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Editorial Note

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

Nine research articles have been selected in the current volume of PUJ on different disciplines with the inclusion of a book review. The first article examines the implementation mechanisms of international human rights regime on government's human rights practices. The second paper focuses on In-service teacher education and use of technology which have impact on teacher's professional life in classroom practice.

The third one focuses on reformation on Bangladesh Civil Service. Bangladesh inherited its civil service from Pakistan, a direct descendant of the Indian Civil Service. In this paper, the author attempts to assess the intended results of the reform efforts. The fourth article attempts to analyze the concept of cybercrime and its emergence at the national and international levels. It reviews the existing legislative and regulatory framework and its effectiveness in fighting this form of borderless and organized crime in South Asian countries with Bangladesh as a case study.

The relation between language and gender with a view to better understanding and avoiding misinterpretation in male female discourse has been aimed to find in the 5th paper. The 6th one examines the role of social safety-net programs in Bangladesh with

special focus on the Old Age Allowance Program (OAAP). The next paper evaluates the effectiveness of drug treatment centers.

The mixing or changing of two or more languages in speech is known as 'code switching' in sociolinguistics and in the 8th paper the researcher shows how code switching is practiced in Bangladesh. And finally, the last article aims at exploring the protagonists of R K Narayan's '*The Guide*' as the unified Lacanian subject who are shifting their symbols incessantly to fill up the void, and to attain 'the Self'.

The book review section covers the review of a book titled, *Impact of Migration on Poverty and Local Development of Bangladesh* by Tasneem Siddiqui & Raisul Awal Mahmood. The reviewer gave a brief discussion of all the ten chapters in the book very nicely.

Finally, I would like to pay my sincere gratitude to the Patrons of the journal, all members of the Editorial Board and all contributors of the journal. We hope that this volume of the journal will be a great help to the students as well as researchers concerned.

M Abdus Sobhan
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Mechanisms for Implementation of Human Rights: A Critical Analysis in Bangladesh Perspective

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***Abstract*:** The concept of human rights is not new but the implementation mechanisms of human rights at national, regional and international level remain quite newer than the concept. The paper examines the implementation mechanisms of international human rights regime on governments' human rights practices. The paper put forward an explanation that highlights a "paradox of empty promises" by the governments in implementing human rights. The core argument of the authors is that the universal institutionalization of human rights has created an international context in which governments often ratify human rights treaties as a matter of window dressing, thoroughly decoupling guiding principle from practice and at times exacerbating off-putting human rights practices, but the embryonic global legitimacy of human rights exerts independent universal civil society effects that perk up states' actual human rights practices.

***Keywords*:** Human right, Bangladesh, international, implementation, violation, mechanism.

Introduction

Human rights are said to be the inherent, universal, inalienable and indivisible rights to which we all are equally entitled without any discrimination as to race, religion, nationality, color, gender, language, place of birth or any other status. These rights are also called the interrelated, interdependent and self-evident. As a human being, it is the duty of every person to know what the human rights are. What rights s/he belongs to? And how these rights can be enjoyed without any obstruction? At the same time it is the obligation of every governmental body to ensure the effective implementation of these rights so that no member of the human

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family becomes deprived of enjoying these and exposed to the consequences ensuing from the violation of any of these rights.

Bangladesh is a party to a number of major international human rights and humanitarian law treaties, *albeit* with important reservations to some of them. But the implementation of these human rights remains a far cry due to its ineffective implementation mechanism. This increasing gap between the different tenure of governments of Bangladesh proclivity to join with the modern human rights regime and to bring their human rights practice into compliance with that regime which challenges the effectiveness of international law and questions the legitimacy of its legal commitments to protect the lives of its citizens. Scholars of international relations, particularly within the realist and neoliberal traditions, expect this compliance gap between states' commitment to international law and states' practices. The main aim of this paper is to focus and analyze how far the implementation mechanisms of human rights in Bangladesh are sound. This paper intends to focus the significance of increasing the respect and observance of human rights and fundamental freedoms for Bangladesh and the overall development of human being.

Human Right: What Is It?

The simple meaning of the term 'right' concerns that which a person has just claim to, or that which belongs to a person by law, privilege, tradition or nature. When we talk of human rights, we are talking of a concept that draws substantially from what we traditionally refer to as the natural rights. Human rights thus came to be evolved as those of the natural rights which are basic to the very existence and growth of a human being and which every civilized society would like to ensure into them, albeit its own larger interest (Sinha, 2014, p. 1). The true pioneer of human rights was the idea of natural rights which appeared as part of the medieval natural law tradition that became renowned during the enlightenment with the philosophers (e.g., Locke, Hutcheson and Burlamaqui) which featured considerably in the political discourse of the American and French Revolution. Thomas Paine for the first time used the term 'human rights' in the English translation of the French Declaration of Rights of Men and of the Citizen, that was adopted by the National Assembly of France in 1789 (Mondol and Mondol, 2006, p. 29).

The idea of human right is the heart of international law that represents the fundamental values common to all cultures, and must

be respected by all countries throughout the world. The term 'human rights' refers to a wide range of inherent and inalienable rights, which all individuals have, irrespective of their race, color, sex, language, political or other opinion, birth or other status (Khair, 1997, p. 69). According to the Encyclopedia Britannica, human rights are the rights that belong to an individual or group of individuals simply for being human, or as a consequence of inherent human vulnerability, or because they are requisite to the possibility of a just society (Weston, 2014, p. 26). Human rights are concerned with the dignity and self-esteem of the individual that are essential for securing personal dignity and promoting human community (Aziz, 1978, p. 1). Henkin in an article describes this trait in the following words:

> *"To call them human rights suggests that they are due of every human being in every society. They do not differ with geography or history, culture or ideology, political or economic system or stage of development. They do not depend on gender or race, class or status. To call them 'rights' implies that they are claims 'as of right' not merely appeals to grace, or charity or brotherhood or love; they need to be earned or deserved. They are more than aspirations or assertions of 'the good' but claims of entitlement and corresponding obligation in some political order under applicable law, if only in a moral order under a moral law"* (Henkin, 1981, p. 54).

Human rights are fundamental to our nature except which we cannot expose ourselves as human beings and it enables us to develop and exercise our human attributes and physical, psychological and spiritual qualities (Hossain, 2014, p. 75). They represent the minimal moral standards for human society (Abram, 1967, p. 67). Human rights are distinct from other rights in two aspects: (1) human rights cannot be acquired, transferred or disposed of by any act or incident and as such, they inhere universally in all human beings by virtue of their humanity alone; and (2) their primary correlative duties rest upon public authorities of states and not on the individuals (Sieghart, 1984, p. 17). Human rights are the moral norms that explicate certain standards of human behavior, and are protected as legal rights in domestic and international law (Nickel, et. al., 2013, p. 118). Human rights exist to stabilize the human from any kind of deprivation with a legal framework (Alam, 2011, p. 74). The notion of human rights has been criticized as a Western construct with little or no relevance elsewhere. Gradually this challenge has come to be understood not

as requiring the abandoning of universality but as calling for cultural sensitivity and dialogue (Almqvist, 2012, p. 94).

Important Features of Human Rights: Five-Point Intersection

Human rights were called rights of man in the past, it means, in general sense, those rights which are inherent and inalienable in the nature of human beings and are indispensable for the expression of humanity without which no one can live as a human being (Mondol and Mondol, 2006, p. 31). Inherence and inalienability are two vital exclusivity of human right that has made it clearly distinct from the general rights (Sieghart, 1983, p. 1). Human rights have the following unique features:

1. Human rights are inherent in every human being simply by virtue of being a "member of human family". Upendra (2006, p. 231) opines that human rights are inherent since they inhere universally in all human beings throughout their lives in virtue of their humanity. Human rights are inherent as all human beings claim their inherent human rights by virtue of the common humanity (Faruque, 2012, p. 20).

2. Human rights are also universal rights. These are those universal rights which are essential to all human beings entirely because of being human and it is immaterial where they live. These rights are fundamental to our existence as human beings and cut across all national and political frontiers which derive in the equal rights and dignity of all human beings and simultaneously aims at protecting it. Human rights do not differ with geography, or history, culture or ideology, political or economic system, or stage of societal development (Henkin, 1999, p. 122). The normative presumption on universality enshrined in the UDHR that "All human beings are born free and equal in dignity and rights" (UDHR, 1948, Article 1) is treated as a binding law in the international human rights treaties of the UN.

3. Human rights are inalienable as they cannot be transferred, forfeited, or waived. Human rights are usually realized as the basic inalienable legal guarantees to which a person is inherently entitled simply as s/he is a human being (Sepulveda and et. al., 2004, p. 55). Inalienable nature of human rights refers to human dignity as founding values upon which human rights are based (Lee, 2008, p. 3).

4. The human rights are indivisible, i.e., all human rights should be enjoyed by all people at all times and that no one set of rights can be enjoyed at the expense of others. It also refers to the fact that all human rights have equal status, and cannot be categorized in a hierarchical order.

5. Human rights are self-evident in nature. Self-evident nature of these rights can only be grasped by reflection on the nature of a person as a person-namely as a rational, autonomous, emotional, imaginative and creative being.

Implementation Mechanism: Meaning and Definition

Through implementation mechanism is meant any short of obligation, procedure, or process recognized or established by a treaty that is designed to motivate or to promote compliance, whether such motivations are in the form of avoiding shame or other, more concrete results. Saunders opines that by "enforcement mechanisms," I mean, any type of obligation, procedure, or process established by a treaty that is designed to promote or incentivize compliance, whether such incentives are in the form of avoiding shame or other, more tangible consequences (Saunders, 2012, p. 12). Implementation entails a group of activities, which include primarily activities to improve compliance by the states themselves, e.g., enacting national laws or administrative practices to comply with human rights standards, strengthening the judiciary, establishing national human rights institutions, improving minimum health standards, and participating in the governance. Before the birth of UN there were no specific international provisions with regard to the protection and promotion of human rights though there were only national and regional instruments for their protection (Faiz-ud-din, 2011, p. 7). Since 1948, the UN has created numerous treaties, covenants, principles, declarations, protocols and different mechanisms concerning the protection and promotion of human rights to monitor the respect and observance of states towards their international obligations. Implementation of the rights is the obligation and sovereign right of each state itself (Henderson, 2005, p. 8). The human rights treaties are legally binding and the state parties to these treaties are responsible for their implementation. Thus, the state and its agencies are called "duty bearers". States are the main actors within the arena of international law that have the primary obligation to implement human rights and this obligation has three aspects: to respect, protect and fulfill the human rights. This tripartite typology was introduced by Shue (1996, p. 52) in his

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book *"Basic Rights: Subsistence, Affluence and US Foreign Policy"* and then developed by Eide (1987, p. 68).

Human Rights: Implementation Mechanism

The implementation mechanism of human rights is dividable into three broad categories, e.g., international, regional and national (Noman, 2008, p. 66). These mechanisms are set up by specific sources of international law particularly treaties which define the relevant substantive human rights obligations (Milanovic, 2013, p. 210). The international mechanism under the UN alone is not enough to protect human rights throughout the world; rather regional and national human rights mechanisms have proven to be more effective and useful in protecting and promoting human rights, as they are not only complementary to the UN system, but also reflect the regional particularities (Marie, 2003, p. 32). Among these three mechanisms, the national one is considered to be more fruitful and effective as it is needless for a victim of violation of human rights to seek the international or regional protection if that person gets the proper remedy under the domestic protection system through exhausting all the local remedies in his home country.

The international implementation mechanism mainly depends upon different charter-based bodies and treaty-bodies functioning under the supervision of the UN. Conversely, the national mechanism relies on the supreme law, domestic legislations, independent judiciary, right-based institutional framework and effective harmonization among the three organs of the government, i.e., the executive, legislature and judiciary. Among these three vital organs of the government, the executive is found to be the most violator of human rights while the judiciary is considered to be acting as the protector of human rights through the judicial activism and review (Perelmen, 1982, p. 119). Despite the emergence of numerous human rights treaties, treaty-based and charter-based mechanisms, monitoring bodies under these mechanisms and various reforms in the charter-based bodies of the UN, gross human rights violations remain uncontrolled in different parts of the current world. However, human rights can be implemented mainly in the following three spheres:

Implementation Mechanism of Human Rights: Bangladesh Perspective

The domestic implementation of human rights court rulings is an especially demanding and obtrusive kind of state observance of

international norms. It involves the efforts of national authorities to redress detected violations and to bring existing laws and practices in line with the underlying standards and principles (Anagnostou and Mungiu, 2014, p. 52). It is a multi-faceted and inherently political process that involves different national institutions and actors - executive, legislative, judicial, as well as societal - with divergent preferences and priorities, who may be in conflict over whether and how to implement human rights rulings (Hillebrecht, 2012, p. 959). In this process, the violating states, including established democracies, display various forms and degrees of compliance with international norms and judicial rulings, raising significant questions about the factors accounting for such differences (Koh, 1999, p. 66). Governments are principally responsible for implementing the human rights at the national level (Wiston House, 2014, p. 7). People have always been struggling for the implementation of their rights against the government since the emergence of state, though the state is the creation of the people themselves (Haque, 2006, p. 13). The definition of human rights presupposes that they should be protected by appropriate and effective implementation mechanisms at national level. The domestic human rights protection mechanism also relies upon the access to justice and effective remedies for human rights violations (Akkas, 2003, p. 64). The human right under the national sphere *inter alia* can be implemented or enforced in the following manners:

1. Implementation of Human Rights under the Bangladesh Constitution

A mere declaration or insertion of some human rights as fundamental rights in the constitution of a country is of no value unless there is existence of any fruitful, easy and effective machinery in it. In the case of *Saiyyid Abu A'la Moudoodi and Others v. Federation of Pakistan* (1964 PLD (SC) 673), Justice Habibur Rahman observed as follows:

> *"The basic principles' underlying a declaration of fundamental rights in a constitution is that it must be capable of being enforced not only against the executive but also against the legislature by judicial process."*

The Constitution of Bangladesh contains provisions regarding human rights in its three different parts including the preamble. The human rights contained in the part II are not judicially enforceable, whereas, the human rights enshrined in the part III are judicially enforceable. In Bangladesh, the national protection system can be

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inferred from its constitutional commitments from the fundamental rights incorporated in Part III of the Constitution, which are judicially enforceable by the High Court Division (HCD) under Article 102 of the Constitution. The significance of Part III of the Constitution is that it just not incorporates the basic human rights of civil and political nature; rather it also guarantees as a fundamental right, a mechanism for establishment of the same through the judicial intervention. The duties of the state as to human rights recognized as fundamental rights are immediately enforceable by the individuals. The HCD has the power under article 102(1) of the constitution to pass necessary orders to enforce fundamental rights and under article 44(1) the right to move the HCD under article 102(1) is itself a fundamental right (Islam, 2002). Articles 44(1) and 102(1) provide that individuals who feel aggrieved can move to the HCD for enforcement of any of their fundamental rights guaranteed in the constitution. It is not discretionary with the HCD to grant relief under article 102(1); rather once it finds that a fundamental right has been violated, it is under constitutional obligation to grant the necessary relief (*Kochuni v. Madras*, AIR, 1959 (SC) 725).

2. Implementation through Public Interest Litigation (PIL)

Public Interest Litigation which is intensely connected to the human rights and rule of law means litigation filled in a competent court of law for the protection of public interest and human rights. It has been construed by the judges to regard as the interest of public at large (Ramlogan, 2010, p. 437). PIL is one of the significant strategies of judicial activism, which is now treated as an integral part of the judicial process in South Asian region (Bhagwati, 1990, p. 531). It is a means of protecting the collective rights of under-privileged group of people and is now well accepted avenue of judicial activism (Cooper, 1998, p. 361). In Bangladesh, PIL is an effective tool for protecting human rights under a simplified complaint system which has entered into the legal system for the first time in the case *Kazi Mukhlesur Rahman v. Bangladesh* (26 DLR (SC) 44). It is a good contribution of the Judiciary to protect human rights for the people even in a circumstance in which the victim has no means to go before the Court (43 DLR (AD) 126). PIL is a savior of various human rights, e.g., civil rights, political rights, environmental rights, children and women's rights that has developed a new jurisprudence of accountability of the state for constitutional and legal violations, adversely affecting the rights and interests of the weaker sections in the community (Talukder and Alam, 2011, p. 47). Foster and Jivan opine that different PIL decisions in different jurisdictions reveal how courts have given impetus to the protection and promotion of

human rights, by expanding the meaning of fundamental right to life, liberty and equality (Forster and Jivan, 2008, p. 33).

3. Enacting National Laws in Conformity with International Instruments

The governments of different States can implement the human rights of their individuals through enacting domestic legislations in conformity with different international and regional human rights instruments. The national protection of human rights entails the state to enact any law according to the principles enunciated in the UN Charter, UDHR and other global human rights instruments depending upon the attitude, culture and practice of people in government and socio-economic infrastructure of a particular state (Ramcharan, 2009, p. 77). Though Bangladesh did not acquire its membership of the UN until 1974, the International Bill of Human Rights (comprising the UN Charter, UDHR, ICCPR and ICESCR along with two Optional Protocols to the ICCPR) profoundly influenced the drafting of the Constitution of Bangladesh. The national courts can take into account the provisions of the Bill as an aid to the legal interpretation of fundamental rights as enumerated in our Constitution. The constitution of Bangladesh has specifically acknowledged the principle of respect for international law as a fundamental principle of state policy that is enunciated in article 25 which provides that the state shall base its international relations on the principles of respect for international law and the principles enunciated in the UN Charter, 1945 (Article, 25). The insertion of this principle in the national constitution is an indirect compromise regarding the state sovereignty. Not only that, on the basis of this constitutional mandate, the courts of Bangladesh had tested the validity of certain governmental actions concerning international relations in the light of the UN Charter, 1945 (Haque, 2011, p. 21).

4. Ratification/Accession to International Human Rights Instruments

The government of a particular state may implement the human rights domestically through the ratification or accession to different regional or global human rights instruments as well as taking the obligations under these instruments as its domestic legal obligation. Bangladesh has adhere some international humanitarian treaties including Geneva Conventions I, II, III, IV 1949 (adhere in 04.04.1972), Additional Protocol I 1977 (adhere in 08.09.1980), Hague Convention 1954 (adhere in 23.06.06), Hague Protocol 1954 (adhere in 23.06.06), ENMOD Convention 1976 (adhere in

03.10.79). Moreover, Bangladesh signed some international human rights law.

So far, as the provision of legal assistance in paragraph 3(d) of Article 14 of ICCPR 1966 is concerned, a person charged with criminal offences is statutorily entitled to legal assistance if he does not have the means to procure such assistance. The Government of the People's Republic of Bangladesh, notwithstanding its acceptance of the principle of compensation for miscarriage of justice, as stipulated in Article 14, paragraph 6, is not in a position to guarantee a comprehensive implementation of this provision for the time being. However, the aggrieved has the right to realise compensation for miscarriage of justice by separate proceedings and in some cases, the court *suo moto* grants compensation to victims of miscarriage of justice. Bangladesh, however, intends to ensure full implementation of this provision in the near future.

In accordance with Article 3 (2) of [the Optional Protocol], CRC 1990, the Government of the People's Republic of Bangladesh declares that the minimum age at which it permits voluntary recruitment into its national Armed Forces is sixteen years for non-commissioned soldiers and seventeen years for commissioned officers, with informed consent of parents or legal guardian, without any exception. The Government of the People's Republic of Bangladesh further provides hereunder a description of the safeguards it has adopted to ensure that such recruitment is not forced or coerced. The process of recruitment in the national Armed Forces is initiated through advertisement in the national press and the media for officers and other ranks without exception. The first induction of new recruits is conducted invariably in a public place such as a national park, school ground or a similar place. Public participation is welcomed in such.

In Bangladesh, judicial invocation of human rights norms is also increasingly obtaining ground as an instrument of filling the gaps in domestic law on human rights norms as well as an interpretative tool of domestic laws or fundamental rights under the constitution. Bangladesh has been a member of the UN since 1974, and has already ratified all the core international human rights instruments (Khan, 2012, p. 20). It has also ratified the Optional Protocols to the Convention on the Rights of the Childs 1989, Convention on the Rights of Persons with Disabilities and the ILO Conventions (Karim and Theunissen, 2011, p. 44). Articles 145 and 145A of our constitution deal with the provisions about the making of contracts and deeds and the formalities regarding international treaties though

they are totally silent regarding the application of such treaties in domestic law. Under article 145(1), the power to make any contract or deed on behalf of the state is vested in the executive authority of the state, and any such contract or deed shall be expressed to be made by the President and shall be executed on behalf of the President by such person and in such manner as he may direct or authorizes.

