesh the efficiency of writing skill is very poor. Most of the language learners are yet to develop this skill in the proper manner. The condition is not being developed because the learners have been trained up with inept strategies in their first twelve years of education till higher secondary level. Teachers’ training programs are proved to be hopeless

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\* Senior Lecturer, Department of English, Manarat International University, Dhaka, Bangladesh

\*\* Lecturer, Department of English, Royal University of Dhaka, Bangladesh

and fruitless in this regard. Many of our students cannot even write a few correct sentences at a stretch in the higher study programs. As a result the learners remain ignorant about writing a letter, paragraph, job application or a letter to editors in English. Moreover, some learners are afraid of the foreign language like English. This fear results in redundancy problem vehemently.

At present, to improve the writing skills of the learners in our country is a crying need. The learners should also be aware of the fact that writing is the most important skill for communication. So, a proper guidance from the teachers and a sincere and dedicated attempt from the learners both are essential. But the greater endeavor should be started from the teachers who are guiding the learners. Instead of giving a topic on the board and asking learners to write on it, teachers can help them to develop a number of important skills which play significant roles in improving writing.

### **1.1. Objectives of the Study**

This article aims at helping the trainees as well as the trainers dealing with the newest strategies to be skilled in teaching and learning process of writing in the educational institutions in the present context of Bangladesh.

### **1.2. Background of the Study**

Before preparing this paper the researchers have gone through the book *The Practice of English Language Teaching* of J. Harmer and the book *Teaching English Writing* of A. Pincas, which have prearranged the primary ideas, how to calisthenics the writing task in a second language and how to develop its strategies.

To get a picture of the writing progression in the secondary and higher secondary education, we must think about how we were taught for the writing skill in our school and college days. To proceed further in this issue, we need to focus on the actual happenings in most of the writing classes in our context. Being university teachers, we can now realize whether those classes were effective or not. To discuss the issue, some questions frequently arise in mind:

1. What were the key features of those classes?
2. Which writing skills were focused in those classes?
3. Were those skills taught properly?
4. What kinds of activities were done to develop writing?
5. How much attention was given on grammar and correction?
6. What was the teacher's role in the class?
7. Did I feel any pressure while writing?
8. Were those classes interesting or boring?
9. How was feedback given?
10. Were those classes effective?
11. Did I express my creativity while writing?
12. What were the limitations of those classes?

A close investigation of these questions will surely clarify the issue about the writing skill development for Bangladeshi learners. From our own recollection, we can easily remember those

classes where the most common writing activities were paragraphs, essays, letters and answers to questions. Our teachers used to give us topics on different issues. We tried to memorize or copy from notes or from any other sources. We used to do the monotonous kind of practice in almost every class. But we were never taught about the writing process, sentence formation, Organization, structure, Coherence or Cohesive devices. In these ways, our creative faculties were not being touched or nurtured. After writing on any topic, we were anxious about the grammatical correctness. If we ask ourselves whether we enjoyed those classes or learnt how to write on our own, the answer will definitely be ‘no’. Now, being university teachers, we see our students find it difficult to write on their own. So, it is an undeniable fact that our writing classes should be different from the traditional classes. We should try to make the things interesting and effective for our learners. As Harmer writes,

“ although there is no magical way of ensuring that our students will be engaged with the topics we offer them, It is nevertheless important to try and find the type of tasks and the topic material which will involve the members of our classes (2003: 253).”

## 2. METHODOLOGY

The most helpful methods for the research work were observation method and conceptual analysis method as mentioned in the abstract. In this manuscript, the researchers have showed their own suggestions and recommendations regarding the topic after finding out the true picture of teaching and learning methods of writing in Bangladeshi schools and colleges.