5. Application of International Human Rights Law in Domestic Courts

A state can also implement the human rights within its territory by applying the international human rights law in its domestic courts though state practice in domestic application of this law varies greatly. Under the international law there are two distinct theories regarding the status or application of international law in domestic arena: monism and dualism. 'Monism' reveals the notion that global law need not be included into the domestic legal system. When a monist state becomes the party of a particular treaty, it automatically becomes a part of the domestic laws. According to the monist theory, international and national law are concomitant aspects of the one general system-law in general (Shearer, 1994, p. 69). In case of conflict between these two, 'international law is said to prevail' (Dixon, 2007, p. 34). On the other hand, dualism indicated that international and national legal rule is separate entities, i.e., strict distinction is maintained between these two laws with regard to their enforcement.

Bangladesh maintains the dualistic view following the UK, meaning that the provisions of global instruments are not directly enforceable in domestic courts unless ratified and incorporated into the domestic law by recognized means (Alam, 2007, p. 14). The general practice of Bangladesh is that international treaties do not automatically become part of the domestic law of this country unless it is incorporated into the domestic legislations. Consequently, the international treaties are required to be inserted into the domestic legislation passed by the due procedure and then it will be part of domestic law (Hosain, 2013, p. 78). The approach of the Court was reflected in the case of *BNWLA vs. Government of Bangladesh and Others* (14 BLC (2009) 703) where the Court vehemently declared:

> *"Our courts will not enforce those covenants as treaties and conventions even if ratified by the State, as they are not part of the corpus juris of the State unless those are incorporated in the municipal legislation"*.

The Apex Court of Bangladesh has affirmed a liberal principle that if the domestic laws are not plain enough or there is nothing therein, the domestic courts should take into account the principles of relevant international instruments. The situation of Bangladesh concerning domestic application of international law is characterized by lack of case laws, vagueness of constitutional and statutory provisions, and unwillingness of our judges and lawyers to refer the global instruments. Most of the global instruments ratified by Bangladesh have not yet been included into the domestic law to be enforced directly in domestic courts and thus, the status of international law in Bangladesh remains in many ways unclear (Hasanat, 2013, p. 71).

6. Implementation through Legislative and Policy Framework

The obligation of Bangladesh to protect and promote human rights in compliance with international obligations is evident from the enactment or amendment of numerous domestic legislations as to right to information, prevention of oppression and suppression against children and women, labor rights, legal aid, establishment of National Human Rights Commission, Anti Corruption Commission and other welfare legislation for protecting the interest of the citizens of different catastrophe. Mere enactment of laws is not enough; rather their enforcement and implementation by the government organs is also important for achieving this goal.

7. Implementation under the Institutional Framework

i. The National Human Rights Commission (NHRC)

The NHRC consistent with the Paris Principles Relating to the Status of National Human Rights Institutions, 1993 for the protection and promotion of human rights in Bangladesh has been serving as an effective mechanism to address gross and systematic human rights violations (Razia, 2007, p. 1). The NHRC of Bangladesh was established under the National Human Rights Commission Act, 2009 which works like a national human rights watchdog and consists of three members, one chairman and other two members (NHRC Act 2009, Section 4(1)).

ii. The Anti-Corruption Commission (ACC)

It is another important body of the government which was created with an aim to remove the corruption in museum and ensure the rights of people. The ACC was established in 2004 to form an independent agency for combating corruption with legal authority to

conduct inquiries and investigations, file and conduct cases, review legal measures for preventing corruption, demand statement of assets and liabilities, and seize property in excess of known sources of income. But in practice the ACC is full of defects mainly on the ground that the officials of the Commission are from different agencies of the Government who are apparently known as corrupt.

iii. The Information Commission

The Information Commission is the institutional mechanism created by the law and is headed by the Chief Informational Commissioner with the other two Commissioners. The Commission is responsible for overseeing the compliance with the Right to Information Act, 2009 educating people about their rights and resolving disputes regarding information disclosure. The Commission is entrusted to issue directives to authorities for preservation, publicity and management of information, etc.

The implementation mechanism of human rights in the national sphere appears pretty though in practice they undergo different critical lacking for which despite having the initiative it fails to accomplish the hopes and aspirations of the people. Nevertheless, in the states who have parliamentary democracy, the rulers once elected to power do not comply with the norms and commitments on human rights incorporated in the Constitutions (Goonesekere, 2010, p. 85). The domestic legal systems have remained so far largely unutilized to enforce human rights law in their respective state territories. Though the human rights obligations of a state extend to all branches and levels of government, implementation itself relies upon certain institutions. Obviously, implementation mechanisms are not the same as political will, which remains the most vital factor for implementing human rights (Vos, 2013, p. 64).

Implementation Mechanism of Human Rights: International Arena

Human rights in international sphere can be implemented under different international instruments by different monitoring bodies. These bodies are often treated as the "gold standard" as they embrace what their far-more-common enforcement brothers - monitoring and reporting mechanisms - lack: the ability to impose sanctions on states that have violated their human rights obligations. The international mechanisms regarding human rights and fundamental freedoms can be discussed as below:

1. The UN Charter-based Mechanisms

The mechanisms conducted and actions taken by the UN Charter-based bodies in the protection and promotion of human rights worldwide are called the charter-based mechanisms. The UN Charter-based human rights mechanism embraces organs and procedures dealing directly with human rights in the framework of the UN (Kedzia, 2003, p. 53). The Charter-based mechanisms derive their legitimacy and mandate from the human rights related provisions of the UN Charter, 1945. These mechanisms include *inter alia* the inter-governmental organs established on the basis of the UN Charter, e.g., the UNGA, Security Council, ECOSOC and the UN Human Rights Council, the Commission on Status of Women, procedures and the parts of the UN Secretariat responsible for human rights activities.

The UNGA is one of the main Charter-based bodies that is also called the chief executive body as well as the plenary organ of the UN is created under the Charter as a platform where all states can debate any relevant matter with the Assembly having a broad competence to consider human rights issues (Bailey, 1964, p. 25). As per the provisions of the Charter, the powers of the UNGA are of deliberative or recommendatory nature. Under article 13(1) (b) of the Charter, the UNGA has two principle obligations in matters of human rights: to initiate studies and to make recommendations for the purpose of assisting in the realization of human rights and fundamental freedoms for all. The UNGA plays a key role in preparing, drafting and adopting international treaties. Resolutions declaring human rights standards or condemning violations of human rights are adopted at the UNGA. Again, the Security Council is another principal organ of the UN that belongs to 15 members and acts as the executive body of the UN with its primary responsibility being to maintain international peace and security (Article 24(1)). For example, the massive humanitarian intervention was sanctioned by the Security Council in territories of the former Yugoslavia and Somalia in 1992 for human rights violations. The ICJ is the principal judicial organ of the UN which was established in 1946 as the successor to the PCIJ (Article 36). All members of the UN are *ipso facto* members of ICJ the jurisdiction of which is advisory.

The ECOSOC is another vital organ of the UN that is responsible for monitoring the overall human rights situations in states and also has the power to take initiatives in adopting resolutions on economic, social and cultural rights. ECOSOC may initiate studies on a range of subjects and may make recommendations to the UNGA, members

of the UN and to the relevant specialized agencies (Article 62). It may also prepare draft treaties and call international conferences. Under article 68 of the Charter, the UNGA requires the ECOSOC to set up Commissions to contribute in the economic and social fields and for the protection and promotion of human rights worldwide. In its first meeting in 1946 the Council established two functional Commissions: the UN Commission on Human Rights and the UN Commission on the Status of Women. The Sub-Commission on the Protection and Promotion of Human Rights was established in 1947 as a subsidiary organ of the ECOSOC and the Commission on Human Rights. The UN Commission on Human Rights is responsible for drafting human rights treaties and declarations before they are placed before the UNGA for adoption. It undertakes specialized training programs and conferences on human rights issues and also follows set procedures for considering and condemning breaches of human rights by states. The procedures are discussed below:

The Complaint Procedures of UN on Human Rights

The UN has devised complaint procedure as a mechanism to redress the violation of human rights in view of the fact that existing measures are insufficient to cope with the growing number allegations regarding human rights violations. These procedures expressly contemplate the submission of complaints by individuals or group of individuals.

(a) The 1503 Procedure/Permanent Mechanism

The 1503 procedure (ECOSOC Resolution No. 1503 XLVIII) is a greatly improved procedure as well as a universal mechanism of implementation of human rights which was devised by the ECOSOC in 1970 that authorizes confidential examination of complaints/communications from individuals and NGOs on 'situations which appear to reveal a consistent pattern of gross violations of human rights'. This is also called the permanent and confidential mechanism of implementation of human rights that empowers two Charter-based bodies, i.e., the UN Commission on Human Rights and the Sub-Commission on the Protection and Promotion of Human Rights to examine complaints which appear to show consistent patterns of gross and reliably attested violations of human rights. This procedure also involves the entire hierarchy of the UN Charter-based bodies, i.e., the UNGA, ECOSOC, the Sub-Commission on Prevention of Discrimination and Protection of Minorities (Optional Protocol - I, ICCPR 1966).

(b) The 1235 Procedure/Public Procedure

The 1235 procedure which is also called the public procedure was established by the ECOSOC in 1967 that empowers the Commission and its Sub-Commission to appoint special rapporteurs, envoys, representatives or working groups to observe the areas of human rights violations within states and examine in detail whether there is any consistent pattern of such violation. For instance, South Africa, Cuba, Namibia and Rhodesia were the initial states subject to the 1235 procedure. The main aim of this procedure is to conduct public debate on human rights situations in a state.

(c) Other Special Procedures

The UN has also devised special procedures to deal with specific human rights issues. The UN Human Rights Council has obligations for the special procedures, including those originally established by the UN Human Rights Commission. These procedures include appointments of special rapporteurs, representatives, independent experts and working groups that investigate, discuss and report on specific human rights issues under a country mandate or thematic mandate.

Apart from the above procedures the UN has also devised so many procedures, undertaken actions, policies and strategies to deal with gross violation of human rights of individuals through communications, fact-finding bodies, special rapporteurs etc. It also undertakes programs, study, advices in the field of human rights in terms of educating the people throughout the world exchanging information and dealing with structural issues.

2. The UN Treaty-based Mechanisms

The mechanisms conducted and actions taken by the UN treaty-based bodies in the protection and promotion of human rights worldwide are called the treaty-based mechanisms. The UN treaty system includes human rights treaties, protocols and monitoring bodies under these treaties (Subbian, 2000, p. 94). The treaty-bodies or the treaty monitoring bodies are committees of independent experts that monitor implementation of the substantive provisions of the core international human rights treaties (OHCHR, 2012, p. 12). In other words, the treaty-bodies are committees of independent experts created under a particular UN treaty. They are mandated to monitor how States - which have ratified the treaty in question - comply with their obligations to implement the human rights guaranteed by the treaty, including the right to education. Most of

the treaty-bodies are mandated to receive and consider reports. Each State party is obligated to submit regular reports to the relevant treaty body on how the rights are being implemented. The treaty-body examines the report and publishes its concerns and recommendations, referred to as 'concluding observations'.

Since the adoption of UDHR 1948, numerous UN implementation mechanisms of Economic, Social and Cultural (ESC) rights have emerged. The most significant global mechanism for defending ESC rights is the Committee on ESC rights, whose mandate is to monitor specifically the obligations of state parties to fulfill under the ICESCR, 1966. The Committee is a treaty-body that mainly scrutinizes the extent to which ESC rights are achieved by the state parties, serves as a basis for formulating policies that promote ESC rights via General Comments, and allows the public to learn about the work of their government concerning the achievement of ESC rights (ESCR-Net, 2012, p. 17).

Functions of the UN Treaty-based Bodies

The treaty-bodies may consider individual complaints from individuals alleging that a State party to that treaty has violated their rights. Individual complaints can be brought only against a state that has recognized the competence of the committee established under the relevant treaty or when the state became a party to the relevant Optional Protocols. Some treaty bodies may initiate country inquiries if they receive reliable information containing well-founded indications of serious, grave or systematic violations of the conventions by a State party. In addition, some of the treaty bodies may also consider inter-state complaints. Each of the treaty bodies publishes its interpretation of the content of the treaty provisions in the form of 'general comments' or 'general recommendations'.

Each treaty has a unique system for its implementation, ranging from general and specific reporting procedures to quasi-judicial and judicial mechanisms involving the adjudication of complaints brought by individuals or groups of individuals and by other States. These various procedures can in many respects be said to be complementary, although they have slightly different immediate purposes, the overall goal of human rights protection is identical in each case. The reporting procedures have the function of making regular and systematic inventories of progress made in the implementation of the treaty obligations, with the aim of creating a dialogue between the relevant international monitoring organ and the State party concerned for the purpose of assisting the latter in

introducing the adjustments to domestic law and practice required by its international treaty obligations. These reports are examined and discussed in public and in the presence of representatives of the State party. In preparing their periodic reports to the various international monitoring organs, the States parties are obliged to provide in-depth information not only about the formal state of the law within their jurisdiction, but also about the manner of its practical application. When preparing these reports, the States parties may well also need the assistance of members of the various legal professions.

In fact the scope for international implementation of human rights norms is limited as human rights are sometimes deemed to be a national and not an international issue. Koh (1999, p. 19) states that, international human rights law is not enforced, you might say, as human rights norms are vague and inspirational, as enforcement mechanisms are toothless, as treaty regimes are notoriously weak, and as national governments lack economic self-interest or political will to restrain their own human rights violations. So, if the question is "how are international human rights law enforced?" many of you might answer: "not at all, or hardly at all." If you hold to this common, skeptical view of human rights enforcement, you would say that international human rights law is not enforced, like "real" domestic law, instead, it is only occasionally "complied with," by nation-states acting out of transparent convenience or self-interest (Koh, 1999, p. 38). In fact, the non-enforcement of international human rights is often the result of calculated political decisions. As Donnelly points out:

> *"In the absence of a power capable of compelling compliance, states participate in or increase their commitment to international regimes more or less voluntary. Barring extraordinary circumstances, states participate in an international regime only to achieve national objectives in an environment of perceived international interdependence... states will relinquish authority only to obtain a significant benefit beyond the reach of separate national action or to avoid bearing a major burden"* (Donnelly, 1986, p. 620).

A commonly highlighted political explanation centers on checks and balances, which provide constraints that make it more difficult for executives to ignore international legal obligations (Hillebrecht, 2011, p. 7). It is essential to mention here that international procedures can never be considered to be a substitute for efficient legal procedures at the domestic level. Human rights are made a true

reality at the domestic level by the domestic authorities, and the international complaints procedures are subsidiary to the available domestic systems for safeguarding the individual: they provide a remedy of last resort, when the internal mechanisms for ensuring an efficient protection of human rights standards have failed.

Concluding Remarks

The notion of human rights and violation thereof is as older as the creation of human rights. Despite the speedy growth of human rights law over the years, gross violation of human rights continue to take place throughout the world where there has been little progress in achieving universal respect for and observance of human dignity and freedom. In order to stop this violation, the UN was established that has been striving to protect and promote human rights since its inception. The struggle for securing human rights is an ongoing process. While ratification and accession of global human rights instruments continue to increase, closing the implementation gap remains a major challenge for the realization of human rights. The future prospect of enforcement of human rights depends upon the consolidation and sustainability of the good governance; the sustainability of the good governance is dependent on the institutionalization of it and the institutionalization of good governance is dependent on the rule of a democratic law.

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Contents

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Impact of In-service Training on Teacher's Professional Life

Md. Ashrafuzzaman[1]

***Abstract* :** This study mainly focused on in-service teacher training and technologies which has great impact on teacher's professional life specially classroom practice, and professional activities out of classroom. The study was conducted in Paba upazilla of Rajshahi district with a teacher of secondary school. She is involved in English in Action (EIA) intervention and attends regular training program of EIA. It was conducted in an ethnographic type of research and used qualitative approach. Data were collected by observing one teacher for a three-day period, throughout the school day. Each day researcher gathered data through whole day observation of teacher's activities and collecting artifacts. After each day observation, the teacher was interviewed by semi structured interview schedule for more clarification for her activities. Collected data were analyzed thematically. Literature reveals that teachers learn little from traditional in-service training workshops but findings of the study showed that after getting EIA training she became more competent. She is trying to implement CLT approach in classroom and also trying to use technology in English teaching-learning though she had huge burden of extra classes and some other academic activities as well.

***Keywords*:** In-service training, Cluster Meeting (CM), technology, secondary teacher, professional life.

Background of the Study

Qualified teachers are essential for quality education (NEP, 2010). Pre-service and in-service training institutes are playing a vital role in preparing efficient teachers, yet unfortunately our present teacher education program is not able to produce such qualified teachers (Ehsan, Akter, Biswas & Ashrafuzzaman, 2011). In English classrooms of Bangladesh, majority of the teachers use traditional lecture method, do not practice four language skills and student participation in classroom learning becomes poor. There are hardly any student activities, although the new English textbooks have offered several group and pair works (Yasmin, 2007 & Yasmin, 2009). Moreover, large class size, time constraints, and lack of in-service teacher trainings are further key issues which have been discouraging Communicative Language Teaching Approach in the

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classroom (Yasmin, 2009 & Rahman, Begum & Zinnah, 2009). Literature also reveals that teachers learn little from traditional in-service training (BESR, 2002; NEP, 2010; Ehsan, Biswas & Ashrafuzzaman, 2012 & Husen, et al. 2003).

In the above light, English in Action (EIA) is trying to improve the quality of English language learning in primary and secondary education level in Bangladesh. EIA focuses on technology based classroom teaching. EIA arranges and conducts in-service training (cluster meeting) for the teachers' professional development. Beyond traditional training, the cluster meetings are introducing more scientific and modern teaching methods and are also bringing newer technologies (Shohel & Banks, 2012; Shohel & Banks, 2010; Shohel & Power, 2010; Woodword, 2010). Therefore, it is important for us to investigate in-depth about how effectively these are being used in our classroom practices. This study is an attempt to explore and identify the impact of in-service teacher education and technologies on a teacher's professional life specially her classroom practice.

Rationale of the Study

In-service education programs for teachers are being organized on a continuous basis but very little information is available whether the training experiences have improved classroom practices of teachers. Teachers attending in-service courses often complain that in-service courses are too theoretical, and are too far removed from their daily working experiences. Training activities, therefore, do not result in improving teachers' 'instructional behaviours' (Veenman, Tulder, & Voeten, 1994). However, although in-service training is thus considered, it does not seem to be enough assurance to produce changes. There is not enough research that shows the short and long term effects of in-service training in innovation projects or changes in educational practice (Blackburn & Moisan, 1987; Hernandez, 1996).

However in Bangladeshi context, Shohel and Frank (2010) explored the English in Action (EIA) intervention in Bangladesh and described how the school-based support systems would impact on classroom practice in Underprivileged Children's Educational Programs (UCEP). It presented evidence to demonstrate how in-school training would facilitate teachers' professional development (TPD). This paper explored TPD by analyzing interviews with UCEP school administrators and teachers who are participating in the pre-pilot EIA intervention. It concluded that school-based

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support systems combined with technology enhanced open and distance learning (ODL) are contributing significantly to TPD as an in-service training. This study focused on entire school based support system.

Similarly, EIA large-scale quantitative study 2a (2011) indicates significant changes in classroom practices and the amount of English language compared with that observed in the Baseline 3 study conducted in 2009. This study focused on the use of English by teachers and students, the extent of teacher and student talk time, the nature of the teachers' talk, as well as the nature of the activities that students took part in. One lesson from each of the 350 primary teachers were observed. At that time teachers were observed to be primarily reading from the textbook, rarely involving students in activities, and in two-thirds of the lessons, speaking in English less than in Bangla. In only a small proportion of lessons did the students speak in English during a lesson or have opportunities to participate actively in discussion or to answer questions.

From the above discussion, though the in-service training has some weaknesses, EIA cluster meeting is helping the teachers in English teachers' professional development. For that reason, the researcher wanted to explore intensively a teacher's change in classroom practice as a result of attending EIA cluster meeting.

Research Objectives

The objectives of the study are to,
1. explore the activities held in Cluster Meeting
2. analyze the impact of Cluster Meeting on English Teacher's teaching proficiency
3. identify the challenges of using technology in teacher's teaching practice

Methodology

The study was conducted in an ethnographic style of research and used qualitative approach (Creswell, 2008). Researcher has selected one secondary school teacher from Paba upazilla of Rajshahi district for the teacher's life study purposively. Researcher had a good rapport with the school and from the school teacher Brishty Zaman (pseudo name) was observed as a teacher's life study. The secondary data were collected through document survey while the primary data were collected observing the teacher for a three-day period, throughout the school day. Each day, researcher gathered data

through whole day observation of the teacher's activities and collecting artifacts. After each day observation the teacher was interviewed by semi-structured interview schedule for more clarification on her activities. Collected data were presented and analyzed thematically under different themes and sub-themes emerged from the data.

Analysis and Findings of the Study

Teacher's Career and Aspiration

After completing Bachelor of Arts, she has completed Bachelor of Education also. She is 34 years old. She is teaching in secondary level for 9 years and during these 9 years, she is teaching English and other subjects in this school. She attended some training during her teaching career for her professional development. According to the teacher, *"I get support from TQI training (Days-14, 2008), ELTIP (2003), and EIA cluster meeting for my professional development."* She is teaching English 1st Paper, English 2nd Paper, Bangla 2nd Paper and Social Science in the school but she wants to take only English classes in future because of her getting intensive training specially in English. She stated that,

> *"I want to be an ideal English teacher. For this reason I am practising English. I want to improve my English skills and teaching quality. In future, I want to teach only English lessons in the school. I get encouragement from the EIA cluster meeting. I am also encouraged to teach my kids. My skills in English have been improved as a result of participating in the EIA project."*

Teacher told that after getting EIA training she feels more comfortable to speak in English in the class and students enjoy her class more than previous. She wants to be a good English teacher. For this reason she needs more training.

Teacher's Professional Life and Workload in the School

She takes 6 classes in each day of the week and thus she takes 36 classes in a week. The average number of students is 55. The school has to perform different kind of activities, at the same time there is no break in the routine, so in between classes the teacher has to take one or two minutes extra time to go to the next class. The teacher moves room to room for taking classes because taking students from one room to another room is difficult and time consuming. After the tiffin, the teacher has one lesson gap, during the time she does some

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professional activities and takes preparation for the next day. In the teacher interview, she told,

> *"I do not have any free time or leisure between classes. It seems boring to me and I do not get time for preparation. I learned a lot of classroom techniques from EIA cluster meeting but I cannot apply due to lack of preparation. If there is a break after every class it would be better. I will get relax time and I will be able to think more."*

Sometimes teachers have to play other roles in the school out of classroom teaching-learning activities. Teachers attend SMC meeting, Teacher's meeting, also meet with the parents and visitors in the school.

Other activity/role	What they did together	Place
SMC member; Day-1 (10:25-10:40am)	Attended the SMC meeting and spent some time there. The topic of the meeting was result of test examination of class ten.	Head teacher's room
Two Govt. visitors (Health supervisor); Day-2 (12:28-12:36pm)	The teacher took class in the KG school run by the school authority. Visitors provided worm tablet to the teachers for distributing among the school students.	Teachers' room

The teacher does not attend SMC meeting regularly. Today she was present in the SMC meeting. The topic of SMC meeting is discussion about test examination of SSC examinee. Apart from this, two visitors came to the school and provided worm tablet to the teacher for distributing among the school students.

Activities of EIA Cluster Meeting

The objectives of cluster meeting are to learn from past experiences, develop new skills to use audio, poster and flash cards and develop classroom language. Following items are to be included in the discussion to achieve the objectives:
- Warm up
- Review and reflection
- Extension activities (Demonstration Class/Micro-teaching)
- Preparing for future/next CM
- Cluster meeting evaluation

CMs are conducted considering the interest, demands and problems of the teachers. It should be ensured that session should not be monotonous. Different techniques and methods are adopted to avoid it. For having the variation in CM different types of games and micro-teaching are arranged. EIA cluster meeting emphasizes on participation and interaction.
The teacher stated that,

> *"It was very good. We observed the techniques of presenting lessons, how to take class well and using audio and posters in cluster meeting. Especially, I learnt many techniques from the cluster meeting"*

EIA provides audio and visual instructional materials like iPod (with audio & video lesson), speaker etc. EIA also gives training to teachers about the use of such kind of materials in classroom. The EIA materials have a strong focus on using digital content through ICT tools, which cover two major areas:

- Teachers' professional development materials
- Classroom materials

In order to change the practices in the classroom, it is important that EIA materials are used in an integrated way.

New Learning in Cluster Meeting

Respondent teacher informed that she had learnt a number of new things in the cluster meeting. These include easy way of teaching English, giving instructions in English, teaching prepositions easily, using Logitech, using teaching aids such as audio or iPod in class, writing paragraph by mind mapping and using posters.
The respondent teacher said,

> *"I learnt many new things from the cluster meeting such as using posters, teaching prepositions, using audio and gesture, writing paragraph by mind mapping. I learnt these from cluster meeting of EIA.***"**

Current English Classroom Practices

The teacher tried to perform according to the training she took. She tried to make her class participatory and interactive that is called CLT approach. Students were involved in different activities like group work and pair work. The teacher assessed the students in the

classroom and gave them feedback by herself or peers. In the following part, the teacher's English classroom practice have been described-

Starting the Lessons

The teacher exchanged greetings with the students. Then the teacher asked some questions about yesterday's lessons, asked some questions about today's lessons and asked to open their textbook. After entering the class,

Teacher-   *good morning students*
Students-   *Good morning teacher*
Teacher -   *How are you?*
Students-   *I am fine and how are you?*
Teacher-   *I am fine, thank you. Everyone is fine?*
Students-   *Yes*
Teacher-   *Ok, thank you. Ok, Students*

After greetings, the teacher showed a poster (made by herself) with one student's help. She asked random questions to the students. And the students answered to the questions.

Teacher-   *Look at the picture. What do you see? What is the picture?*
Students-   *Lutfor's day.*
Teacher-   *What are the girls doing?*
Students-   *The girls are painting.*
Teacher-   *What are the boys doing?*
Students-   *Read the books.*

According to the teacher, "I asked question from the previous lesson to check students understanding about the class. If they can understand then I am successful".

Sequence of the Lessons

After completing question answer session, the teacher taught synonyms by writing new words on the board from the textbook. Then she played the audio, students were listening and watching the book. After that the teacher asked questions and asked them to write the answer of those questions in a group. After that one student from the group presented the task. Again the teacher asked some questions

to the students and then the teacher informed the students about tomorrow's lesson.

The teacher wrote some questions on the blackboard.

1. How many people are there in the story?
2. What are their names?
3. Who was surprised?

Then the teacher gave them instructions. The teacher asked the students to listen carefully and answer the questions in a group. The teacher asked them to make one bench a group and discuss in groups and asked one student of the group to write the answers. The students started discussing and writing on the notebook. The teacher checked the notebook in group and then asked one question for every group. All groups were answering the question. The teacher thanked the students and said that the next day, they would read 'Salam'.

Closing the Lesson

Again the teacher asked some questions to the students and then she informed the students about tomorrow's lesson. At the end of the English class the teacher played a song.

From the observation, she was using the Logitech. Students were silent and watching. She played the audio. ''Marry wore her red dress''. Teacher explained in Bangla after playing first time. In second time, all students sang with the teacher.

Seating Arrangement

Students' seat line was U-Shaped in the class because in that way she was getting all students in the front of the class, and she can communicate with all the students. She was doing it for 6 days. She wished to do it in other classes. She learned the technique from cluster meeting.

Using Materials in the Classroom

The teacher used posters, real life materials such as students' bags, shoes, doors, pens, textbooks and audio in the classroom. Observing classrooms, it was found that the teacher used two types of materials in the classroom: audio and visual. These audio materials included songs, dialogues and activities and visual aids included posters, flashcards and figurines.

Nature of Interaction

Most of the time the teacher spoke in English in the class and gave the instruction correctly. She asked questions and students answered those. In the question-answer session, it seemed to be teacher centred. But, in group work students were participating actively.

Teacher-Student Relationship

The teacher-students relationship was collaborative with students and she encouraged students to speak in English. The teacher-students relationship was very friendly. The teacher helped the students in group or single.

Change in Classroom Practice after being Trained by EIA

Findings of the study showed that after getting EIA training, she became more competent. She told that,

> "*After attending the cluster meeting, I can now successfully implement the new ideas such as using iPod as students like songs. They become happy when they see pictures. I let them play many word games. That makes students learn words easily. A game can be played in many ways; I learnt that from CM.*"

Most important things about classroom practice after being trained are:

Teacher's Classroom Practice after being Trained	
• Exchanging greetings	• Playing games
• Using audio in the classroom (songs, rhyme, dialogue and story)	• Using W/H questions
• Showing pictures from EIA posters	• Writing paragraphs by mind mapping
• Asking questions by showing flash cards	• Students participation on board
• Doing group works, pair works and role plays	• Giving instructions in English fluently
• Expansion- Applying class instructions in personal life	• Giving feedback like *"Thank you, good, very good, okay, well, excellent, your idea is right"*
• Speaking and listening practice	• Motivating students

The teacher's View about Cluster Meeting and Technologies

The teacher had positive views about cluster meeting and Technologies. According to the teacher,

> *"Regarding cluster meeting (CM), everybody gives demonstration lessons on class 6, 7 and 8. First CM did not go well; it just ended with only giving materials. I have been clear about four skills including listening, speaking, reading, writing from second CM. In this way I have learned choral dialogue in the third CM. Now I feel very easy to take class six and learner also get me with ease. I have improved a lot by participating in the EIA. For instance, I try to speak English in the class and give lessons in new strategies. I applied these practice also in a KG school where I take classes."*

Teacher is motivated in teaching because of the new teaching materials especially audio. Teacher thinks that the audio materials are effective to conduct the English class. The teacher stated that,

> "*Audio material is the best instrument to learn and teach in the class and it helps students by decreasing their fear and shyness against learning English.*"

Students' Response about Changing Classroom Practice

Students' responded very well about changing the classroom practice. Now the students are more interactive in the class. They are participated in the class. According to the teacher,

> *"The students are also demonstrating much more inspiration because they are also talking English in the class now. They now do their class work in groups and thus the works finishes in the class. As a result learner's fear in speaking English is coming down."*

Teacher also told that, Many students reported their guardians that their madam was teaching them in the class very easily and thus that they find pleasure in learning the lessons.

The teacher's Motivation about Teaching Learning

Now the teacher is thinking and her motivation has been changed about teaching and learning English after taking EIA cluster meeting. She told that,

> *"Changes are taking places. For example, pre, while listening, stage by stage, were not taught before but now are being taught. I have had changes and I want to speak English especially to teach my son. For this purpose, I have bought spoken English books."*

Challenges Faced by the Teacher

The respondent teacher faced some challenges in introducing EIA techniques in the classroom while using audio. Along with benefits of using technology, the teacher also addressed some challenges as well:

- Logitech does not cover with the high number of students
  Teacher stated that, *"I faced problem with Block Rocker and then I got Logitech. But students were high in number and Logitech didn't cover."*

- Classroom management problem:
  The teacher reported that *"Sound of audios created problems in classroom management as the students of other classes gathered and created noise while playing audios."*

- Lack of time for preparation (she took 36 classes in a week):
  The teacher told, *"I did not have any break between classes…If there was a gap after every class it would be better. I would have got relaxed time and I would have been able to think more."*

- Lack of supervision and monitoring:
  The teacher reported that classroom observation by the teacher facilitators were not sufficient.

Suggestions for Further Improvement

The teacher also put forward some suggestions,

- After every five to six months of service a three days cluster meeting should be made compulsory for English teachers to attend so that they could share their challenges of implementing EIA methods and techniques and materials in the classroom and for consolidating their knowledge and performance.

- IT support should be increased.

- Supervision and monitoring must be accentuated on the previous pilot phase schools and current intervention schools of English in Action.

Life out of School

In the morning she took the English class on Ashar Alo KG School. Then she took classes in PADMA Girls' High School. Her husband came to school to take her home in a motorbike. After returning home she worked for her family and taught the kids. To mention about practising English at home, she only practised English with her son. She did not do the things earlier but she got these changes later after taking part in the EIA. Now she wishes to learn how to speak English in better way. Her family supports a lot and she gets honor in her society.

Discussion

The objectives of cluster meeting are to learn from past experiences, develop new skills to use audio, poster and flash cards and develop classroom language. Major activities of cluster meetings are warm up, Review and Reflection, Extension activities (Demonstration Class/Micro-teaching), Preparing for next CM and cluster meeting evaluation (Ashrafuzzaman, 2014 and Shohel & Frank, 2010).

This teacher became more competent after getting EIA training. After being trained, most important things that have now taken place in the classroom practices are exchanging greetings, using audio, poster and flash card in the classroom, doing group work, pair work and role play and giving instructions in English fluently. This finding is similar to the finding from Hena & Uddin (2014), Babu, Ashrafuzzaman & Khanum (2013), Ehsan, Ashrafuzzaman & Das (2012), Rahman, Babu & Sharear (2012), Rahman, Babu & Ashrafuzzaman (2011) studies. Students responded very well about changing classroom practice. Now students are more interactive in the class. They are participating in the class and using English most of the time. Ashrafuzzaman (2014) and Ashrafuzzaman, Babu & Begum (2010) also report that they apply many useful and participatory techniques to make the students learn better. The teachers and students are using more English and their shyness is removed also. Teachers have positive views about cluster meeting and technologies. Now teacher's thinking and motivation have been changed about teaching and learning English after taking EIA cluster meeting.

The school has to perform different kinds of activities, at the same time there is no gap in the routine, so in between classes teacher has

to take one or two minute extra time to go to the next class. So she does not get enough time to take preparation (Ashrafuzzaman, 2014). Respondent teacher faced some challenges also in introducing EIA techniques in the class room like, speaker or iPod problem, classroom management problem and lack of supervision and monitoring. Similarly Ehsan, Ashrafuzzaman & Das (2012) and, Ashrafuzzaman, Babu & Begum (2010) report that as the teachers are new in using the technologies, sometimes they are found to be facing difficulty.

Conclusion

In Bangladesh, the job of a school teacher is stressful. Through the study, an opportunity was created for observing closely a teacher's professional life which involves various roles played by the teacher. The general findings revealed that a teacher had to do a lot of works with teaching-learning activities in the classroom and extra activities that influenced classroom practices. But with a lot of challenges teacher was trying to deliver best output and this is the hope for changing the situation. EIA intervention is trying to change the classroom picture through its various innovative activities and materials. Teachers are trying to implement the methods and materials effectively. Students' participation is increasing day by day. They are very much interested to listen to the audio and also interested to work in groups and interested for pair works. Teachers are also interested to involve the students in teaching learning process. Materials and activities are very effective for bringing a change in the classroom practice. EIA cluster meeting is very effective for teacher's professional development. This teacher had an ambition for being a teacher from her school life. After participating in EIA cluster meeting, she has an ambition for being an ideal English teacher.

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Problem of Reforming the Civil Service in Bangladesh: Abolishing Generalist Domination or Depoliticizing Administration?

ATM Obaidullah[1]

Abstract: Bangladesh inherited its civil service from Pakistan which is a direct descendant of the Indian Civil Service. Since partition of India, Pakistan made series of abortive efforts to curve elitism of generalist/administrative class. Bangladesh since independence pursued the reform efforts to abolish colonial heritage of the civil service and establish a classless egalitarian service structure that would ensure equality of opportunity to functional services to move up the national decision making hierarchy. This paper is an attempt to assess the intended results of the reform efforts. Ultimate analysis demonstrates that generalist domination has not been abated because of politicization of services. Experience suggests that dominance of any class is rooted in its tradition, elitism of any particular class is counterbalanced by creation of an apex elite cadre drawn from all branches of civil service in developed civil service system and issue of politicization is tackled by a provision of hybrid appointments. Bangladesh has not adopted either of the mechanisms in civil service reforms. This paper is based on secondary data and content analysis in nature.

Keywords: Bangladesh, 'classless' generalist, specialist 'egalitarian', 'depoliticization / politicization' of civil services.

Introduction

"Bureaucracy in the new states, as elsewhere, is a two – edged sword. It can be a force for good or a force for evil. It can be a ruler, guardian or servant" (Goodnow, H. F. 1969). Bureaucracy in the Indian Subcontinent is one of the oldest bureaucracies in the world that bears the legacy of guardianship over the ordinary citizens. Lloyd George, the British Prime Minister, said that: "the British civil servants were the very basis of the Empire in India and so he could not imagine of any period, when they can dispense with the guidance and assistance of a small nucleus of the British civil servants. He stated emphatically if you take that steel-frame out of the fabric, it

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would collapse. There is one institution we will not cripple, there is one institution we will not deprive of its functions or of its privileges; and that is that institution, which built-up the British Raj —the British Civil Service in India"*. The ICS with its virtual monopoly in all top level administrative and judicial positions, added and strengthened the British desire to keep strict control over native population and officials (Griffiths, 1953, p. 195 in Khan, 1980, p. 72). The civil service which Pakistan handed down to Bangladesh was a direct descendant of the Indian civil service by which British government ruled India nearly two hundred years. Braibanti observed that the structural organization of the civil services of Pakistan was one of the most complicated of any bureaucratic system in existence (Braibanti, R., 1966, p.132). The system of classification and grading of services in Pakistan had been criticized on the ground that it was undemocratic, bred class feeling and superiority and inferiority complexes among the services (Government of Pakistan, 1949, p.12). Bangladesh since independence has clearly realized the inappropriateness of the system of administration which was designed for an era that has gone by and appointed dozens of reform commissions/committees to transform inherited closed and caste like civil service system into an open, egalitarian civil service that will ensure equitable opportunity for all cadres of services in the decision making layers of the national secretariat to create dynamism and vigour in administration and to increase pace of development to meet the aspirations of an independent nation.But it has always been very difficult to transform an instrument of ruling into an element of service to the people. The recommendations that reform commissions/committees put forward in Bangladesh resemble to a great extent with the recommendations of previous committees constituted during Pakistan period.

The objective of this paper is to examine what extent Bangladesh Civil Service has been egalitarian in respect of promotion opportunity of all cadres to the decision making positions of the national secretariat and whether the policy of abolition of generalist's elitism was relevant to the context. In order to delve into the broader objective, this paper will address a few pertinent questions like:

- to what extent the recommendations of the major commissions/committees implemented in regard to egalitarian service structure
- to what extent domination of the generalist cadre reduced so far

- to what extent specialists/ functionalists promoted to the decision making layer of the national secretariat
- What is major constraint that jeopardized reform measures – bureaucratic resistance or political influence?
- whether abolition of elite cadre would resolve perennial problems of inter-service rivalry
- whether abolition of elite cadre of generalist service was appropriate in the context
- how other countries have tackled this issue in civil service management
- and, how Bangladesh can come out of this situation

In order to address the basic research questions, this paper will be exploratory and qualitative in nature and analyze information available in secondary sources like reports, books, government orders, notifications, journals and newspapers. Proper understanding of the nature and behavior of the civil service in Bangladesh, particularly its attitude towards major administrative reforms, can best be understood by consideration of its history as an institution. With this end in view this paper will briefly trace the reform efforts that civil service underwent in Pakistan (1947-1971) and in the post-impendent Bangladesh and what extent they were implemented. Before we move on to the details of reforms measures it is worthwhile to define key terminologies – 'Generalist', 'specialist', 'Egalitarianism' 'politicization' as this paper revolves around these ideas and issues.