## 3. ANALYSIS AND FINDINGS

### 3.1. Questionnaires for the Effectiveness of Writing Classes

In order to make our writing classes more effective, we, the language teachers, should always bear in mind the questionnaires, also propounded by Raimes (1983:12-23). To solve the problem, it is therefore necessary to focus on these questions:

1. What are the urgencies of our learners to develop the writing skill?
2. How can writing help our learners to learn English better?
3. What do our learners need to develop writing as a skill?
4. How can we teach the writing process?
5. How can we make our writing classes interesting and motivating?
6. How can we make them effective?
7. Which activities/tasks can we use to develop writing?
8. How are the learners going to work (On their own, in pair, in group, with hints)?
9. How much time should we give our learners for their writing activities?
10. What can we do to deal with errors? / How can we give feedback?

### 3.2. Clarification of the Obscurities of our Language Teachers

Now the language teachers teaching English as a second language not only should know these questions but also should know the remedies or answers to these questions. Raimes did not only



mention the questions but also suggested the various approaches. Now a detailed analyses of the views of Raimes (1983:6-11) will surely clarify the obscurities of the language teachers, attempting to adopt different approaches to writing.

### ***3.2.1. Topic-wise free hand approach***

According to Raimes, this approach stresses three features, “grammar, syntax or structure, and mechanics (1983:6)”. It emphasizes correctness rather than eloquence and originality. Here students work on materials given to them and do exactly what they were told. They usually start with sentence exercises. Then they are given paragraphs which they copy. It is believed that these free hand writing activities help students to write a lot and to avoid errors. Later, when learners acquire a certain level of competence, they are encouraged to work on their own.

### ***3.2.2. Extensive Practice***

This approach stresses ‘quantity’ of writing rather than ‘quality’. There is very little error correction and importance is given on what the learners write and how fluent they are. Here students do not worry about forms. It is believed that “once ideas are down on page, grammatical accuracy, organization, and the rest will gradually follow (Raimes, 1983:7).”

### ***3.2.3. Argumentative or reason based writing***

This approach emphasizes the intention of a piece of writing and ‘the audience’ for it (1983:7). It is believed that writers produce their best when writing is considered as a “Communicative or argumentative act” and writers write for a reason and a real person. Raimes (1983) states that if learners know why they are writing and who will read their works it motivates them and encourage them to think.

### ***3.2.4. Re-arrange approach***

This approach emphasizes coping paragraphs, studying the forms of model paragraphs and imitating them. Learners are also given detached sentences and asked to put them into rearrange or paragraph order. It is believed that in this way they will learn about the organization process and structure.

### ***3.2.5. The newest approach***

In the process approach, the students do not write on a given topic in a limited time and hand in the written work to the teacher for correction. Rather, they prove, inspect, analyze topic as they write; show the drafts to the teacher and each other. Teachers who use this approach give the students enough time, and a detailed feedback. Learners become conscious about what they are writing and how they are doing it.

Among all these processes, the teachers in schools & colleges only follow the topic wise free hand writing approach or sometimes the re-arrange approach. The other approaches are not usually used mainly because most of them are not aware of these or because of the limitations or the insufficient technical support. Let us now find out how writers write or what we can do to teach the writing skill.

#### 4. SUGGESTED WRITING ACTIVITIES FOR LEARNERS

John Langan in his book “English Skills with Readings” suggests the writing skills as pre-writing, writing a first draft, Revising, Editing and Review activities. White and Arndt (1991:5) also believe that writing is actually a process of “re-writing”. In their model, they have included the stages like drafting, reviewing, focusing, generating ideas, and evaluation. Moreover, Vocabulary, structure, spelling, organization, linking expression, punctuation, Paragraphing, style of language, presentation and coherence are some of the general skills which the learners require to develop in their writing.

These can be developed through a number of different types of writing tasks. Instead of engaging our learners in writing just essays and paragraphs all the time we can use the following tasks to create interest and variety as suggested by Pincas (1982), Harmer (2003), and Ur (2003).

##### **4.1. Writing response to a poem, film, and story**

These can be used because they can be interesting and motivating. These activities can also help in developing reading and listening skills.

##### **4.2. Narrating incidents**

These can be an interesting task and help to develop narrative strategy. Teachers can use pictures or newspapers and magazines for this kind of activity.