Generalist

A generalist officer is an amateur administrator who had education in linguistics or classics and is a highly intelligent man with certain personal qualities of character. Indian Institute of Public Administration conference on public administration defined generalist officer as a bright young man who received a liberal college education in any subject. www.preservearticles.com A key challenge is that specialists continue to be under-represented and under-valued at all levels of government. The perennial controversy on the specialist vs. generalist issue has plagued the harmony and efficiency of public administration ever since partition of India in 1947. It may be that in the past, a country's class structure and educational system tended to produce administrators with these clusters of attributes. Now, changes in socioeconomic backgrounds of students and advances in knowledge and teaching of social sciences and systems theory and analysis make it possible to speak of trying to educate professionals who can deal with problems in a

broad, innovative and open-minded way--"experts in generalism." Similarly, new patterns of civil service management (e.g. rotation and exchange of position) may do away with rigid careers based on and perpetuating specialist-generalist assumptions. The real problem hiding behind the specialist-generalist facade is how to develop new types of public administration professionals and achieve a synergetic mix between a variety of differently qualified persons. (Dror, Y., p. 10, retrieved from http://www.governancenow.com/views/columns/theperennial-generalist-vs-specialist-debate http://www.rand.org/pubs/ papers/P3997.html).

Egalitarianism

Egalitarianism is a trend of thought in political philosophy. Egalitarian expects that people should be treated as equals and enjoy equality of social status of some sort. Egalitarian doctrine tends to rest on a background idea that all human persons are equal in fundamental worth or moral status. In modern democratic societies, the term 'Egalitarian' is often used to refer to a position that favors a greater degree of equality of wellbeing across persons than currently exists. A non-egalitarian would be one who believes that people born into a higher social caste, or favored race or ethnicity, or with an above average stock of traits deemed desirable, ought somehow to count more than others in calculations that determine what morally ought to be done.

"Egalitarianism can be instrumental or non-instrumental. The instrumental egalitarian considers equality as a means to some independently specifiable goal; the non-instrumental Egalitarian considers equality for its own sake – as an end" (Egalitarianism" Stanford Encyclopedia of Philosophy). Someone who believes that equality of some sort is a component of justice, and morally required as such, would be non-instrumental Egalitarian. In a hierarchical caste society, positions of advantage are assigned to people on the basis of birth lineage. If one is legitimate offspring of parents who are aristocrats, one will also enjoy the privileges of aristocratic class (Ibid). In the context of Bangladesh Civil Service the term 'Egalitarianism' is used as a means to attain 'equality of opportunity' in regard to equal career progression of all members of civil service irrespective of cadres unlike that of British Indian ICS generalist administrative class or CSPs during Pakistan period.

Politicization

"Conventional wisdom is that civil service is politically neutral. Politicization of civil service means the substitution of political

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criteria for merit based criteria in the selection, retention, promotion, rewards, and disciplining of members of the public service". A partisan bureaucracy was thought to be leading to inefficient and chaotic administration. "Bureaucracy is a powerful institution that must be checked by its political master" (Lipset 2011, p. 66 in Roberto; Ohemeng, 2011, p. 67). However, of late, politicization of administration has gained some acceptability even in industrialized democracies on the plea that 'responsive competence' from the politically loyal civil service is preferred to 'neutral competence' from career civil servants in order to ensure control over policy and quick implementation of government programs (Peters and Pierre, 2004, pp.1–4).

Contextuality of Civil Service

In any system of civil service whether specialist or generalist should dominate is a country specific issue. The use of specialists in government finds its most vigorous expression in the American civil service. The skills needed to administer a vast continent, to develop its natural resources, to promote social and economic growth were specialized skills. The staffs of the government were accordingly recruited as specialists, each group highly committed to the importance and relevance of specialization. These were led by specialist administrators. No generalist administrator was interposed between the specialist and the "political" executives and the legislators who supervise them.   Coordination was achieved by statute, by budgets, by Presidential supervision and by Congressional vigilance.

In the US the generalists struggle for greater recognition and have gained a little. A generalist civil service recruited by competitive examination and known as the junior Management Service has been created. All other administrators are recruited departmentally. In Britain the situation is opposite. "In Britain the generalist administrator is on top, the specialist is on the tap to the generalist, while in the US the specialist is on the top while the generalist is on his tap" (Quoted in Roy, A. M., 1964, p. 1049). The specialists, however, in the British system have made some notable recent gains in science agencies, in public enterprises, in the welfare agencies. This has been possible following the implementation of Fulton Committee Report (1968). Under the changed situation recruitment and promotion to all levels of civil service is made absolutely on the basis of merit and range of experience, and personal qualities in disregard to their classes. This was applied even at the highest levels what Fulton described as the 'Senior Management and Policy

Group' (Fulton Committee Report, 1968, Para 1. 222 in Greenwood, J. and Wilson, D., 1993, p. 110). The essence of Fulton structure is that "horizontal barriers within the service have largely been removed, facilitating upward promotion within particular classes (or similar groupings). This been achieved by merging many former classes into entities known as 'groups' and 'categories'" (Ibid, 111).

"The problems of defining the respective role of the generalist and specialist in an administrative system becomes acute at or near the top of the hierarchy, deepen as the functions of government expand and become crucial in a government committed to direct participation in securing rapid economic growth" (Ibid).

The domination of generalist civil servants in this subcontinent is derived from its origin of Indian Civil Service (ICS) rooted in the recommendations of Aitcheson Commission (1986).The job of the ICS was to administer the country, collect revenue, maintain law and order, and assist the colonial rulers in the exploitation of India's resources. The ICS was to maintain the ruler-subject relationship - an elite, western educated bureaucracy exercising control over the illiterate, ignorant Indian native - ostensibly for their benefit, in reality for their exploitation" (Raja Shankar, "Steel Frame of Indian Democracy" www.himalmag.com/component/ content/article/2630) For British Rulers services engaged in control functions were important than any other. By education, training and experience ICS was deliberately made non-specialized. Their functions were to limit the role of government, to promote stability by minimizing change, to coordinate the activities of government. Their major administrative tasks were the "rules" and "files". The British administrative class and the Indian civil service (ICS) have truly embodied the principle of the generalists in governmental administration. They neither had much interest in public welfare schemes nor did they interfere unnecessarily in the interest of privileged sections of the society.

Aitcheson Commission laid the foundations for the cadre system that was later incorporated wholesale into independent Pakistan. The ICS cadre became the Civil Service of Pakistan (CSP), with minor modifications. The Police Service became the Police Service of Pakistan (PSP); and the External Affairs, Commonwealth Relations and Political Departments eventually became the Pakistan Foreign Service (PFS). Laporte argues that the higher bureaucracy in Pakistan not only managed to maintain its colonial prerogatives, but also extended and expanded its authority to include additional areas of concern (Laporte, R. Jr., 1978, p. 48 in Ahmed. N., 1995, p. 57)**.**

Following the colonial ICS heritage, members of the CSP held most of the key positions in the central and provincial secretariat; positions in the field administration and all strategic positions including one-third of the superior posts of the judiciary.

Major Reform Initiatives during Pakistan 1947-1971

After independence Pakistan government appointed 28 reform committees/commissions between 1947-1962 to reorient ethos and attitudes of inherited civil service and to improve different facets of administration (Gorvine, A., 1966) to meet the demand of an independent nation. Gorvine observed that Pakistan's new leaders quickly realized that better administration was crucial factor, realization common throughout the developing world, particularly evident in Pakistan. Moreover, with Ayub revolution in 1958, the interest became veritable obsession, as the government attempted to extend its revolution by administrative reforms (Gorvine, A., 1966).

Rowland Egger and Bernard Gladieux suggested radical reforms in Pakistan secretarial system. They observed that small secretariats were operating in central and provincial ministries with attached departments, major decision making power vested in few generalist CSP officers with no background, experience or competence in technical areas (Gorvine, A., 1966). Egger suggested that highest technical posts in the secretariat be opened to men from technical service cadres like engineering, agriculture, medicine etc.

> The recommendations of the reform bodies underscored the need for establishing an unified civil service structure, abolition of the reservation of posts in favor of a particular cadre CSP; overhauling the secretariat set up, recruitment, training and promotion based on merit, common training arrangements for all civil servants, establishment of uniform pay structures throughout the civil service; enhancement of the role of specialists in the civil service; giving comparable status to the heads of departments and secretaries of ministries; provision of lateral entry into the cadres; and, raising status of the Public Service Commission (Kenney, C. H., 1987, pp. 57-64).

However, independence of Pakistan did not bring any major change to the overriding powers of the bureaucracy; rather it provided an opportunity for the latter to prove the mettle in Pakistan (Vorys, K. V., 1965, p.111 in Ahmed, N., 1995, p. 57).The administrative elite in Pakistan inherited intellectual orientations of the ICS and the apparatus of the colonial bureaucracy, being recruited and trained in the same tradition and working within the same institutional

framework, were able to retain their elitist nature and became the most dominant social sector in Pakistan – in fact more dominant than its predecessors (Ahamed, E., 1981). CSPs became and remained 'ruling elite, by faithfully adhering to the colonial administrative heritage, and resisted major reforms by ensuring exclusive monopoly over key policy making and policy execution positions, by manning and dominating key/command positions at the centre and the field levels, by keeping its size deliberately small, by prohibiting lateral entry from outside into its cadre, by allowing generalist officers from its rank to dominate specialist and technical officers (Gorvine, A., 1966, pp.185-204). About changes in the civil service of Pakistan Vittachi observed only Brown Shahibs substituted for white ones (Vittachi, T. 1962).

Reforms Efforts in Bangladesh

The following sections will trace out briefly the recommendations of major reform commissions/committees to reorganize the civil service system that Bangladesh inherited at independence from Pakistan.

With the changes in the philosophy of the new state after independence of Bangladesh, Bangabandhu Sheikh Mujibur Rahman asked the civil servants to shun their bureaucratic mentality and work in close cooperation with people to assure the nation that their interest lies with serving the people rather protecting their self-interest. For the first time ever since the partition of India the unfettered authority of generalist civil servants came under challenge. The autonomy of the bureaucrats was curtailed by the promulgation of the Presidential Order (PO) 9 which screened 9 hundred civil servants including former Chief Secretary Shafiul Azam without giving the opportunity of self-defense (Maniruzzaman T., 1974). Also enormous powers retained in the hands of the prime minister curtailed the autonomy of bureaucracy. Most of the policy advisers to the prime minister were non-bureaucrats,a trend completely reversed from the past (Rahman, ATR., 1974).

In order to give effect to the new philosophy of the state, AL Government realized crucial importance of reorganizing civil services and appointed a reform body named Administrative and Services Reorganization Committee (ASRC) under the chairmanship MA Chaudhury, an eminent academic of the country, with comprehensive mandate to overhaul the bureaucratic structure of the country.

Administrative Service Reorganization Committee (ASRC) 1972: Threats Poised to the Generalist Elites

The ASRC realized the futility of continuing an age old service structure established with the purpose of serving a federal government of Pakistan under capitalist economy. The existing structure of so many services of general character as distinct entities developed complexes in the services, divided the total work into water-tight compartments, militated against the pooling of administrative resources, encouraged class consciousness, created tensions and conflict in many vital areas of administration and prevented maximum utilization of talents in accordance with aptitudes and emotional pull, to mention only a few of the evils emanating from it (Government of Bangladesh, ASRC, 1973, p. 16). Under this backdrop the ASRC recommended:

> The main theme of the recommendation was the abolition of the elite cadre, no reservation of posts for any cadre; adequate opportunity for the talented persons to quickly rise to the top from any level of service; provisions would be there for systematic re-exposure of senior officers serving at the national headquarters to the field; and towards the establishment of living fellowship of officers with the common man. ASRC also recommended a single classless grading structure covering all services into 10 grades in which there shall be an appropriate number of pay levels and responsibilities and the correct grading for each post should be determined by an analysis of the job. Grade I, II and III to be grouped into Senior Policy and Management posts (SPMP) (Government of Bangladesh, ASRC,1973, p. 17). The SPMP should consist of those possessing specialization in different fields and would be responsible for planning of public policy and overall supervision of the national administration. Entry into this group would be highly competitive (Khan, M.M., 2013, p. 73).

Far reaching recommendations of ASRC on the establishment classless, unified and egalitarian service structure made no impact on the government of the day and the entrenched bureaucracy of the country. The report like the previous ones was shelved as the secret document. The indifferent attitude of the government to accept and implement the recommendations are attributed to the unstable leadership and lack of revolutionary political impetus for implementing such radical reforms in the prevailing political economic compulsions and unfavorable time of the regime (Mascarenhas, 1986; Lifschultz, 1979; Jahan, 2005). By the time (October1973) the report was submitted, AL eroded much of its

popularity, alienated from the masses and had to recourse to various repressive measures to halt the process of gradual alienation of the masses from those in power. In this perspective higher echelon of civil service, particularly erstwhile CSPs dissatisfied with ASRC recommendations persuaded the government to maintain status quo rather than implement radical reform measures (Khan, M. M., 1989, p. 303).

Pay & Service Commission (P&SC) 1976: Resurrection of the Generalist Elites?

In February 1976 the military government of General Zia appointed Pay and Service Commission **(**P&SC) under the chairmanship of MA Rashid, who retired as the secretary to the central government of Pakistan. The commission was mandated for (a) examining existing pay and service structure of the civil servants, (b) recommending a suitable service structure along with their methods of recruitment, training and deployment, (c) devising rational and simple principles for the amalgamation of employees of the erstwhile central and provincial governments performing similar duties and (d) recommending suitable pay structure including fringe benefits for the civil services and employees of the autonomous bodies and corporations (GOB, Pay and Service Commission, p. 7). The military government believed that only an extra-political regime could make radical changes in the administrative infrastructure given the failure of earlier political regime to overcome bureaucratic intrigues and politically chaotic conditions (Khan, M. M., 1989, p. 303). P&SC observed that the prestige of the civil servants was being progressively eroded. The infamous PO 9 which provided for the dismissal of officials without any right to appeal was repealed. Some of the officials dismissed under the provisions of the above law were reinstated, and the bureaucracy was accorded constitutional recognition and protection against arbitrary dismissal of its members by politicians. From the early days of Zia's rule the bureaucracy also succeeded in achieving representations in cabinet, public corporations and National Economic Council. Some held the view that Zia government was fundamentally a resurrection of 'administrative state' that Ayub Khan left behind in Pakistan (Jahan, R., 1980, p. 201).

With regard to restructuring and integration of services the P&SC was greatly influenced by ASRC. The point of departure of the P&SC was its emphasis on the cadre concept which visualized the restructuring of the civil service system on key functional areas of

government activity. The P&SC's retention of the cadres and rank concept appeased the bureaucracy because cadre system lies at the heart of dominance by the generalist over the specialists from their rank and status (Obaidullah, ATM., 1992, pp. 173- 175).

P&SC realized that an all-purpose civil service had to be built with individuals possessing technical qualifications as well as those who were intellectually gifted and capable of working under political direction. The P&SC made a number of significant recommendations covering wide areas within the broad canvass of the civil service. Major recommendations include inter alia:

> Merit based civil service where barrier between the erstwhile CSP and other specialist and non-specialist services should be removed; equal initial scales of pay and ensuring equitable opportunities for advancement to the top for all; a Superior Policy Pool (SPP) to be designated as the open structure consisting of posts requiring all round experience drawn from all branches of the civil service on the basis of merit and proven ability; organized cadre service should be formed at the top of the civil service; and, the civil service in Bangladesh should consist of four tiers (Report of P&SC, vol. 1, 1977, p. 28).

The government accepted, in principle, some of the recommendation of P&SC with partial modifications. The most important outcome of P&SC report is Bangladesh Civil Service (BCS) of 28 services under 14 cadres that as such exists. All designations were made functional and pay scale became the only index of determining the positions and privileges of the government functionaries. Public Administration Reform Commission (PARC) 2000 held the view that converting a caste-like system of public service into a 'classless' structure was no doubt a big accomplishment (UNDP, 2000).

The new service structure aimed at elimination of spurious class consciousness, equal status under unified grading system and appropriate level of participation in the decision making layers of the national secretariat, offering career opportunities to the deserving, developing a sense of belonging and harmony, establishing the principle of equal pay for equal work, and finally transforming a disorganized institution into an orderly one (UNDP, 2000, p. 32).

Scheme of Senior Services Pool (SSP) and its Imlementation

In order to usher in a new era, P&SC recommended for creation of an apex cadre of senior officials of proven quality named 'Senior Services Pool' (SSP) drawn from all cadres of the civil service on the basis of merit and ability to be tested in an objective manner by the Public Service Commission (PSC). ASRC in 1973 had previously put forward similar recommendation. The SSP purportedly stood for free and open representation for all the services of Bangladesh in the key positions in the secretariat and to that extent, it represented a step which was forward looking and democratic (Emajuddin, A., 1981, p. 54). The SPP Order thus poised a sharp challenge to the domination of the generalist class and accorded specialists and the professionals an opportunity to rise to the highest policy making positions within bureaucracy.

The generalist bureaucrats accepted the principle of 'equal pay at entry level' for all cadres but foiled the scheme of 'Unified Grading System' and open service structure as envisioned in the SSPin the process of implementation as it would have enervated their established dominance over the rest of the cadres from their ranks (Obaidullah, ATM., 1995, p.14). According to Section 4 of the SSP Order all officers who have at any time before March 1, 1979 held the posts of Deputy Secretary in the Secretariat, or the post of Director and Director General in the Ministry of Foreign Affairs are to be considered automatically encadred as SSP officers from March 1, 1979 (GOB Establishment Division, Senior Service Pool Order, 1979). The automatic induction of generalist civil servants into the SSP who held the posts of Secretary, Additional Secretary, Joint Secretary, and Deputy Secretary before March 1, 1979 left hardly any opportunities for other cadre officers to be represented in the SSP because CSPs and EPCSs already monopolized the top administrative positions in the secretariat. Initially only three civil servants out of 523 belonging to specialist cadres were allowed to join the SSP (Obaidullah, ATM., 1991).

Thus despite the august intention of the P&SC to create an open structure in the secretariat for specialist, the SSP Order was implemented in such a manner that the real objective behind SSP was willfully destroyed and ensured the primus inter pares of BCS Administration cadre. World Bank Report 1996 referred to the inequalities of career advancement in cadre services, though they are being equal at the entry level, inequality becomes conspicuous as

their careers progress on. For many cadres, as such, provisions for getting up to Grade 1 and 2 are non-existent in their career path, which makes cadre discrimination more glaring and commitment to profession more indifferent (Obaidullah, ATM., 2001, p. 61).

It is also alleged that SSP was even worse than the elitism of former CSPs, because the number of CSP officers was not so large as to enable them to occupy all posts reserved for them. At any point of time, members of non-CSP central and provincial members filled up around 50 per cent of the Secretariat posts and one-third of the CSP cadre posts in and outside the Secretariat (Obaidullah, ATM., 1996).

The formation of the SSP leaving such exceptions as 50 per cent of posts in the Ministry of Law virtually prohibits the lateral entry of talented outsiders into the top-rank Secretariat posts. "This cuts at the root of the claim that SSP and Unified Civil Service in the shape of BCS have done away with hitherto prevalent elitism. It merely confirmed the view that the restructuring of the higher civil service in Bangladesh has substituted super-elitism, or at any rate ensured, if in a different form for the perpetuation of the latter" (Mamoon, M. & Roy, JK., Asian Studies 198, p. 53).

However, the irony was that SSP did not even satisfy the generalists, rather precipitated intra-bureaucratic feud to an alarming extent. The BCS Administration registered the grievance that SSP as they were, marked a victory of specialists with vengeance. Specialists, on the other hand, contended that the formation of SSP was the repletion of old elitist position of CSP and EPCS in disguise (Obaidullah, ATM., 1996). In the face of the crescendo of protest from all cadres of BCS generalist and specialists, the SSP was abolished in 1989.

PARC Report 2000: An Alternative Proposal to Curve Generalist Domination

Public Administration Reform Committee (PARC) realized that fundamental cause of discontentment amongst different services for more than 60 years has been the privileges accorded to one class (generalist) over the rest. In order to come out of this inequitable cadre situation, PARC observed following actions to be taken to improve the present situation:

- Creation of cluster of functional ministries, and
- Professional policy making group

In the secretariat three clusters of closely related ministries, namely, General, Economic, Socio-Physical Infrastructure clusters should be

constituted with the posts of deputy secretary, Joint secretary, Additional Secretary and Secretary. Senior Management Pool (SMP) should be introduced consisting of the posts of DS and above. The posts of DS would be filled up from all cadre officers through competitive examination, to be conducted by the PSC. This would provide them with the opportunity to compete for higher posts in the cluster on the basis of merit, professionalism and experience. Their grievances regarding lack of opportunity to go to the top could thereby be redressed (UNDP, 2000, p. 33).For the post of DS in a cluster of ministries officers from all cadres who are in the senior scale and have completed eight years of service will be eligible for appearing at the examination. This will ensure scope of representation of all cadres at the secretariat and also facilitate fast track promotion for the meritorious officers (Ibid).Government may allow up to 15 percent lateral entry in the posts of the level of secretary and up to 10 percent in the posts of deputy secretary and above. This would reduce the stultification that inevitably results from a rigid bureaucracy. The PARC report again urged for replacement of the Class (I-IV) structure by National Grades for determining the status of any official.

The Recommendations of PARC with regard to civil service reform were not implemented. The work of Public Administration Reform Commission was severely impeded by weak political support and bureaucratic obstruction (World Bank, 2002, p. 11). The government succeeding in the next election by BNP led four party alliance did not take any interest to implement PARC recommendations. The trend has been that government succeeding in the next election discards the reform measures of the previous government.

Present Scenario in Cadre Services

At present promotion of the BCS cadre officers are administrated under Promotion Rule 2002 for promotion to the position of Deputy Secretary, Joint Secretary, Additional Secretary and Secretary to the Government of Bangladesh. Promotion Rules 2002 reserves 75 percent quota for BCS Administration cadre and 25 percent quota for other 27 cadres for promotion to the position of deputy Secretary of the government. Promotion Rule 2002 stipulates that anybody who has served in his/her cadre for 10 years of which five years in the senior scale of National Pay Grades shall be considered eligible for promotion to the position of deputy secretary subject to successful completion of 'Foundation' and 'departmental training' as determined by the government. (GOB, 1st Schedule of the Promotion Rules, 2002). And to be eligible for promotion she/he has to earn 83

out of 100 marks in the evaluation process on different criteria (GOB, 2nd Schedule of the Promotion Rules, 2002). There should not be any quota for the position of JS and above for any cadre.

Before the commencement of Promotion Rules 2002, 70 percent of the Joint Secretaries were to be made from BCS Administration and 30 percent from the rest of the cadres with five years experience as deputy secretary and total fifteen years of service in his/her respective cadres who successfully completed Advanced Course on Administration and Development (ACAD) training imparted by Bangladesh Public Administration Training Center (BPATC). Or any officer who has served three years as deputy secretary and completed total twenty years of service in his her cadres may be considered eligible for promotion to the rank of Joint secretary. Now this provision is not in force. Instead, promotion to the post of JS is being considered only from amongst the existing deputy secretaries of the government who qualify for his/her merit, seniority and service records (average of ACRs) and able to earn 85 points out of hundred in the evaluation process by the Superior Selection Board (SSB) (Ibid).The issue of the abolition of the quota for JS and above was settled in a judgment by the Appellate Division of the Supreme Court (Mannan. A. vs. GOB, 2012).

Aftermath of Promotion Rule 2002 and the Profile of the Inter-Cadre Services

The Table below demonstrates at a glance the numerical strength of senior level officials of the government and also their belonging to their cadres–from secretary down to the deputy secretary.

Table 1. Distribution of senior level positions amongst BCS Administration and cadres

Sl No	Positions	BCS Administration	Other Cadres	Total
1	Secretary	65 (91.28%)	7 (9.72%)	72
2	Additional Secretary	209 (84.28%)	39 (15.72%)	248
3	Joint Secretary	511(82.03%)	112(17.97%)	623
4	Deputy Secretary	1415 (85.04%)	249 (14.96%)	1664

Source: Ministry of Public Administration and www. MOPA.gov.bd

The Table 1 shows the present scenario of the glaring imbalance in the promotion expectancy of other cadre officials vis-à-vis BCS Administration cadre. Promotion Rule 2002 makes provision for 25 percent reservation of deputy secretary for other cadres. But as of March 31, 2013 functional cadres occupy 249 deputy secretary positions out of 1415 which constitutes only 14.96 percent of their stipulated quota. At the secretary level, situation of functional cadre is abysmally low. And for Additional Secretary and Joint Secretary, the situation is also far from satisfactory.

Thus it is not exaggeration to say that Promotion Rule 2002 has perpetuated the predominance of BCS Generalist Class despite all reform efforts pursued since independence of Bangladesh to ensure that an egalitarian Civil Service established and reservation of key positions for particular cadre abolished and equal opportunity for all cadres to represent at the decision making layer of the national secretariat exist. The position of other BCS cadres as such is no better than what they had been in the British colonial rule in India and neo-colonial rule of Pakistan**.**

Why Bangladesh Experiment with Egalitarianism Failed

Analysis of the situation up to 2013 makes it evident that despite all efforts during 42 years after independence egalitarian service structure could not be established and generalist domination and their elitism remained almost intact. Now the question is why the measures could not be implemented?

It is already mentioned that elitism of particular class in civil service is a matter of bureaucratic tradition of a country. It is too much to expect that a 'classless' egalitarian civil service be established in a tradition bound society which bears the legacy of elitism of generalist administrative class for more than 125 years and that such a situation can be reversed so easily. Abrupt decision of elimination of generalists' elitism and replacement by egalitarian service structure without accompanying coherent personnel policy to substitute that by specialist-functionalist cadres was not well conceived of. Egalitarianism cannot be established in a bureaucratic milieu where elitism thrives best.

When Bangladesh government in early 1970s planned to establish a new civil service structure to do away with colonial legacy, nothing was thought of about changing colonial bureaucratic culture characterized by authoritarianism, elitism, superiority complex, centralization of authority, lack of trust in subordinates and

excessive control and so on (Khan. M. M., 2013, p.55). Unified civil service and provision of equal pay and benefits to all cadres at entry level has been possible to ensure but career progression of all cadre members at equal pace cannot be guaranteed as that is subject to certain conditions. However, the experimentation of establishing egalitarian service structure through the scheme of SSP that was underway in the 1980s which was ended in fiasco because of political intervention from the highest level of the government and built-in flaws in the provision of SSP Order particularly in respect of induction of its members and relaxation of qualification clause to be encadred in the SSP up to certain period without consulting Public Service Commission (PSC) nullified the purpose of constructing this pool.

The elitism of generalist service or specialist service is not an evil per se so long as it is based on merit and performance. The issue to be reckoned with is whether the civil service is based on meritocracy promoting efficiency and delivering services to the citizens.

The US civil service which was clearly supposed to be a 'spoil system' where the party that wins the elections can recruit its 'own' civil servants recognized the need for attracting competent and talented individuals through a system of merit and open competition. United States which developed its government almost in stark contrast to the British system of governance is one of the few large economies that do not have a career civil service in the British, Japanese or French traditions (Khurshid, A., Pakistan Development Review vol, 45, issue, 4, 2006, p.1233). Yet in 1978 president jimmy Carter signed a civil service reform bill that created a Senior Executive Service resembling the Elite service in Pakistan. Almost half of the US senior federal executive service positions are reserved for career civil servants and the rest majority are filled competitively (Ibid).

The Senior Executive Service (SES) is comprised of the persons who possess well-honed executive skills and share a broad perspective of government and a public service commitment which is grounded in the Constitution. The keystone of the Civil Service Reform Act of 1978, the SES was designed to be a corps of executives selected for their leadership qualifications. Members of the SES serve in the key positions just below the top Presidential appointees. SES members are the major link between these appointees and the rest of the Federal work force. They operate and oversee nearly every government activity in approximately 75 Federal agencies.

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Recently several developed countries have adopted a scheme of establishing an elite apex cadre for highest level policy advisory services to the executive after the experience of SES (Halligan. J., 1996, in Hans Bekke, Jemes Perry and Theo Toonen, 1996, pp. 227-246) In Khurshid, A. 2006, p.1230).

The Table below compares SES systems in US, Australia and New Zealand and shows some of their salient features.

Table 2. Features of Senior Civil service

Features	United States	Australia	New Zealand
Date Establishment	1979	1984	1988
Open Recruitment	Yes	Yes	Yes
Main Employment Basis	Career	Career	Contract
Executive Development	Yes	Yes	Yes
Performance appraisal	Yes	Yes	Yes
Performance Pay	Yes	No	Yes
Service Identity	Yes	Yes	Yes

Source: Adopted from Halligan. J. (1996)

So having an elite civil service is not the problem so long as it earns its status through a merit based system. It is the adherence to merit and the emphasis on professionalism that earns the senior civil service its elite status (Khurshid, A., 2006, p. 1234).

Having considered the necessity of an apex elite cadre almost all reforms commissions/committees constituted after independence of Bangladesh recommended senior policy pool or similar pool in any name with same purpose. However, after the failure of SSP no such scheme was put under trial though subsequent committees also suggested creation of senior policy or management pool to receive diversified experience and leadership from all segments of the civil service. Had SSP or anything like that been continued with trial and error without political influence of the incumbent government completely based on merit, by now Bangladesh could establish something like an elite apex cadre like SES to provide highest policy support to the government and minimize age old generalist-specialist rivalry.

Confrontational Party Politics and ascendance of the generalist class into 'Super- Elite' position

During Pakistan period (1947-71) it was alleged that higher bureaucracy used to play a role of guardian and offered hard resistance when government decisions called for change in their power and entrenched privileges in society. CSPs were held liable for non-implementation of major administrative reforms suggested by Rowland Egger, Bernard Gladieux and AR Cornelius (Khan, M. M., 1980). Now in Bangladesh, incumbent government use bureaucracy, particularly generalist bureaucrats of top echelons in their self–interest, rather than national interest, to stay longer in state power.

Confrontational politics in Bangladesh helped flourish generalist bureaucrat's ascendance to a super elite status. Massive promotion in the secretariat positions beyond sanctioned posts without objective scrutiny and competitive examination with changes in political power causes ramification of BCS Administration all over. Present situation and recent past reminds the fact that after every new elections, party in power tried to manage the state machinery by their own people insofar as possible and leaving others on the sideline as OSDs who served the previous government. This partisan behavior of the government creates artificial vacuum in the secretariat positions and field administration. In order to fill the gap created due to putting a good number of officials as OSDs provides BCS Administration with ample opportunity to get quick promotion superseding their comparables and seniors in other cadres at different levels of administration. Since civil service reform in Bangladesh has always been subject to inter-services power struggle, and government depends to a large extent on the senior generalist civil servants than functionalists-specialists, to ensure law and order and control political opposition, civil service reform measures end up in favor of generalist bureaucrats. The field administration at all levels is administered by the generalist bureaucrats – administration and law enforcing agencies, government recourse to them during general elections to take care of elections. And field administration finds interest in it because defeat of incumbent government in the election will cause lot of sufferings for them by the succeeding government in state power. (UNDP, Edward, H. Stiglitz, 2007).

How Other Countries cope with Politicization issues in Administration: a Way Forward

There are number of partial solutions to the frontal attack of

patronage system. Most novel idea – to most developing countries – is that of hybrid appointments, i.e. a mix of merit and political considerations together. But there are variants that involve the elective introduction of merit in specific areas of government, with the expectation that these areas can move to a higher level of efficiency and probity, while other areas will continue, to bear the brunt of merit appointments (Shepherd, G., 2003, p. 17).

Brazil provides a useful example of such reform. Its federal government has evolved a system of senior appointments that combined the hybrid appointment system typical of many advanced countries with the depth of appointments characterized by US. Brazil is noteworthy as a developing country which has developed merit based civil service and successfully mixed merit and patronage elements. A World Bank Report 2000 recommended a hybrid appointment system to achieve the managed depoliticization of Brazil's civil service. The recommendations also envisaged the need for a commitment to a gradual decrease in the scope of political appointments.

Most developed countries separate political appointments from merit appointments; with a fairly restrictive approach to the number of political appointments. Some of these countries make significant numbers of hybrid appointments: typically, qualified candidates of whatever political color are placed in a pool and selections are then made using political criteria. There are also arrangements to minimize the risk of candidates entering the pool, for instance by allowing the civil servants having employment through the pool to reassume jobs in the regular service, once their political appointment has terminated. The application of merit criteria to hybrid appointments is usually overseen by an independent body (Ibid).The management of patronage in senior appointments differs among advanced countries. Such a system would require clear rules on the maximum number of such positions and on the merit and political criteria for selection (Ibid).

Where We Stand

The objective of the civil service reforms is to increase professionalism and capacity of the state to undertake gigantic task of development. But if it does not result in substantial improvement in the quality or professionalism of its members and delivery of services to the people, reforms carry no benefit to the polity. Foregoing discussions makes it evident that reformists' intended policy of abolishing elite cadre and establishing egalitarian civil service did not materialize. Rather, the so-called "Steel-Frame" of the civil service has become rusty and blunt because of undermining merit in the career of civil services for indulging excessively on

party politics in their management. Both Awami League and Bangladesh Nationalist Party allegedly have their own 'team' of civil servants who were patronized and promoted not on merit but on their perceived loyalty to their respective political masters (World Bank, 2002).

In the initial years after independence of Bangladesh policy makers thought that existence of elitism of generalist cadre constructed the basic hindrance of building a new civil service structure to be dedicated to the cause of massive development of war ravaged economy. Constitution of an egalitarian civil service with equal opportunity of career progression of all cadres at the decision making layer of the national secretariat on the other hand therefore would be major solution. In his book *Bangladesh Civil Service*, Shawkat Ali in describing the civil service reforms in Bangladesh after 1971, states: recommendations of reorganization and reform of civil service were dominated by the obsession with concept of elitism, which had to be broken ……the overemphasis on egalitarian approach to recruitment to and promotion in civil service may well lead to compromise in efficiency (Ali, AMMS., 2004 in Khurshid, A., 2006). As a matter of fact, despite the declared policy of abolishing elite cadre of generalist civil servants in Bangladesh, their *defacto* dominance has increased over the rest of the cadres instead of being decreased.

One of the reasons underlying for counter-productive result may be that Bangladesh tried to adopt a very substantive reform measure without taking into consideration of the scope of reform in a given time and capacity of the state to absorb such reforms and confront likely risk involved in it. No alternative arrangement was planned for substituting abrupt withdrawal of generalist officials hitherto occupying all policy making and policy implementation positions by specialist –functionalist cadres.

Actually the necessity of elite service is recognized in developed democracies for ensuring more efficient service and high level policy analysis support to the chief executive. Even in case of Pakistan when CSPs allegedly reined over state affairs their efficiency and competence never came into question. It can be argued that the administrative reform policy in post independent Bangladesh initiating a radical trend of abolishing elitism of generalist bureaucracy not only ended in fiasco, rather caused degeneration of meritocracy in the whole process of civil service

management -- lowering its standards in recruitment, promotion, performance and professionalism of the civil service. People, by and large, lost confidence in the civil service of the country and hold the perception that they belong more to the party in power than to the republic, engaged in fulfilling the desire of party in power rather than national interest.

At present there is no elite cadre in principle and any senior policy or management pool for ensuring representation of specialist-functionalist cadres in top decision making level. The provision of reservation of 75% post of deputy secretary for BCS Administration and 25% for all other cadres under Promotion Rule 2002 and no quota reservation for joint secretary and above for any cadre ensures the monopoly of BCS Administration over the rest the cadres (GOB 1ˢᵗ Schedule of the Promotion Rules, 2002). The present arrangement thus makes it certain that under no circumstance officers of other cadres can be promoted to the rank of joint secretary beyond 25% at most. Practical scenario is even far worse.

Indiscriminate creation of supernumerary posts for Additional Secretary, Joint Secretary and Deputy Secretary and their appointments creates a chaotic situation in the national secretariat (Mazumder, A. I., Prothom Alo, March 19, 2013). As such the national secretariat has twice as many staff as it requires. And large scale allegations have been made that comparatively better merit, efficient and senior officials have been superseded by junior and incompetent ones on political consideration. WB observes that "… nearly half of the staff who are reemployed after reaching their retirement age being rewarded for political ties, rather than in recognition of their skill and expertise" (WB, 2002, p. 71). The Table below shows the difference between sanctioned posts and existing staff at three layers of the secretariat.

Table 3. Discrimination between sanctioned posts and existing positions in the Bangladesh Secretariat

Position	Sanctioned Post	Present staff
Deputy Secretary	830	1530
Joint Secretary	430	623
Additional Secretary	107	249

Source: Good Governance, Ali Imam Mazumder, Prothom Alo, March 19, 2013

The large scale political promotion on the one hand brought morale of the non-partisan civil servants at the lowest and opened Pandora's' box for the inferior and incompetent to move up to the highest policy level on the other. Bangladesh government could counteract this politicization issue in administration by emulating hybrid appointment model followed in developed and developing countries. And meritocracy and professionalism could have been held high had Bangladesh government adopted an apex cadre of policy and management pool without being politically influenced after the experience of the US SES and other developed country experiences. Country needs the service of the elite cadre of diverse expertise of different segments of civil service not a privileged class of any one cadre at the highest level for better policy advice and dynamic administration of the country.

Concluding Remarks

Foregoing discussion suggests that all major reform efforts aimed at establishing a classless egalitarian service structure of civil service after independence of Bangladesh have been foiled either due to the inherent shortcomings of the reform measures or political interference of the government. In principle though the elite civil service like CSP does not exist yet elitism of BCS Administration does exist. But it is not based on meritocracy and track records; rather on their affiliation to party in power which is detrimental to the country. Bangladesh needs to get out this vicious cycle by any means to establish an efficient and professional civil service to dedicate to the cause of national development where class consciousness would not act as barrier. Recruitment and promotion at all levels should be based on merit, performance, and personal attributes and bureaucracy would maintain its impersonal character irrespective of any party in power as expected of them.

End Note: * Speech delivered on August, 2, 1827, in the House of Commons on Indian Affairs,
See http://latasinha.wordpress.com/2009/05/03/bureaucracy-in-india-before-independence.

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Exploration of Cybercrime and Cyber Law: Growth of the State Concerns and Initiatives with Special Focus to the Context of Bangladesh

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Abstract: Tomorrow's terrorists may be able to do more damages with a key board than with a bomb. This piece of writing seeks to talk to and analyze the concept of cybercrime and its emergence addressing at the national and international levels. It reviews the existing legislative and regulatory framework and their effectiveness in fighting this form of borderless and organized crime taking the South Asian country Bangladesh as a case study. *Finally*, the article concludes with some preventive and punitive measures in the battle against cybercrime

Keywords: Cyber space, cyber crime, conventional crime, UNCITRAL, cyber ethics.

Introduction

We are breathing in the 21st century with a panic where cyber space exists having enormous benefits as well as danger of information technology. This Cyber reality incorporates and performs most of the official, non-official, financial, non-financial and many of our real life activities using computer and computer related devices viz. e-banking, e-commerce, e-learning, e-foreign trading, networking, e-industrial infrastructures, telecommunications, e-air traffic control, e-ticketing, e-*krishi,* e-global positioning systems, e-global distribution systems and hi-tech medical equipment etc which make our lives easier, dynamic, time and labor saving. Alongside many of these advantages, there are dangerous risks with using these technologies. These are committing cybercrimes in different forms such as: data diddling, electronic fraud in the financial sector, identity theft, illicit use of valuable information, hacking or cracking, cyber-stalking, distribution of pirated software, terrorism, interference with sophisticated high level national security measures,

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immoral activities, defamation and harassment, blasphemy, intellectual property rights infringements and so on which affect individuals at large. It is said the modern thief can steal more with a computer than with a gun (Hackerman & Robert, 1991). Many international organizations, including the United Nations, the G-8, the European Union and the Council of Europe mentioned cybercrime as a major concern for the global community (Chawki, 2005). These crimes should not be continued rather stopped for the proper enjoyment of the blessings of modern digital world. Owing to a new phenomenon having peculiar features in the field of crime, investigation of its ins and outs, to make the relevant laws apply properly to the particular crime, demands badly.

Objectives of the Study

The primary objective of the study is to make out the real scenario of cybercrime as well as:

1. To explain and examine the cyber crime committed in different sectors;

2. To revisit the legal measures, strategies taken in Bangladesh as well as some other countries;

3. To explore existing schemes and mechanisms taken against cyber crime in Bangladesh;

4. To analyze the problems regarding the scheme of the existing cyber legislations and

5. To make possible suggestions for the protection of cybercrime.

Contribution and Relevance of This Research to the Field of Cyber Law

Cybercrimes are becoming serious problems that are affecting the whole nation like many other countries of the world. But the existing penal or criminal laws are incapable to take action quickly against cyber crimes. However, certain efforts have been made by the Government to curb the cybercrimes by enacting several acts, means and policies though there remain certain shortcomings. This article aims to thrash out the scenario of cybercrime and the national, regional and global status of cyber laws and unveil those shortcomings and puts appropriate suggestions to meet the challenges of preventing the different kinds of cybercrimes which will be very much helpful for legislature, law enforcers and the

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persons involving the usage and study of the on-line or related devices.