##### **4.3. Personal stories**

Learners can also be asked to write about their own experiences such as a happy, sad, or frightening incident of their life.

##### **4.4. Describing people and places**

Learners can describe people they know- such as- parents, friends, teachers, or a well-known figure. They can also describe places they have visited or seen. They can help in developing descriptive strategy.

##### **4.5. Answering a letter**

This can be a motivating task if there is an audience and purpose. Learners can write letters of complaint, job applications, or they can write letters to each other.

##### **4.6. Writing summaries or paraphrases**

These are useful activities as they teach learners to be precise and careful in their choice of words and sentences.

##### **4.7. Writing poems or stories**

These can be fun and motivating tasks for imaginative learners and may be done once in three months.

#### **4.8. Diary writing**

This can be useful because this can be done outside classroom and it can help learners to write on their own.

#### **4.9. Parallel writing**

According to Harmer “The concept of parallel writing is central to the teaching of connected discourse since it suggests that students should have a model from which to work. In other words, students will first see a piece of writing and then use it as a basis for their own work (1991:111).” Harmer states that the model that the learners work with can help them to develop their abilities and write on their own.

#### **4.10. Ordering**

This activity can be used to teach cohesion, coherence and structure.

### **5. STEPS OF FINDINGS FOR THE DEVELOPMENT OF LEARNERS’ SKILLS**

These activities can make learners aware of different type of writing styles, help to develop their vocabularies, and knowledge of structures as well. While using these activities teachers need to use the teaching time carefully and properly. In order to do that the teachers can divide the writing classes into three steps. Let us now find what teachers can do in these three steps.

#### **5.1. Step-01**

In this step, teachers can help learners to generate ideas. We can activate our learners’ prior knowledge with pre-writing activities such as brainstorming that is, producing words, phrases, ideas, outlines, as quickly as possible, just as they come about, without paying attention to appropriateness, order or accuracy. Brainstorming can be done in a class or group, or individually. Teachers need to remember that this first piece of writing is not usually corrected or marked. We can give our students a time limit for this step: usually five to ten minutes can be given for this stage.

#### **5.2. Step-02**

At this step, teachers can assist the learners to extend their ideas. Learners can be asked to develop their ideas into short sentences or notes. At this stage, they can judge the quality and usefulness of ideas. They can identify important ideas or interesting thoughts. After developing the ideas and thoughts the learners can write their first draft either in pair or in groups.

#### **5.3. Step-03**

After the draft has been done, the teachers can make comments. We need to remember that it is better to give more comments on ideas and organization than grammar and spelling. At this point we can also use peer feedback. After they have received feedback, learners, then, can begin the process of revising the work. After they have written the final draft they should read for mistakes

in spelling, grammar, punctuation, etc. Following Riddell (2003) here we would like to give an example of how teachers can teach letter writing through these stages. We have chosen a job application letter because this is commonly taught to first year students. We taught it to learners in the following manner in their first year classes and found it effective.

#### **5.4. Steps for Writing a Job Application**

L. Sue Baugh in his “*Handbook for practical letter writing*” also shows many examples regarding the above mentioned three steps. In writing a job application while doing this activity, teachers can follow the following steps:

#### **5.6. First Step: (About 15 minutes)**

At the beginning, Teachers can engage learners in a discussion on different types of jobs and the job advertisements today. Then learners may work in groups and think about reasons for applying in those jobs. This first step, as L. Sue Baugh mentioned, involves answering the four key questions of letter/application writing; What is my purpose? Who is my audience? What should the application/letter cover? What action or response do the learners want? After sharing all the pertinent information, the learners can be prepared for writing.

#### **5.7. Second Step: (About 30 minutes)**

In this Step, Teachers may ask the learners to prepare their first draft. They can also be given a sample to read. In this stage they should be made worried about phrasing, grammar, spelling or organization. Learners, thus, can work individually or in pairs or groups and start writing a letter of job application.