Methodology and Data Sources

Bearing in mind the nature, analytical and empirical research method has been resorted to complete this work. Primary and secondary sources of data have been taken into consideration for the purpose. The references have been adopted from national and international updated statutes, books of famous writers, articles published in credible journals, decided cases, research reports, acts, newspapers and websites etc. In course of this research, some renowned cyber jurists and computer engineers have been interrogated to know their views about cyber crimes and cyber related technical & legal issues.

Cyber Related Conceptual Issues; Their Varying Forms, Natures and Aspects

Cyberspace is the virtual environment in which communication over computer networks occurs. The term was first used in science fiction and cinema in the 1980s, was adopted by computer professionals and became a household term in the 1990s. During this period, the uses of the Internet, networking, and digital communication were all growing dramatically and the term 'cyberspace' is able to represent the many new ideas and phenomena that are emerging (Goodman & Brenner, 2002). Criminal activity committed on the Internet or cyber space is termed cyber crime. In Dictionary, 'Crime' refers to the activities that involve breaking the law (Hornby, 2010). 'Cyber crime' is a crime involving the use of computer, such as sabotaging or stealing electronically stored data (Garner, 2004). It be unlawful act where in the computer is either as a tool or target or both (Nagpal, 2009). This crime is committed mainly against individual or organization, Government in a network environment or on Internet i.e. cyber space.

The perception of cyber crime is not fundamentally different from the concept of conventional crime but peculiarity due to the different ways and means of committing cyber crime makes it to somehow challenging. Both include conduct whether act or omission which cause breach of rules of law and counter balanced by the sanction of the state. To evaluate the specialty of cyber crime it is obvious that the distinctive features of conventional crime and cyber crime be discussed- When Internet was developed, the founding fathers of Internet hardly had any idea that Internet could also be misused for criminal activities. But the fact is that it is happening roughly and

largely all over the world. Now the question is how these offences can be treated-whether through conventional or something extraordinary methods. If we have a deep introspection it will be proved that apparently there is no great difference between conventional crime and cyber crime. The first demarcated difference line is the medium of committing the offence. Conventional crimes are prima facie territorial and committed in physical world, but cyber crime is territorially unlimited and committed in the world which is an electronic or virtual one. Unlike the traditional crime, cybercrime is a global crime as a European Report explains: 'computer-related crimes are committed across cyber space and do not stop at the conventional state-borders. They can be perpetrated from anywhere and against any computer user in the world (Goodman & Brenner, 2002).

Cyber laws that prevent and reduce large scale damage from cybercriminal activities by protecting information access (Janssen, 2012), privacy, communications, intellectual property infringement, trade on the Internet, taxation, consumer protection, advertising, censorship and freedom of speech related to the use of the Internet. It also protects websites, email, computers, cell phones, software, hardware and such other data storage devices.

Cyber law may also be called as Internet law as the area of law deals with the Internet's relationship to technological and electronic elements, including computers, software, and hardware and information systems. However, Cyber law includes the laws relating to crimes relating to Computers, Computer network, Internet, electronic devices, e-commerce or e-Business, cyber security, e-contract etc.

Categories of Cyber Crimes

Cyber crimes can be categorized based on as follows- (a) based on role of computer in cyber crime (b) based on perpetrators of cyber crime (c) based on victims of cyber crime (Nahar, 2011).

a) Categories Based on Role of Computer

Crimes in which the computer is target include offence as theft of intellectual property through unauthorized access to a computer can be physical or virtual. Besides, theft of marketing information or black mailing based on information gained from computerized files or data stored in it. Computer as a Tool means the crime could be committed with the computer and computerization helps the

criminals to commit crime faster. It includes fraudulent use of credit cards and account, conversation or transfer of account, theft of money accrual, telecommunication fraud etc (Nahar, 2011).

b) Categories Based on Perpetrators of Cyber Crime

It is divided into two types as *firstly*, Insiders and Outsiders; *secondly,* Hackers. Most of the cyber crimes are committed by the insiders like employees. Insider crimes include missing parts and software. Outsiders attack it to commit crime as outsiders. A hacker is a person seeking and stealing knowledge and distributing it with the world for profit or education and awareness or ill motive (Nahar, 2011).

c) Categories Based on Victims of Cyber Crimes

It is divided in five types as follows: 1. Crime against individual 2. Crime against organizations 3. Crime against economy 4. Crime against society. 5. Crime against national security (Nahar, 2011).

1. Crime against Individual

There are different types of crimes against individual, such as- (i) Identify theft, (ii) SMS spoofing, (iii) Hacking committed by hackers using (a) Telecommunication network or (b) Mobile network. (iv) Cyber stalking (v) Unauthorized use of ATM cards- Debit card, Credit card etc e.g. false ATM is used in order to do shopping or withdrawing money from the victim's bank account. (v) Cracking (vii) Unauthorized access to computer system. (viii) Illegal interception by technical means of non-public transmissions of computer data to, from or within a computer system (ix) Data interference i.e. unauthorized damaging, deletion, deterioration, alteration or suppression of computer data(x) Spamming (xi) Cheating and Fraud (xii) Harassment (xiii) Email-bombing (xiv) Indecent exposure and Dissemination of obscene material (xv) Defamation, violation of privacy (xvi) Drug trafficking (xvii) Spreading virus and worms (xviii) Intellectual property infringements (xix) Computer and network resources vandalism (xx) Forgery (xxi) Denial of services (DOS) (xxii) Salami attack (xxiii) Internet time and information theft/ Cyber theft which includes- embezzlement, DNS cache poisoning, Unlawful appropriation, Plagiarism, Piracy, Identify theft, stealing information, Money and other valuables (Nahar, 2011).

2. Crime against Organizations

(i) DOS (ii) Unauthorized control/access over the network resources and Websites (iii) Exposing obscene materials over the web pages (iv) Virus attack (v) E-mail bombing to organizations (vi) Salami attack (vii) Logic bomb (viii) Trojan horse (ix) Data diddling (x) Vandalizing the infrastructure of the network (xi) Blocking (xii) Theft of important possessions (xiii) Terrorism against government organizations (xiv) Tempest attack (Uddin et al., 2010). (xv) Web jacking; it occurs when someone vehemently takes control of website by cracking the password (Ahmed, 2012).

3. Crime against Economy

The following are the crime against economy- (i) Hacking (ii) Cracking. (iii) Phreaking (iv) Malicious programs include virus, worms, logic Bomb, Trojan horse and Hoax (v) Computer fraud (vi) Computer forgery and counterfeiting (vii) Theft of telecommunication services (viii) Intellectual property rights infringement (ix) Tax evasion (x) Computer sabotage (damaging the computer). Computer sabotage is of two types (a) Hardware sabotage and (b) Software sabotage. Software sabotage includes (i) Carding (ii) Packet sniffing (iii) Internet time theft denotes the usage by an unauthorized persons of the Internet hours paid by any persons (Ahmed, 2012).

4. Crime against Society

There are different type of crimes against Society i.e. (i) Porno Mailing, (ii) Social citing; it includes racial hatred and blasphemy. In this Crime wrongful use of social cites is done in order to spread enmity and feelings of hatred. (iii) Child pornography. (iv) Any hate propaganda (v) Forgery (vi) Online gambling (vii) Trafficking (viii) Financial crimes (ix) Indecent exposure (x) Web jacking. (xi) e-threatening (Nahar, 2011).

5. Crime against Government or National Security

The cyber crimes which affect the national security are (i) Cyber Warfare: Most of the Armies world over now has dedicated cyber warfare teams for defensive as well as offensive operations. (ii) Cyber Terrorism: Cyber terrorism means unlawful attacks and threats of attack against the computer, network and the information stored therein. Cyber terrorist attacks on the Internet of many academics, government and intelligence official's sites etc. (Nahar, 2011).

Reasons for Cyber Crime

The concept of Law has said human beings are vulnerable to crime so rule of law is required to protect them. Applying this to the cyberspace, we may say that computers are also vulnerable to crime so rule of law is required to protect and safeguard them. The reasons for the vulnerability of computers and high tech crimes may be said to be for the certain reasons (Nahar, 2011) as- (a) Capacity to store data in comparatively small space, (b) Easy to access to codes, advanced voice recorders, retina imagers etc. (c) Complex computer operating systems in turn are composed of millions of codes. Human mind is fallible and it is not possible that there might not be a lapse at any stage. The cyber criminals take advantage of these lacunas. (d) Negligence in protecting the computer system in turn provides cyber criminals to gain access and control over the computer system (Patil, 2014) (e) Hactivists on game competition commits cyber crime like hacking, DDOS etc. (Bdnews24.com, 2015) (f) Loss of evidence is a very common & obvious problem as all the data are routinely destroyed and criminals are encouraged. Thus cyber crimes go on increasing day by day and its scope also increasing in the same way (Rashid, 2009).

State of Cyber Crime and the Status of Legal Mechanism in Bangladesh

State of Cyber Crime

The use of Internet started in Bangladesh in 1993 for the first time (Ahmed, 2014). It was opened for all on June 4, 1996 through the commissioning of VSAT (Very Small Aperture Terminal) connection but this introduction could not create a good market at the very initial stage (Rashid, 2009). After the year 1996, there were only two ISPs (Internet Service Providers) and about one thousand of users in the country. But owing to the rapid growth of this industry we had 180 ISPs by 2005. In 2006, Bangladesh got connected with Submarine Cable (SEA-ME-WE 4 Submarine Cable) which afforded big bandwidth and low cost than ever before. After this, over the years Bangladesh Telecommunication Company Limited (BTCL) and Bangladesh Telecommunication Regulatory Commission (BTRC) reduced the bandwidth price at regular intervals which attracted more and more users towards the Internet world. As of now BTRC (2014) has counted about three hundred and forty five plus registered ISP license holders.

The present government has declared the vision-2021 i.e. within 2021, this country will become digital country and the per capita income will be equal to a middle income country using IT sectors.

But the Government as well as other concerns consider cyber crimes worriedly that are being committed in this virtual world with the expansion of Internet and other networks which owes to convert this country into a digital country.

In Bangladesh, cybercrime has drawn public attention for the last couple of years. On August 23, 2004, an email was sent to a Bangla daily threatening to kill Sheikh Hasina, the supreme leader of a major political party. After two days, on August 25, 2004, another email was sent to the Bangladesh police Headquarters issuing threat to Khaleda Zia, supreme leader of another major political party, her elder son and some members of parliament (Current Affairs, 2014). It is difficult for most isolated users of Information Technology (IT) to understand the term 'Cyber crime'; Bangladesh is no exception. Here cyber crimes started with spam mails and trojan attack. Cyber crime is increasing in Bangladesh day by day. Cybercrimes take place in Bangladesh mainly in the following sectors: (a) Cybercrime against individuals; (b) Cybercrime against property and financial institutions; (c) Cybercrime against organizations; (d) Cybercrime against society; and (e) Cyber crime against national security.

In the year of 2013, the Skype conversation and blogging were the burning issues of our country. Pornography video and picture upload happen in our country on a regular basis (Current Affairs, 2014). Besides, blackmailing girl by capturing their nude photographs is caused frequently by their boyfriends and others. A number of community websites have been introduced, which the young girls and boys are using to exchange phone numbers for posting hidden videos or even pictures with nudity etc. Hacking committed into the Internet account of Barisal DC office in 2003, the incident was revealed after the DC office received a heavily bloated Internet bill and lodged a complaint with the Bangladesh Telegraph and Telephone Board (BTTB). Hacking took place in the website of Bangladesh Rapid Action Battalion (RAB) in 2008, when Hackers accessed to www.rab.gov.bd, the website read: "Hacked by Shahee_Mirza." (*The Daily Star*, 2008), Hacking committed into the mail of BRAC Bangladesh (Borhanuddin, 2006), the transaction report of Dhaka Stock Exchange has been stolen through hacking ; crime committed through inserting naked pictures to the website of Bangladesh National Parliament, inserting naked pictures to the website of Jamate Islami Bangladesh, inserting naked pictures to the website of the Daily *Jugantor*, E-mail threatening to World Bank Dhaka Office and involvement in cyber warfare with India etc (Borhanuddin, 2006). Besides most recently in 2014 and 2016, stealing money from Sonali Bank by hacking password and

Bangladesh Bank heist remembers the ferocity of cyber crime in Bangladesh.

Before 2013, there was cyber tribunal only theoretically not practically in Bangladesh. So in that period cyber crimes were tried by the session courts. After passing the ICT Act in 2006, a few number of cases found to be filed. In the recent days, a lot of cases are being filed. Some of them are- (i) Four Bloger's case: four bloggers of Bangladesh namely Asif Mohiuddin, Subrata Adhikari Shovu, Rasel Parvej and Moshiur Rahman Biplob were charged on 27th June, 2013 under sect 57 of the ICT act for writing ill statement about Islamic religion and prime minister in the facebook and Blogs. (ii) Adilur Rahman Khan's case: Adilur Rahman Khan, Director of "*ADHIKAR*" (Non Government Human Rights Organization), was charged U/S 57 (1), (2) of the ICT Act, 2006 and U/S 500 (c) and (d) of the Penal Code,1860 on 4th September, 2013 for publishing report of 5th may of *Hefajat* movement at *Shapla Chattar*, *Matijhil*, alleged that the number of dead body reported by "*Adhikar*" is 60 (sixty), was false and intended to degrade the reputation of the Govt, to instigatie the muslims, to hamper the reputation of the State to the foreign states. (iii) Mahmudur Rahman Khan's case: the editor Mahmudur Rahman Khan and Publisher Hasmat Ali of the daily newspaper "*Amar Desh*" were charged U/S 56 and 57 of the ICT Act, 2006 and sections 124, 124 (a), 505 (a), 120 (b) and 511 of the Penal Code ,1860 for publishing the Skype conversation between justice Nijamul Haque Nasim (the then Chairman of International War Crimes Tribunal-1) and his Belgium friend Dr. Ahmed Jia uddin on 13th December, 2012 (Ahmed, 2014). Thus cyber crime is the main concerning issue of Bangladesh government today.

Status of Legal Mechanism

National legislative frameworks

The United Nations Commission on Internet Trade Law (UNCITRAL) adopted as the Model Law on Electronic Commerce in 1996. The Model Law provides that all Nations should give consideration to it when they enact and revise their cyber laws. The Model Law provides for equal legal treatment of users of electronic communication and paper based communication. Hence the enactments of Bangladesh in this regard are the National ICT Policy-2009, preparing Information Technology (Electronic Transactions) Act (ITETA), 2000. It is to be noted here that ITETA seems to be a close replica of the Indian IT Act-2000 that failed to include issues like cyber squatting, spam and cyber terrorism. The Information and Communication Technology (ICT) 2006 has been enacted based on

the said Model Law and come into force on 8th October-2006 and ICT rules in 2010 to facilitate electronic commerce and encourage growth and development of information technology. It includes the provisions of bringing the cyber criminals within the ambit of criminal jurisdiction (Reza & Azim, 2009). The ICT Act was amended in 2013. This Act not only extends to the whole of Bangladesh but also applies to offences and contraventions committed outside Bangladesh (Sec.4 of the ICT Act, 2006). It has 90 sections divided into 10 chapters. A cyber victim in Bangladesh has a better opportunity to get the proper remedy under the ICT Act, 2006. This statute is the first and the only door open for the lawful remedy of numerous cyber crimes in Bangladesh. Through this statute, it is being tried to locate all the probable cases and grounds and give penalty for cyber crimes frequently occurring at present and which might occur in future. Some major questions are raised regarding the distinctive nature of committing cyber crime and as to no treating cyber crime and cyber civil wrong separately. Recently, Digital Security Act, 2016 as a supplemental to the ICT Act, 2006 is adopted by the Cabinet which expected to make a strong legal framework to combat cyber crime in Bangladesh. This act has 45 sections divided into seven chapters which empower Government to establish National Digital Security Agency (NDSA) headed by a Director General. With a view to securing, preventing and curbing cyber criminal activities, NDSA is authorized to monitor, observe and take necessary steps in respect of all the Bangladeshi computers or digital systems, networks, mobiles or digital communication (voice and data) networks etc. NDSA for this purpose can establish digital forensic lab for cyber forensic analysis and it can also establish Bangladesh Cyber Emergency Response Team (Bangladesh-CERT) for quick response against cyber crimes (Section 5 of the Digital Security Act, 2016). Besides, there will be a National Digital Security Council (NDSC) chaired by the prime minister to talk about cyber related issues and take immediate decisions (Section 6 of the Digital security Act,2016). This Act also makes all the provisions of the Reciprocal Co-operation Act 2012 applicable to investigate, prosecute and adjudicate the trans- broader offences in the question of regional and international cooperation (Section 39 of the Digital security Act, 2016) and all the Offences committed under this act have been made triable under the cyber tribunal and cyber appellate tribunal established under the ICT Act, 2006.

Bangladesh Government has set up a special tribunal under the ICT Act, 2006 called 'Cyber Tribunal' at Dhaka in 2013 to handle cybercrimes that include fraudulence, extortion and the hacking of

computer system on-line. The move came after the UK-based Economist claimed that it had recorded 17 hour conversation on Skype and 230 emails between the 'International War Crimes Tribunal 1' Chairman and Bangladeshi expatriate in Brussels. The 'International War Crimes Tribunal 1' Chairman, Justice Md. Nizamul Haque, resigned his position amid controversies over his conversation with the expatriate Ahmed Ziauddin (Bangladesh Shangbad Shangstha, 2013).

The law ministry issued a gazette notification on the establishment of the tribunal on January 28, 2013 under the Information and Communications Technology Act 2006 in Dhaka to exclusively deal on-line crimes in a speedy manner. Initially, one tribunal was set up in Dhaka covering the whole of Bangladesh although the law stipulates that one or more cyber tribunals could be set up for an effective and speedy trial of criminal activities committed on-line (Bangladesh Shangbad Shangstha, 2013). Cyber Tribunal, the first of its kind in the country, will be empowered to conclude trials within six months. Several hundred of complaints have been filed before this tribunal and the trial of those are in pending.

Provisions for setting up cyber tribunal and cyber appellate tribunal having original and appellate jurisdiction respectively and punishments of lighter/severe form, trial procedure etc have been provided by the ICT Act, 2006 (Sec. 82 & 84 of the ICT Act, 2006). But it is worth-mentioning here that the ICT Act, 2006 is not exhaustive enough to protect this gigantic cyber space and IT industry. In addition to the application of the provisions of the ICT Act, a good number of procedural and structural hurdles are being faced which are as follows:

Lack of Technical Expert: Judges and the lawyers of cyber tribunal or session Courts (Sec. 68 (2) of the ICT Act, 2006) are the experts of laws, not of technology, more specifically of Internet technology. So the judges of cyber tribunal as well as cyber appellate tribunal (Sec. 82 of the ICT Act, 2006) have the opportunity to be assisted by the ICT expert. But is it possible to give the verdict on the basis of another's knowledge? The reality in the Act is that so far no provisions exist taking initiative by the Government to train up the judges for acquiring the minimum technological knowledge required for ensuring justice. The Digital Security Act, 2016 also failed to emphasize on this issue.

Lack of Knowledgeable law enforcers: A police officer not below the rank of a Sub-Inspector can be the IO i.e. Investigation Officer regarding the cyber crimes (Sec. 69 of the ICT Act, 2006). Like the judges, police officers also have no opportunity to gather the required technological knowledge due to the lack of proper initiatives. There is no provision for them to be assisted by any ICT expert like the judges of cyber tribunal and cyber appellate tribunal. So, is it possible for such a police officer to make a proper investigation into such matters? Moreover, it may result in a snag to justice. (Uddin et al., 2010)

Procedural Difficulties: The Government bears the responsibility not only of forming the cyber tribunals but also of preparing terms and conditions of the service of the judges of the tribunals (Sec. 82 of the ICT Act, 2006) .Regrettably neither a single rule has been framed nor has a project or a proposal been taken or passed so far by the state in this regard. (Uddin et al., 2010)

Lack of Clearance of the Terms: The cyber crime related terms have not been defined in this Act such as data diddling, tempest attack etc. for which existing law suffers from proper application.

Lack of Sufficient Laws: No clear provision included in the Act for bringing the cross broader cyber criminals under the jurisdiction. Besides, No Cyber forensic laws exists which is badly needed to formulate for proper cyber investigation and inquiry.

Civil-Criminals Difficulties: No distinction made for cyber crime and cyber civil wrong which results the compensation and damages demand problems.

In this above situation, Bangladesh Government recently adopted Digital Security Act, 2016 to overcome those lacunas and give effective measures thereof. Bangladesh police creating special cyber unit brings the cyber criminals under control. After a long period of unanimous attack of cyber warriors between Bangladesh and India, Bangladesh Government has opened a new website to defense cyber crime as -Computer Security Incident Response Team (BD-CSIRT) for cyber security service. This team is named as Bangladesh Cyber Emergency Response Team (Bangladesh CERT) in the Digital Security Act, 2016.

Regional Strategies and the Status of Cyber Law

Cyber law covers a wide diversity of political and legal issues related to the Internet and other communication technology protecting intellectual property, privacy, freedom of expression in one's jurisdiction. It also examines the cyber related laws of SAARC countries, USA, Australia, Japan, and European and similar legislations. Overseas regional countries around the world are promoting international measures to deal appropriately with cyber crime for the growth of telecommunications, computer network. One of them is the Hyderabad Declaration (2004) which declares that harmonizing the legal and administrative framework for developing trust in e-commerce transactions across Asian countries. Based on UNCITRAL Model Law (1996), Neighbouring country India enacted many cyber related laws, rules and regulations for protection ICT development parallel with other sectors. The Indian Information Technology (ITA) Act-2000 was the first step towards information technology security in the country and strives to improve the concept of electronic governance and e-commerce. The Indian Parliament received the Semiconductor Integrated Circuits Layout-Design (SICLD) Act, 2000 after the assent of the President on the 4 September 2000 and the other IPR Act i.e. The Patent Act, Trade Marks Act, Copyright Act etc.

Cyber related or cyber crime legislations are still unhappily absent in Africa, the Middle East, Asia and Oceania. Technologically and highly developed countries, especially those in Europe and North America have cyber related laws and cyber crime laws to protect and save their privacy, computer, computer network and Internet. Some developing countries are now taking initiatives in this respect.

Global Strategies and the Status of Cyber Law

International law, conventions, bilateral and multilateral treaties have not been developed for Internet filtering and governing the cyber crime. The European Convention on Cyber Crime came into force in 2001. The European Convention on Cyber Crime, 2001 is the first ever-international treaty on criminal offences committed against or with the help of computer networks such as the Internet. After United Nations protocol on cyber security and cybercrime, The United Nations Office on Drugs and Crime (UNODC) has published a practical guide. The guideline emphasizes on the use of the Internet for terrorist purposes among member states for more effective investigation and prosecution of terrorist cases involving the use of the Internet. Powerful countries including USA, Britain,

China, Russia, Philippine and many of the countries are thinking and preparing law to protect the cybercrimes.

International Laws & Conventions on Cyber Law: International law provides few obvious tools to analyze Internet filtering, through the potential surety exists (The United Nations Convention on the Use of Electronic Communications in International Contracts, 2005). Countries often make law through multilateral agreements that bear on Internet law and regulation. For instance, trade agreements frequently include provisions related to intellectual property that could affect filtering issues. A next generation of international humanitarian law, some have argued, might also include protections for access to communications.

The European Convention on Cyber Crime-2001: The European Convention on Cyber Crime-2001 is the first ever international treaty on criminal offences committed against or with the help of computer networks such as the internet. The Ministers of Foreign Affairs finally adopted the Convention on November 8, 2001. The Convention on cyber crime was opened for signature in Budapest, Hungary on November 23, 2001. Ministers or their representatives from the 26 fellow Member States signed the treaty. The total number of signatories is 43. By signing this treaty, member countries agreed on a common platform for exchange of information relating to investigation, prosecution and the strategy against cyber crime, including exchange of cyber criminals (Nair, 2013).

Other International Strategies: Some of the international organizations have realised and recognized trans-border nature of cybercrime and the need for international harmonization of technical, legal and other solutions (Chawki, 2005). The main of them in this field are the Organization for Economic Cooperation and Development (OECD), the Council of Europe, the European Union, G-8 and the Interpol. In addition, the UN, World Intellectual Property Organization (WIPO) and General Agreements on Trade and Tarrifs (GATS) have also played an important role. These organisations have significantly contributed to the harmonisation of criminal law as well as of civil and administrative law in all of the areas of computer-related law reform. The first comprehensive inquiry into the penal law problems of computer related crimes on international level was initiated by the OECD. The OECD carried out from 1983 to 1985, a study of the possibility of an international harmonization of criminal laws to address computer related crimes (United Nations Manuel on the Prevention and Control of Computer Related Crime, 1995). The study reported in 1986, on surveying

existing laws and proposals for reform and recommended a minimum list of abuses, that countries should consider penalizing by criminal law.

From 1985 until 1989, the selected Committee of Experts on Computer Related Crime of the Council of Europe discussed the issues raised by cybercrime and drafted recommendation, which was adopted on September 13, 1989. This recommendation emphasized on the importance of an adequate and quick response to the newly encountered challenge of cybercrime. In the guidelines of national legislatures to review and enhance their laws, the Recommendation featured a 'minimum list' of necessary candidates of such crimes to be prohibited and prosecuted by international consensus, as well as an optional list that describes prominent offences on which international consensus would be difficult to reach.

In 1990, the English United Nations Congress on the Prevention of Crime and Treatment of Offenders addressed the legal problems posed by cybercrime. It produced a resolution which called for Member States to intensify their efforts to combat computer-related crimes by modernizing their national legislations, improving security measures and promoting the development of comprehensive international framework of guidelines and standards for prosecuting these crimes in the future(8th UN Congres, 1990). Two year later, the Council of the OECD and 24 of its Member countries adopted a Recommendation of the Council concerning guidelines for the Security of information system intended to provide a foundational information security framework for the public and private sectors (OECD, 1992). The Guidelines for the Security of Information Systems were annexed to the Recommendation. This framework includes codes of conduct, laws and technical measures. They focus on the implementation of minimum standards for the security of information systems. However, these Guidelines request that Member States establish adequate penal, administrative of other sanctions for misuse and abuse of information systems.

In 1995, the UN published the United Nations Manual on the Prevention and Control of Computer Related Crime (Chawki, 2005). This Manual studied the phenomenon of computer-related crimes, substantive criminal law protecting privacy, procedural law, and the needs and avenues for international cooperation (UN Manual, 1995). In the same year, the Interpol organised its first Conference on Computer Crime. This conference confirmed that a high level of concern existed in the law enforcement community over the

propagation of computer crime. Later on, Interpol held several conferences on the same theme. In the same year also, the Council of Europe adopted Recommendation of the Committee of Ministers to Member states, spelling out the principles that should guide states and their investigating authorities in the domain of IT (the Council of Europe Recommendation, 1995). Some of these principles cover search and seizure, obligation to co-operate with investigating authorities, the use of encryption and international co-operation (Goodman & Brenner, 2002).

On April 24, 1997, the European Commission (Walker & Akdeniz, 1998) adopted a resolution on the European Commission's communication on illegal and harmful content on the Internet, supporting the initiatives undertaken by the Commission and stressing the need for international co-operation in various areas, to be initiated by the Commission. One year later, the European Commission presented the European Council with a report on computer-related crime it had contracted for.

Some years later, the Council of Europe's Committee of Experts on Crime in Cyber-Space took his assignment to heart, preparing a Draft Convention on Cybercrime. The preparation of this Convention was a long process; it took four years and twenty-seven drafts before the final version, dated, May 25, 2001 was submitted to the European Committee on Crime Problems at its 50th Plenary Session, held on June 18-22, 2001 (Goodman & Brenner, 2002). Chapter II of this Convention contains the provisions that are relevant to the issues under consideration in this article. This Chapter is divided into two sections: Section 1 deals with 'substantive criminal law'; Section 2 deals with 'procedural law'. According to the Explanatory Memorandum accompanying the Draft Convention, Section-1 seeks 'to improve the means to prevent and suppress computer-or computer related crime by establishing a common minimum standard of relevant offences' (Uddin et al., 2010).

Parties to the Convention would agree to adopt such legislative and other measures as may be necessary to establish certain activities of cybercrimes under their 'domestic law'. According to Section 1 of Chapter II of the Convention, these activities are: (1) Offences against the confidentiality, integrity and availability of computer data and systems; (2) Computer-related offences; (3) Child pornography; (4) Offences related to infringements of copyright and related rights; (5) provisions governing the imposition of aiding and abetting and corporate liability.

From their part, the G8, held in May of 2000 a cybercrime conference to discuss how to jointly crack down on cybercrime. This conference brought together about 300 judges, police, diplomats and business leaders from the G8 states. It drafted an agenda for a follow-up summit to be held in July (Goodman & Barner, 2002). At the July, 2000 summit, the G-8 issued a communication which declared, in pertinent part, that it would take a concerted approach to high-tech crime, such as cybercrime, which could seriously threaten security in the global information society. The communication noted that the G8 approach to these matters was set out in an accompanying document, the OKINAWA Charter on Global Information Society (Rossudowska & Barker, 2011).

Cyber Related Laws in Other Developed Countries

Technologically highly developed countries, especially those in Europe and North America , Australia, South Korea, Singapore, Japan have cyber related laws and cyber crime laws to protect and save their privacy, computer, computer network and Internet. Some South American countries have cyber laws that prevent some categories of cyber crime, but others have essentially no cyber laws in place. Administrative, penal and civil legislation was enacted to protect data against illegal access to computer system and associated citizens' rights to privacy. The following countries enacted their cyber laws; Sweden in 1973 and 1986; the United States of America in 1974, 1980 and 1984; Denmark in 1978 and 1985; Austria in 1978 and 1987; France in 1977 and 1988; Japan in 1997 and 1988; Spain in 1992 and 1995; Italy in 1978 and 1997; Greece in 1988 and 1997; and Malaysia in 1997; etc (Ahmed, 2012). U.K., USA, India, Malaysia and some other developed countries have established special wings of police to combat the cyber crime. On the last 23rd July of 2009, North Korea twisted Korea Internet and Security agency, a government agency uniting three of its preceding Internet technology organizations. Now, this agency will endeavor to make North Korea a stronger and a safe advanced country in using Internet. India and some other countries have also created such agencies (Uddin et al., 2010).

Defensive Measures of Cybercrime

Defensive measures must be taken in line with the legal steps in curbing cyber crimes. It is always better to take certain precaution while operating the Internet. A person should keep in mind the following things (Patil, 2014).

1. To prevent cyber stalking avoid disclosing any information pertaining to one. This is as good as disclosing your identity to strangers in public place.

2. Always avoid sending any photograph online particularly to strangers and chat friend as there have been incidents of misuse of the photographs.

3. Always use latest and update antivirus software to guard against virus attacks.

4. Always keep back up volumes so that one may not suffer data loss in case of virus contamination.

5. Never send your credit card number to any site that is not secured to guard against frauds.

6. Always keep a watch on the site that your children are accessing to prevent any kind of harassment or depravation in children.

7. It is better to use a security program that gives control over the cookies and send information back to the sites as leaving the cookies unguarded might prove fatal.

8. Web site owners should watch traffic and check any irregular activities on the site. This may be done by putting host-based intrusion detection devices on servers.

9. Use of firewalls may be beneficial in the protection of Cyber crime.

10. Web servers running public sites must be protected separately from internal corporate network.

11. Hackers hack our personal information by using our account ID and password such as our bank, e-mail ID and password. So the best way to protect us by using very strong password, we should never share our ID and password with other person and never write down our password elsewhere.

12. Before using any computers please make sure your computer is secured. We can secure our computer by using strong firewall software. Firewall is a very strong cyber defense software.

13. Use anti-virus software or programs. Before installing any programs please make sure this is secured and trusted site.

14. We should install the latest operating system.

15. We should never share our personal on-line account information with unknown person.

Recommendations

The following steps should be taken to prevent cybercrime in Bangladesh:

1. Clear and self-explanatory standard operating procedure to be imposed immediately for the Cybercrime Unit.

2. A comprehensive induction programs should be developed for all the concerns of ICT as pilot basis.

3. A separate Cybercrime Protection Act should be enacted.

4. Further there is a dire need for evolving a code of ethics on the cyber-space and discipline.

5. There must be clear operating procedure for cybercafé and voice over Internet protocol (VOIP) in Bangladesh. Bangladesh is a country of constitutional supremacy. Constitutional Safeguard against cyber crimes may escort the Cyber warfare to a national temperament.

6. Special trained wing of police to combat cyber crime should be established. The rise of cyber crime insists the law enforcers to work as global police rather than regional or national police only.

7. Cyber crime units can be established. Bearing in mind the present situation of using Internet and increasing cyber crime in Bangladesh, Government can also commence such types of agencies. The significance of such Units is that these will be able to perform multidimensional actions like advancing the Internet infrastructure, maintaining the ISPs, fixing the Internet using charges, preventing the cyber threats etc.

8. Observe Group should be established. These groups can be one of the vital constituents for developing Bangladesh as an advanced country especially in Internet technology.

9. Public Awareness should be strongly created. This course is not less important than technological precautionary actions. Because most of the time common people become the victims of cyber threats and millions of computers are

crashed away. So, if it is possible to aware the populace about the nature, possible impairment and the cure of the threats, it would be more convenient to defeat cyber criminals as well as save the virtual world and government can play the crucial role here.

Conclusion

Prevention is always better than cure**.** Cyber crime is increasing day by day. As a result we can be a victim of any cyber attack at any time. We should take precautionary measures as well as punitive measures against cybercrime. To make it fruitful, the Legislature, the Ministry of Information Technology along with the IT professionals and the media must work together. The young generation must be conscious about cybercrime. Apart from monitoring and controlling cybercrimes, Bangladesh Computer Security Incident Response Team (BD-CSIRT) should take punitive measures against the offenders and in some cases BD-CSIRT should take action directly against those who engage in carrying out harmful activities against students, society, state, political and religious beliefs using phone, Computer and other collateral devices . The Digital Security Act, 2016 strengthens the hand of Bangladesh-CERT to take emergency action against cyber criminal activities. Besides National Digital Security Agency (NDSA), National Digital Security Council (NDSC)'s formation, regional and international initiatives make us optimistic as the Bangladesh cyber space a safe zone of communication in the coming days.

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Do Men and Women Speak Differently? –An Investigation into the Linguistic Behaviour of Men and Women

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Abstract: Linguistic variation is an important area of study in Sociolinguistics. One of these linguistic variations is related to gender. One major question in Sociolinguistics is "Do women and men talk differently?" This question is further intensified by Gray's book (1992) "Men are from Mars, Women are from Venus". If men and women are from two different planets, then it is imperative to analyze the relation between language and gender. This paper aims to investigate the relation between language and gender with a view to generate better understanding and avoid misinterpretation and communication failure in male female discourse. This would help minimize gender discrimination in society since the differences between men and women are socially defined and distorted through a lens of sexism in which men assume superiority over women and maintain it through domination. It will also try to explore whether this gender difference has any implication in language teaching and suggest ways to overcome the problem in language teaching.

Keywords: Sociolinguistics, gender, men, women, language.

Introduction

Sociolinguistics is the study of the relationship between language and society (Fitzmaurice and Biber, 2002 mentioned in Thu 2010). It investigates numerous variables such as age, ethnicity, regional locations, social classes, and gender that may affect language use. Nowadays, language and gender relationship is a vibrant area of research and theory development within the larger study of language and society. Research shows that there are significant differences between men and women in the use of language, in the area of morphology, phonology and syntax but in this paper the particular focus is on the differences of use of language by men and women. There have been, in recent years, many empirical studies that have

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documented gender differences in language use. The speech of men and women differ in form, topic, content and use. According to Bernard (1972) men use instrumental talk. They are stereotyped as the conveyors of information and fact. Men's speech takes the forms like lecturing, argument, debate and declaration. On the other hand women's speech is stereotyped as nonassertive, tentative and supportive. Women's speech contains more emotion, euphemisms, apology, politeness forms, and incomplete sentences (Bernard, 1968). This difference of language use is associated with power, status, and socialization of the two genders. However, there are a lot of debates concerning this issue which may perplex anyone (Nina, 1987). Therefore, a careful investigation is needed to understand how men and women differ in their language use in social life.

Methodology

In this paper available research findings are discussed to examine the differences in language use by men and women in everyday life. An analysis of the explanation of such differences is also provided based on the theories used in gender research following functionalism and conflict theory approaches.

Gender

Before going to analyze the variation in language use by different genders, it is necessary to define and clarify the term 'gender'. The terminology used to define the difference between men and women is called sex or gender (Thu 2010). This idea is further clarified by Coates (1993). According to Coates (1993) 'sex' refers to biological distinction and 'gender' refers to socially constructed categories based on sex. Again according to Cameron (2006), the term sex is used in connection with the biological traits that indicate humans and other animals as either male or female, but gender refers to the cultural traits and behaviours considered appropriate for men and women by a particular society. Nowadays, gender is conceptualized as something that is 'done': it is never static rather it is produced actively and in interaction with others in people's everyday lives. As Deborah Cameron puts it, 'gender has turned out to be an extraordinarily intricate and multi-layered phenomenon – unstable, contested, intimately bound up with other social divisions'(Cameron, 1996. 34, mentioned in Coates, 2007).

This view of gender inevitably changes the aims of the language and gender researcher (Holmes and Meyerhoff, 2003, p. 13). By referring to Ochs' (1992) writing Holmes and Meyerhoff state that men and women do not usually choose linguistic options to assert

their masculine or feminine identities rather they adopt gendered linguistic strategies to perform pragmatic interactional functions of language and by doing this assume roles in a gendered way. So, it is clear that gender and sex do not have the same meaning. The characteristics of sex are attributed by nature and the characteristics of gender are attributed by society and culture. Human beings come in the world with sexual identity but acquire the gendered identity while growing up in the society.

Evidence of Difference in Language Use by Men and Women

In the past studies of sociolinguistics gender was not a significant variable. The change took place with the publication of Robin Lakoff's *Language and Woman's Place* (1975). According to Lakoff there is a wide range of gender differences in language use and these differences are directly related to the relative power of man and powerlessness of woman. Nina (1987) mentions that Lakoff's idea of women's speech is associated with the use of tag question because tag question conveys the uncertainty and unsure attitude of the speaker and thus it is considered as a mark of weakness. Besides, women's excessive politeness, specialized vocabulary such as mauve, pinking shear, tendency of making request rather than command and their overall expression as well as body language- all convey a sense of insecurity and the voice of an intimidated group. But according to Nina, (1987) people who took this powerless speech as a sign of women's powerlessness did not really judge the reason behind this style of utterance by women. Thus, these findings are equivocal and there is much debate on this issue. Nina (1987) mentions that men and women look for different things in their linguistic behavior, women emphasize their connection to each other while men are more interested in asserting their authority.

Relatively recent researchers like Wardhaugh (2010) and Thomas et al. (2003) point out men's nature of dominance by their talk. According to them, men tend to assert their own position of dominance, attract people and maintain audience by their language. Men concentrate more on the content of their talk and its outcome than on how it affects the feelings of others. Through their talk they try to maintain and increase their power and status.

Another difference prevails in language use by men and women which is the amount of talk. Some researchers like Ning et al. (2010) point out that women never stop talking and describe talk in a degraded way as gossip, chatter, nag, rabbit, yak and natter. These

expressions are seldom used to describe men's talk. But Weatherall (2002) holds just the opposite view. According to him it is men and not women who talk more. Women tend to talk more at home on the other hand in a social setting it is man who wants to hold the center stage telling jokes and stories. Many women become upset thinking that their husbands like to talk more to strangers than they do to them. However, this is difficult to guarantee that who talks more. It depends on situation, familiarity, social distance, mood, objective and time.

The idea that men and women differ in their language use is also found in Ahmad and Rethinam (2010). They found that asking question has different implications for men and women. For women, asking a question is a way of establishing connections and negotiating relationships whereas for men it is a means to provide information. Women use question and some linguistic forms such as 'you know', 'as you see' with a view to encourage others to talk (Thomas et al., 2003).