#### **5.8. Third Step: (About 45 minutes)**

In this stage, teachers can instruct learners to read over their first draft and organize their application so that it flows logically from point to point. Learners, then, can write the final drafts and submit those to teachers. Teachers can check the final works and choose the best letter and it can be read out for the whole class; or, teachers can select some good works, read those for the whole class and ask learners to select the best letter. They can also point at major problems from some weaker students. This process may seem time consuming but in most of our private and public universities, the duration of a class is usually ninety minutes and if teachers can make the proper use of time, the learners definitely can be benefitted and learn the necessary skills.

### **6. ERROR ANALYSIS & CORRECTION**

It is an urgent necessity to analyze the types of error our learners make in their writings. For error analysis and correction, we have to give our students enough time. We can try to find out what the students need to work on next? Or what are they having problem with? We can try to find out whether the errors are the results of carelessness, or lack of knowledge, or misunderstanding of rules? We can give students time and opportunity to correct error before we do. We can try to find

out if they can do it. In writing we can only identify and point out the major errors, which interfere with communication so much that we cannot find out what the student is trying to convey. We can design a system for indicating some or all of the errors in students' work and explain the system to the students. But we need to ask ourselves the most important question, 'Should we focus on quantity or quality?'

## 7. RECOMMENDATIONS

As the teachers, we should not ignore the writing skill or teach just for the sake of teaching. We all know the limitations of our schools and colleges. We lack many trained teachers; we have large classrooms, lack of logistic supports, short duration of classes (only 40-45 minutes), lack of technological support, etc. So, it is somewhat difficult for them to follow the above-mentioned processes in those classes. But in the university levels, we have smaller class size and longer duration (90 minutes) of each class. So, we can give more time to our learners. We should teach them the appropriateness in writing. With weaker students, we need to be extra careful and provide guided writing activities. We should offer those interesting topics and writing assignments to be completed in pairs or in groups in order to reduce pressure on the individual learners. And finally, we shouldn't be very critical in their initial works and should support the learners by making encouraging comments.

## 8. CONCLUSION

Thus, the language teachers may find out the ways to make their writing classes effective with the recommendations stated above. The researcher hopes that the processes or strategies mentioned in my article may be of great help to the trainers and the trainees as well. Unlike the traditional patterns, we must introduce the new patterns, with a view to making our learners as truly competent and skilled. These innovative strategies taken by the language teachers will surely help the learners to write more efficiently which may result in adeptness of the learners.

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## RELATION BETWEEN INDIVIDUAL STUDENT BACKGROUND AND ANXIETY AT SPEAKING SESSION: A CASE STUDY ON MIU STUDENTS, BANGLADESH

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Farzana Zaman\*  
Marzia Shurovi\*\*

### ABSTARACT

*This paper aims to investigate the relation between individual background, personal traits and anxiety at speaking session at EFL classroom of the students of Manarat International University. Apart from looking at the reasons, manifestation, and effects of their anxiety on overall English performance, the paper proposes some probable strategies that could reduce their EFL anxiety. Direct interviews with nine students were held to extract case study data. Findings suggest that more social and extrovert learners become less shy in classroom speaking sessions than their more introvert counterparts, also they brought with them positive experience from previous English classes that in turn lessened their fear of negative feedback. All the students recommended some probable measures that could help them to overcome their speaking anxiety in classroom. To address the demotivation of majority of the students to speak up at speaking sessions in class, the study on the relation between individual student background and classroom anxiety could bring forth significant suggestions.*

**Keywords:** *Anxiety, EFL classroom, Speaking session.*

### 1. INTRODUCTION

According to Rod Ellis, (1985) “Affective factors concern the emotional responses aroused by the attempts to learn a L2.” Among the affective factors that play positive and negative roles in EFL classrooms, anxiety has been receiving growing attention from the researchers in the last three decades. Horwitz et al.(1986) stated, “no other fields of study implicate self concept and self expression to the same degree as foreign language study”. So, while acquiring a new language or being asked by the teacher to speak that language, even before acquiring it at a satisfactory level, it

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\* Assistant Professor, Department of English, Manarat International University, Gulshan, Dhaka, Bangladesh.

\*\* Senior Lecturer, Department of English, Manarat International University, Gulshan, Dhaka, Bangladesh.

is quite natural for a student to get afraid or anxious in front of other students or their teachers. In the early 20<sup>th</sup> century, a plethora of research was dedicated to identify the reasons, manifestations and solutions to the anxiety of students in EFL classes. As the years passed by, from 1980s onwards, the Asian researchers started probing the same predicament of EFL students at speaking sessions. This study attempts to examine the previous experience and attitude of Bangladeshi private university students, especially in context of MIU and whether it is somehow related to their anxiety in speaking at English classes. The significance of the study lies in searching for the reasons of EFL speaking anxiety which might bring some suggestions to help the students overcome such anxiety and practice speaking more in and out of English classroom.

### **1.1 Key Questions**

1. Is the socio academic background of a student somehow related to a students' anxiety at speaking session in EFL classroom?
2. Students of what kind of social and academic background suffer from more anxiety while speaking in front of peers and teachers?
3. What measures could the teachers take to reduce their speaking anxiety in EFL classroom?

### **1.2 Objective of the Study**

1. The study seeks to explore the relation between the socio-academic backgrounds of an individual and FLA(Foreign Language Anxiety) at speaking session.
2. To indentify the predicaments of EFL students at speaking session in the context of Manarat International University(MIU).
3. To suggest some strategies to reduce anxiety at EFL speaking session.

### **1.3 Literature Review**

During the last two decades anxiety has been one of the most growing field of research arena particularly after Horwitz, Horwitz and Cope (1986) contended that foreign language anxiety was distinct from other anxieties. Among other researchers Bailey(1983), Brown(19780), Chastain(1975), Scovel, Aida(1994), MacIntyre and Gardner (1991,1994)were the pioneers who explored EFL anxiety and revealed epoch making theories.

EFL anxiety was classified into basic two types –trait anxiety which is the tendency of a person to be nervous or feel tension regardless of the particular circumstances and state (situational anxiety) which is nervousness or tension on particular moment in response to some outside stimulus. (MacIntyre and Gardner 1989). Daly (1991)discusses communication anxiety “*which may occur when people interact verbally.*” Horwitz and Young, (1991) explored some other facts related to classroom environment that might “*contribute to making formal foreign language learning a particular at risk experience for many learners.*”

According to David Nunan (2003), “Many people feel that speaking in a new language is harder than reading, writing and listening for two reasons. First, unlike reading or writing, speaking happens in real time. Usually the person you are talking to is waiting for you to speak right then.

Second, when you speak, you cannot edit and revise what you wish to say as you can if you are writing.”

Penny Ur (1996) says, “Learners are often inhibited about trying to say things in a foreign language in the classroom, worried about making mistakes, fearful of criticism or losing face, or simply shy of the attention that their speech attracts.”

The anxiety that some students experience at speaking session at classroom is directly related to situational communication and classroom anxiety. This study also explores the kind of student background that might increase speaking anxiety of the students in the class.

## 2. METHODOLOGY

### 2.1. Participants

For the case study, 9 participants were chosen from MIU with various backgrounds ranging from age 19-28. Among them, 6 were females and 3 were males. Among them 6 came from Bangla medium school background, one from English medium background and two from Madrasha background. The students were being selected on the basis of difference in terms of age, social-family background, academic background, English learning experiences, speaking performance in the class.

For the questionnaire survey, 61 students from BBA and English discipline were chosen, all of them had various schooling, social and family background. Among them 48 were females and 13 were males.

### 2.2. Procedure

For the case study interview, the students were informed about the objective of the study and asked to reflect on the questions carefully. The responses were obtained in written format and qualitative process was applied to analyze and present the data.

For the questionnaire survey, the students were thoroughly briefed about the meanings and explanations of each question and were assured that there were no possibility of their grades being influenced by their frank answers of those questions and for their anonymity purpose, pseudonyms for each student were used in the analysis and data presentation of the study.

After collecting the questionnaire data, SPSS analysis was done to extract the percentages of students' exposure to different usages of English at different levels, as well as their attitude to speak up in class sessions.

### 2.3. Materials

For the case study, questions addressing the social background, schooling and family backgrounds and feelings at speaking sessions at class were developed for stimulating a semi-structured interview of the participants.

On the other hand, for the questionnaire survey, a Needs Analysis questionnaire adapted



from Nunan (1998) was used. Apart from 14 questions there, 4 more questions were added that seemed necessary for analyzing the relation between individual student background and their anxiety at the speaking sessions in the class.

### 3. ANALYSIS AND FINDINGS

#### 3.1 Analysis

Among the nine participants, all of them admitted that since English is an International language, it is very important for them to learn English for “higher education, good job” etc. And only two among them did express their passion for learning English- Shojol from Madrasa background and Tithi from English Medium background. Shojol said, he is “very interested to learn English” and Tithi had “great desire to learn” English. Interestingly, none of them suffered from “fear of negative feedback” from teachers and they felt that they had no special fear in speaking English in front of others. Both of them termed their previous experience of English classes as “Excellent”. For Tithi, the factor that hinders her spontaneous speaking at speaking session is “lack of information and friendly atmosphere” and Shojol mentioned “environment at class and home isn’t suitable, my near and dear ones usually laugh at me.” And they get 4/5 social meetings and conversation a month which they think help them develop spoken English. Ellis (2003) asserted, “Extroverted learners will find it easier to make contact with other users of the L2 and therefore will obtain more input.”

Among the rest, Reaz from Bangla Medium and Rony from Madrasa background admitted that they normally became afraid in their previous experience of English classes and Toma from Bangla medium said that normally she got negative feedback from her previous English classes. These three participants usually become anxious at speaking session in the classes and the various reasons are “fear of making mistakes”, “If I make mistakes, people will laugh at me, I will be a matter of fun”, “I fear when I see that people are staring at me”, “I suffer from a lot of grammatical mistakes and lack of vocabulary”, “I am not good at spoken English” etc.

All of them admitted that they suffered from “fear of negative feedback” from the teachers before they spoke in class and speaking sessions, particularly, aroused special fear in their mind. Among them, Reaz had “not a single” get together with friends or relations a month, Toma had “very rare” get together and Rony had “not at all” a social get together a month. Among the rest of the participants Santa, Rima, Marry and Shelly come from Bangla Medium who brought good experience from previous English classes, had “many” social meetings a month but became anxious at speaking sessions because of “lack of confidence”, “lack of proficiency” etc. Two reported “I stammer, feel that friends and teachers will laugh at me and my heart goes pit-a-pat” at speaking session but three of them admitted that they get afraid of negative evaluation from their teachers.

From the SPSS analysis, we can see that, as the **table 1** shows first, 47% female students and 35% male students like to learn English from listening.

Reading Writing		\$Q_1^a\$					Total
		Listening	Speaking				
Gender	Female	Count	5	4	9	4	19
		% within Gender	<b>26.3%</b>	<b>21.1%</b>	<b>47.4%</b>	<b>21.1%</b>	
		% of Total	8.9%	7.1%	16.1%	7.1%	<b>33.9%</b>
	Male	Count	7	9	13	8	37
		% within Gender	<b>18.9%</b>	<b>24.3%</b>	<b>35.1%</b>	<b>21.6%</b>	
		% of Total	12.5%	16.1%	23.2%	14.3%	<b>66.1%</b>
Total		Count	12	13	22	12	56
% of Total		<b>21.4%</b>	<b>23.2%</b>	<b>39.3%</b>	<b>21.4%</b>	<b>100.0%</b>	
		Female	26.3%	21.1%	47.4%	21.1%	
		Male	18.9%	24.3%	35.1%	21.6%	
		Overall	21.4%	23.2%	39.3%	21.4%	

From the SPSS analysis, we can see that, first, 47% female students and 35% male students like to learn English from listening. Surprisingly, both male and female show preference to listening rather than any other modes of learning.

Gender * Q_2 Cross tabulation						
Study Grammar Learn New Words		Q_2			Total	
		Practice Conversation				
Gender	Female	Count	2	5	12	19
		% within Gender	10.5%	26.3%	63.2%	100.0%
		% of Total	3.6%	8.9%	21.4%	33.9%
	Male	Count	11	11	15	37
		% within Gender	29.7%	29.7%	40.5%	100.0%
		% of Total	19.6%	19.6%	26.8%	66.1%
Total		Count	13	16	27	56
% within Gender		23.2%	28.6%	48.2%	100.0%	
% of Total		23.2%	28.6%	48.2%	100.0%	

Second, 63% female students like to practice conversation outside the class. And 41% male students like to converse in English out of the class.

<b>Gender * Q_5 Cross tabulation</b>					
Yes No		Q_5		Total	
Gender	Female	Count	15	4	19
		% within Gender	78.9%	21.1%	100.0%
		% of Total	26.8%	7.1%	33.9%
	Male	Count	30	7	37
		% within Gender	81.1%	18.9%	100.0%
		% of Total	53.6%	12.5%	66.1%
Total % within Gender % of Total		Count	45	11	56
		80.4%	19.6%	100.0%	
		80.4%	19.6%	100.0%	

Third, 81% male students and 79% female students like to learn English by talking to friends.

<b>Gender * Q_6 Cross tabulation</b>					
Yes No		Q_6		Total	
Gender	Female	Count	10	9	19
		% within Gender	52.6%	47.4%	100.0%
		% of Total	17.9%	16.1%	33.9%
	Male	Count	25	12	37
		% within Gender	67.6%	32.4%	100.0%
		% of Total	44.6%	21.4%	66.1%
Total % within Gender % of Total		Count	35	21	56
		62.5%	37.5%	100.0%	
		62.5%	37.5%	100.0%	

Fourth, 53% female students like to learn English with the whole class, whereas 68% male students agree that they like learning English with the whole class.

<b>Gender * Q_11 Cross tabulation</b>					
		Yes No	Q_11		Total
Gender	Female	Count	6	13	19
		% within Gender	31.6%	68.4%	100.0%
		% of Total	10.7%	23.2%	33.9%
	Male	Count	15	22	37
		% within Gender	40.5%	59.5%	100.0%
		% of Total	26.8%	39.3%	66.1%
Total		Count	21	35	56
% within Gender			37.5%	62.5%	100.0%
% of Total			37.5%	62.5%	100.0%

Fifth, 32% female students have confidence to speak English in front of a group of people but the percentage of male students in this regard is 41%.

<b>Gender * Q_16 Cross tabulation</b>					
		Yes No	Q_16		Total
Gender	Female	Count	12	7	19
		% within Gender	63.2%	36.8%	100.0%
		% of Total	21.4%	12.5%	33.9%
	Male	Count	16	21	37
		% within Gender	43.2%	56.8%	100.0%
		% of Total	28.6%	37.5%	66.1%
Total		Count	28	28	56
% within Gender			50.0%	50.0%	100.0%
% of Total			50.0%	50.0%	100.0%

Sixth, 63% female students communicate in English with their family members whereas about 43% of their male counterparts do that.

Last but not the least, 53% students from English medium background think that their schooling background helps them in speaking up at the tertiary level speaking sessions. And 37% Bangla medium students find their schooling background helpful in speaking English in the classes but the percentage of Madrasha background's students who feel the same is about 9% only.

### **3.2 Findings**

- a) From the socio academic background and attitude of Shojol and Tithi, it becomes obvious that people who bear a passionate mind to learn English apart from realizing its necessity, have excellent experience at previous English classes plus mingle with a good number of people in social day to day life do not suffer from anxiety in speaking English in front of others in class.
- b) Interviewing these three people we found that socially introvert people who do not mingle with a lot of people in their day to day life and people who bring negative experience from their previous English class experience, normally become anxious at speaking sessions in the English classes. Because of their more shyness and lack of participation in speaking session, they suffer from grammatical, vocabulary as well as state or situational anxiety aroused from psychological fear of “peer pressure” or “negative feedback”.
- c) This observation confirmed that irrespective of much social mingling and previous good experiences of English classes, some people may suffer from anxiety at speaking sessions in English classes.
- d) Greater ratios of students, irrespective of the gender difference, like to learn English from listening.
- e) More female students than their male counterparts like to practice conversation in English outside the class and they communicate in English with their family members. But what is significant is a greater ratio of female students than their male counterparts admitted that they do not have enough confidence to speak up in formal situation. So, female students suffer from speaking anxiety more than the male ones.
- f) More male students than the female ones informed that they like learning English with the whole class which indicates that they suffer from speaking anxiety in formal situation much less than the female students.

Irrespective of the gender difference, the students from English medium background are already equipped with more confidence for speaking sessions at the tertiary level, here, the Bengali medium background is in second position and last comes the madrasah background. It seems that the fact that they got more practice in speaking and that their eagerness and confidence was imprinted in their mind in their childhood actually plays a vital role in lessening speaking English in class activities.

### **4. CONCLUSION & RECOMMENDATIONS**

According to Horwitz et.al (1986), ‘the existence of foreign language anxiety is not a favorable phenomenon and it must be overcome by students at different stages of learning and for different language learning situations, so that they can take full advantage of foreign language instruction.’

In this study, we observed that among nine participants, all felt more or less shy to speak English in front of others and all the students except one suffered from a special feeling of ‘fear’ to speak English in the classes, (not to read, write or listen). It is obvious that any kind of anxiety will affect the overall English performance of the students and to optimize the maximum learning

opportunity of the students, it is a prerequisite of the educational institutions to reduce the student anxiety through various measures.

In this study, all the students recommended some actions that might provide them an anxiety-free environment. These are:

1. Out of 9 participants, 6 students demanded ‘friendly environment’, 1 demanded ‘very friendly and frank environment’.
2. One reported, “If the teachers teach spontaneously and treat us as own people, it will help me to overcome my anxiety. Jo McDnough and Christopher Shaw quote Bartram and Walton (1991) who see the teachers as a. Social organizer, b. Encourager, c. Time keeper, d. Counselor, e. Educator, f. language Arbiter.
3. One expected “no side comments” from friends at speaking session. Jeremy Harmer (page 272) says, “One of the reasons that discussions fail is that students are given an opinion in front of the whole class, particularly, if they cannot think of anything to say and are not, anyway confident of the language”. Many students feel extremely exposed in discussion situations.”
4. One demands, “appreciation of my effort in speaking enthusiasm from everyone at home might help us to overcome anxiety.”
5. According to another one, “If all of my teachers and friends and family members speak English and if they help me to overcome all of my mistakes” it would be helpful to him.
6. The last recommendation was “An environment where all my friends will speak English and they will also make mistakes but nobody will laugh” will be effective to overcome my speaking anxiety.
7. All agreed that group activities and pair works in class activities also lessened their anxiety. So it is clear that “environment” or “atmosphere” at home plus university English classes and university premises has to play the first and foremost key roles to reduce student anxiety in speaking classes. In this regard, family members plus relatives at home, as well as the friends plus teachers have to ‘appreciate’ or provide positive feedback to the students irrespective of how many mistakes they make while speaking English who put their effort to speak English.
8. From the questionnaire survey, it seems that more listening sessions in class activities could help build confidence to learn English, and to speak more in class sessions as the most students find listening activities interesting.
9. Separate speaking sessions for the male and female students may bring out more spontaneous responses from the female students in speaking sessions as they are less interested to speak up in front of the whole class.
10. To encourage the students to speak up in English inside and outside the class could play invaluable role to build up confidence in their minds for speaking activities.

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