Regarding the use of tag question, Holmes (2008) mentions that women put more emphasis than men on the polite or affective functions of tag question and use them as facilitative positive politeness devices. On the contrary, men use it for expressing uncertainty. Again, women use linguistic devices that stress solidarity more than men do. That is why, they interact in ways which help maintain and increase solidarity (Holmes, 1998).

Again, Holmes (2008) pointed that women use more standard speech forms whereas men use more vernacular forms because women are very status conscious. This linguistic behavior also shows women's insecurity and powerlessness since it is more evident with unemployed women. As they cannot use their occupation as a basis for signaling social status, they use a polished linguistic form for this purpose.

According to Holmes (2008), society also expects better behavior from women than from men because of the concept that the subordinate group must be polite. Particular linguistic behavior of some community also reflects social status and power difference. For example, in Bengali community a wife, being subordinate to her husband is not permitted to use the husband's name. She addresses him with a term such as *suncho* 'do you hear?' When she refers to him she uses a circumlocution (Holmes, 2008). Thus it is evident that there is a clearly identifiable difference between women's and men's speech which account for gendered way of communication.

Other researchers like Maltz and Broker (1998) state that women performs three things with language –(1) creating and maintaining relationships of closeness and equality, (2) criticizing others in agreeable ways and (3) interpret accurately the speech of other women.

Regarding the content of talk Adler and Rodman (2006) mention that men and women discuss surprisingly different ranges of topics. The common topics for both genders are work, movie, television, physical appearance, dating, sex and sexuality. When there is conversation between two female friends, the topics are usually selected from domestic subjects like family, health, food, clothing, weight, reproductive matters, relationship problems, men and other women. On the other hand, conversation between men and men includes subjects like current events, business, sports, music, and other men and other women. Regarding gossip Adler and Rodman (2006) found that women are more likely to gossip about their close friends and family whereas men show preference for gossiping about sports figures and media personalities.

Adler and Rodman (2006) also argue that it is an exaggeration to say that man and woman communicate in a significantly different way. The goal of communication for both sexes is generally to make the conversation enjoyable by being friendly, showing interest about other person's conversation, and selecting topic that interest other person. But the way of accomplishing this goal is different for men and women. Men try to involve fun and jokes whereas women try to focus more frequently on feelings, relationships, personal problems and express empathy that can sooth others with a feeling that they are not alone. Communication researcher Julia Wood (mentioned in Adler and Rodman 2006) discovered that the feeling of man about their same sex conversation is something they *liked* and feeling of women about their same sex conversation is something they *needed*.

This idea is also reflected in Holme's (1995) speech as she says, most women enjoy talk and regard talking as an important means for developing personal relationship and keeping in touch, especially with friends and intimates. On the other hand ''men tend to see language more as a tool for obtaining and conveying information. They see talk as a means to an end and the end can often be very precisely defined - a decision reached, for instance, some information gained, or a problem resolved'' (Holmes, 1995, p.2).

Explanation of the Differences from Theoretical Perspective

Linguists have approached language and gender from a variety of perspectives. These can be labelled as the deficit approach, the dominance approach, the difference approach and the social constructionist approach (Coates, 2007). There is a historical sequence behind this development.

The deficit approach is based on Lakoff's *Language and Women's place* (1975) that proposed something called women's language (WL) which is characterized by linguistic features such as lexical hedges or fillers (e.g. well, you know, sort of), tag questions (she is very nice, isn't she?), rising intonation on declaratives, (it's really good?), empty adjectives (e.g. divine, charming), precise colour term, intensifies (just, so), hypercorrect grammar, super polite forms, avoidance of strong swear words and emphatic stress (Holmes, 2008). Weatherall (2003) mentioned that Lakoff clearly depicts women's language to convey weakness, uncertainty, unimportance and thus considers it as inferior to men's language, which according to her is direct, clear and succinct. Lakoff holds the view that women are socialized to use this type of language so that they may not offend men. Research found that Lakoff's deficit theory emphasized "the perceived negative aspects of women's speech in contrast to the perceived normative language of men" (Davis and Skilton-Sylvester, 2004).

Then comes the dominance approach which sees women as an oppressed group and interprets linguistic differences in women's and men's speech in terms of men's dominance and women's subordination (Coates, 2007). The researchers who follow this approach are concerned with showing how male dominance is enacted through linguistic practice. 'Doing power' is often a way of 'doing gender' too (West & Zimmerman 1983 mentioned in Coates, 2007). This idea is evident in men's interrupting and overlapping women's speech by using high volume of words.

The third approach, the difference approach, arises from women's growing resistance to being treated as a subordinate group (Coates, 2007). This approach is based on Tannen's (1991) best seller book *You Just Don't Understand* which upholds that women have a different voice, a different psychology, and a different experience of love, work and the family from men's. This reflects that the difference is in the culture of conversation rather than in the difference of power.

The latest approach is the social constructionist approach which sees gender identity as dynamic and as a social construct rather than static or 'given' social category. Now gender is seen as something that is *accomplished* in talk every time we speak.

Lakoff's (1975) study arose from an essentialist understanding of gender as a static binary that assumed a direct relationship between language and gender and created fixed notion about what men and women do in their conversation. But the recent identity theorists like Butler 1990; Cameron 2005; criticize the previous framework for ignoring the multiple and shifting identities "predicated on a number of factors, to race, class, ethnicity, geographic region, culture, economic and social status, occupation, sexuality and religious affiliation.

Functionalism and Conflict Theories

The deficit approach, dominance approach and even difference approach of gender actually follow functionalism and conflict theories of sociology. According to functionalist theory "society is viewed as a complex system whose parts work together to promote solidarity and stability. In other words life is guided by social structure" (Macionis & Plummer, 2002, p. 22) Functionalist perspective of sociology highlights that every aspect of society is interdependent and thereby form society's stability and function as a whole. Unlike the other two theories symbolic internationalism and conflict theory, functionalists theory considers that society is held together by social consensus in which members of the society agree upon and work together to achieve what is best for society as a whole. Within this approach, "gender forms a complementary set of roles that links men and women together into family units that carry out various functions vital to the operation of society" (Macionis & Plummer, 2002, p.301). That is why men and women constitute the society and perform their specific function. It assigns women to perform their role at home and men at labour. But later functionalism is challenged by the conflict theory because it failed to address the negative, conflicted, ever-changing nature of society. It does not appreciate people taking an active role to change their social environment, even when such change may benefit them. Thus conflict theory complemented the functional perspective by highlighting not solidarity but division based on inequality and disparities in power.

Research shows that Lakoff's deficit theory suffers from serious weakness and her emphasis on the powerlessness of female speakers is out of tune with modern attitudes (Coates, 2007). Moreover, the differences of status that she highlighted were based on intuition and subjective experience rather than on empirical evidence (Holmes, 2008).

On the other hand the dominance and the difference approach too have some serious limitations. The effect of power cannot clearly explain why women use a different speech style from men in certain situations (Weatherall, 2003).

Findings

From the above discussion it can be said that the use of language by men and women differ in many ways. Those are as follows:

1. The difference of language use by men and women reflects the difference of power and social status.

2. In certain cases language used by women signals their insecurity and powerlessness.

3. Women are more likely to use linguistic device that express solidarity more than men do.

4. Women use language more for affective purposes than men.

5. Women use more standard language than men to appear polite in the society.

So, it is evident that men and women differ in their use of language. This difference arises from various perspectives such as power, status, gender, socialization and perception about the purpose of talk in their day-to-day life. But it would be somewhat exaggerated to say that they are from two different planets and there is a possibility of serious misunderstanding between them.

Implication of Gender Difference in Language Teaching

Language learning is no more seen as a matter of individual learners' cognition and motivation, rather it is seen as a social process involving interaction and participation in social communities (Johnson, mentioned in Wadell et al., 2011). Therefore, learners' identities as constructed by themselves as well as by others can greatly impact on successful language acquisition. Research found that several aspects of identity such as gender and ethnicity could

affect learning language (Gordon, 2004; Norton Peirce, 1995 mentioned in Wadell et al., 2011).

According to Menard-Warwick (2005) "Language learning can only be successful to the extent that it is congruent with the learners' sense of their gender roles, societal positions, class backgrounds, and ethnic histories" (p. 262).If these factors are ignored, language learning will be limited. Thus the theme of gender and identity and its impact on SLA (Second Language Acquisition) should be taken into consideration with a view to facilitating the learners of diverse background.

Conclusion

To conclude it can be said that this paper highlights the difference of language use by men and women by investigating the recent research available in this field and analyzing the cause of the difference following the established theories in the field of gender research. The theories like the deficit and dominance approach depicts women as powerless and victim to the male dominated society. These theories also cast men as undermining, excluding and demeaning women. Both sides are pictured as extreme and unpleasant. The difference approach, on the other hand, tries to uphold women's self respect and analyses the difference from cultural perspective and socialization. According to this approach every society holds a set value about the type of behavior expected from its male and female members. Both boys and girls unconsciously pick up the norms of the society and appear as socialized, polished and civilized human being perfect for their respective role. However, it should be mentioned that the concept of equal right for both sexes are not new. But how far this demand is achieved? Gender discrimination is still prevailing in society in various forms. Therefore, to bring about the desired change a reformation is needed in the socialization process. If a child is raised in a gender biased society, he/she will not be able to appreciate the demand of equality. So, a conscious effort should be given in reforming the social norms. One way of doing this is through education. Curriculum, syllabus, and teaching materials should highlight women's progressive role and equality in the society. Consciously or unconsciously children will depict the changed role of women in their mind and gradually it will have its deep root in culture which will ultimately minimize inequality in society. Literacy and women empowerment can also directly contribute to this change.

However further research is needed to explore the idea fully as the concept of gender is always getting modified. Following Okamoto's (2002, p.102) I will say that "gender cannot be isolated as an independent variable for determining language use, ..… other variables need to be considered as simultaneously relevant and the influence of gender with a range of other factors need to be carefully examined in each speech community.

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Social Safety Net Programme (SSNP) at Local Level of Bangladesh: Focus on Old Age Allowance Programme (OAAP)

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Abstract: Addressing poverty is the crucial challenge of developing states like Bangladesh. A number of programmes and policies are initiated by the government to halt the difficulty of poverty. Undertaking safety net programmes for the weaker segment of society is one of the supportive approaches of the government to reduce the difficulties of poverty. This paper examines the role of social safety-net programmes in Bangladesh administered by the government with special focus on the Old Age Allowance Programme (OAAP). The study was led to evaluate the efficacy of OAAP in terms of providing support to the recipients. Primary data were used for the study. The study findings reveal that regardless of the quantity of allowances, the beneficiaries found the transfer of resources through OAAP supportive to cope with the life cycle associated risk in a sound way and it besides increased their self-respect in the home and society. The findings of the study could benefit the programme more to take beneficiary friendly initiative for betterment of the beneficiaries.

Keywords: SSNP, OAAP, society, vulnerability.

Introduction

In the recent time, there have been a noticeable intensification in interest in social safety nets in developing nations. Though numerous critics have termed the social safety-nets as rather politically beneficial, pillorying and very insufficient to main concerns of the poor, the essentiality of such nets was never really rejected in practice. However, a new determination is currently evident in the discourse by way of safety nets and the wider scope of social protection is progressively being perceived as a key improvement issue (Rahman & Choudhury, 2012). SSNPs are considered as a set of public events, which a society offers for its

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associates to shield them from different kinds of financial and social adversities causing from a considerable degeneration in income owing to several types of eventualities, like crop failure, loss of cultivable land, river erosion, land and homestead loss, old age or death of earning household members, joblessness, illness and maternity. SSNPs are, thus, required to address: (a) risks, viz., tentative activities which may undesirably affect people's welfare; (b) poverty, viz., not having sufficient of something valued to raise income and conservation; and (c) vulnerability, viz., think for contemporary time, not having adequate for the future time. SSNPs are inspired by cooperation with fairness and effectiveness concerns. They are anticipated to support the less wealthy sections of the people and pursue to balance credit and cover market failures. Besides, in constructing a fairer society, SSNP may play a vital role in stimulating financial growth by: (i) facilitating in producing resources at personal, family and community level; (ii) assisting persons and families to safeguard resources when different sorts of shocks take place; (iii) assisting persons and families to utilize their prevailing assets more efficiently, and thus aiding them to manage the different sorts of risks; and (iv) raising financial growth rates directly by dropping inequality (Khuda, 2011).

Bangladesh is considered as one of the poorest states in the world with a vital segment of its population living below the poverty line. People from diverse marginalized groups experience immense depressions and distresses throughout their lifespan and on every occasion there are some shockwaves or adversities. Though all poor people are sufferers of poverty, amongst them divorced, widowed and abandoned poor women usually experience an incomparable amount of miseries and shocks. SSNPs have been followed by many governments as an efficient tool to fight against poverty and to get the troubled people into social insertion. Similarly, the Government of Bangladesh (GoB) has introduced some of these programmes, for instance OAAP, in the country.

Objectives

The major objective of the study was to explore the benefits resulting from the programme to the beneficiaries. To this end, the precise objectives of the study were to:

- investigate the benefits derived from the OAAP to the recipient;
- measure the effect of OAAP at the beneficiary level.

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Scope

Cash transfer programme, principally OAAP, is considered as safety net programme and here we have taken into account local level household, particularly union level in the present study. Here, the household welfare indicates degree of capability of a household to meet the fundamental needs of family members, and vulnerability is defined as a level of capability to face crisis situations.

Methodology

The study incorporates both qualitative and quantitative data for materialization of the research objectives. Single method will be unable to produce appropriate outcomes of the study. For this reason, both primary as well as secondary data were used in doing the study. The implementation manual of the old age allowance programme, several articles, reports related to safety net programme, were studied for collecting secondary material. Primary data were collected from the beneficiaries by conducting the interview through a structured questionnaire.

Conceptual Framework

Safety nets are simply a part of a wider social protection arrangement that usually contains some amalgamation of different social assistance programmes. Social protection issues include people's disability, retirement and health insurances etc. which provide supports to lessen the effect of the shock. A State's safety net naturally contains some arrangement of cash and in-kind transferences, workfare, societal care services, aids and community based interferences (Blank, 2009).

Besley et al. (2003) defined Social Safety Nets- as those public interventions which are designed to serve two key functions: (i) to play a redistributive role in transferring resources toward the poorer members of society to bring them out of poverty, and (ii) to provide greater opportunities for individuals to mitigate risks from unforeseen contingencies.

Safety nets carry several assistances. They can reduce disparities and poverty; inspire investments that raise household earnings; lessen persons' necessity to sell important properties when disaster attacks; and reduce the possibility that helpless people undergo disastrous

losses that make them persistently poor. Governments can also plan safety nets to motivate social desired behaviors, for example, directing children to the school or calling a doctor or assisting to recover infrastructure smashed by natural calamities. Moreover to assist poor people to form human capital such as education and health, safety nets can support investments that raise the improvement of assets. Poor families frequently fail to recover their problems through income-generating activities which usually have more risks. Safety net programmes can support poor and vulnerable families to take benefit where there have greater risk chances (Ruelle & Rockmore, 2011).

Safety Net Programmes in Bangladesh

SSNPs in Bangladesh, identify the basic necessity of the individuals viz. shelter, food, education, cloth and health. The major programmes concentrated under SSNPs are: Vulnerable Group Development (VGD), Vulnerable Group Feeding (VGF), Food for Works (FFW), Old-Age Allowances, Allowances for Widow, Grants for Orphanages, Allowances for Retarded People and Distressed Women. Besides, there are allowances for freedom fighters, micro-credit programmes and so on. Populations mostly children, disabled persons and women have been given main concern in Social Safety Net Programmes. The SSNPs have been generally considered in two segments, such as Social Protection and Social Empowerment. They are executed over both development budget and non-development budget section. Social protection includes the food security, new funds for programmes and most importantly cash transfer allowances and cash transfer (special). Social empowerment contains the micro-credit, stipends, housing and rehabilitation, development programmes and miscellaneous funds (Raihan, 2013).

Since independence of Bangladesh in 1971, 70 percent of the inhabitants lived under the poverty line, the two key instruments of social safety nets exist here are called food supply and relief work that is involved in serving the people who are suffering from disasters and other natural catastrophes.

Noteworthy improvements in decreasing extensive poverty have been made by using cultured safety net events at the passage of time. The government of the state has been succeeding with a mixture of

direct and secondary safety net programmes for poverty alleviation under the management of different ministries (Ahmed et al., 2014).

Table1: Safety Net Programmes in Bangladesh

Type	Programme Examples
Cash transfers	Old Age Allowance
	Widowed and Distressed Women Allowance
	Disabled Allowance
Conditional cash transfers	Primary Education Stipend Programme
	Stipends for Female Secondary Students
Public works or training based cash or in kind transfer	Rural Maintenance Programme
	Food-for-Work
	Vulnerable Group Development (VGD)
	Employment Generation Programme (EGP)
Emergency or Seasonal Relief	Vulnerable Group Feeding (VGF)
	Gratuitous Relief (GR)
	Test Relief (TR)
	Open Market Sale (OMS)

Source: quoted in Raihan, 2013

Old Age Allowance Programme (OAAP)

OAAP is fallen under a cash transfer programme in which the recipients are the deprived elderly of the society. The World Bank (2013) Group defines "cash transfer denotes as the delivery of support in the method of cash transfer to the poor people or to the people who face possible risk, in the absenteeism of the transference, of dropping into poverty" (quoted in Choudhary, 2013). The management of the programmes is done by the Ministry of Social Welfare. The selection of the recipients is a vital issue. The upper limit of the amount of allowances is inadequate to cover all the poor elderly people. Ward committees select the potential recipients who are landless with per annum earning under 50 USD on the basis of age, financial condition and health position. The programmes are thus directed at the poor and deprived peoples. The ward committees comprised of the elected representatives, local elites, public officials and Social Service officer. But, the programme is inadequate to

cover in number of the targeted poor groups, and is inadequate in value as well to attract the recipients and keep them above the poverty line (Barrientos, 2008).

Table 2: Allocation of Old Age Allowance in the Budget of Bangladesh Government

Fiscal Year	Budget Allocation (Taka in crore)
2008-09	600.00
2009-10	810.00
2010-11	891.00
2011-12	891.00
2012-13	891.00
2013-14	980.10
2014-15	1306.8
2015-16	1440.00

Source: Ministry of Finance, 2015

In case of Bangladesh, allocation for Old Age Allowance in the budget is progressively growing over the years. However, the growth rate of the allotted amount of money for this purpose exhibits a healthy rising trend in the FY 2008-09 to 2015-16. The growth slows down in the following years. From the budget of FY 2015-16 the growth rate increases a bit compared with the previous years. The allocation for old age allowance in 2008-09, 2009-10 and 2010-11 are 600.00, 810.00 and 891.00 crore taka respectively. In 2011-12, 2012-13 and 2013-14, the allocations are 891.00, 891.00 and 980.10 crore taka consecutively. In the year 2014-15 and 2015-16, the allocations are 1306.8 and 1440.00 crore taka respectively.

Results and Discussion

The practice of Old Age Allowance of the government of Bangladesh is unquestionably an inspiring step on the way to the well-being of the elderly people. The old age has turned out to be a societal matter and owing to current remedial knowledge and demographic transformation, the number of elderly people is growing day by day. The huge mainstreams of old age individuals live under worrying situation, excepting those who are maintained by individual families. Agreeing with the developed nations, the

Government of Bangladesh has become worried about the safety of the older populations. To examine the welfares resulting from the OAAP of the beneficiary and to scrutinize the impact of Old Age Programme at the beneficiary level, primary data were collected. Table no. 3 depicts that, three unions were selected from Comilla District of Bangladesh namely No. 2 Durgapur (North) Union, No. 6 Jagannathpur Union, No. 5 Pachtubi Union. The total number of respondent is 100. 60 respondents from No. 2 Durgapur (North) Union, 25 from No. 6 Jagannathpur Union and 15 from No. 5 Pachtubi Union.

Table 3: Union and Beneficiaries

Union	Number of Beneficiary
No. 2 Durgapur (North) Union	60
No. 6 Jagannathpur Union	25
No. 5 Pachtubi Union	15
Total	100

Several variables were considered to measure the changes in status within the household of the beneficiaries in terms of the respect to elder members of the household due to the old age allowance, role in decision making, warm behaviour from a household member, respect from young members and good behavior during the time of illness from the member of the household.

Table 4: Changes of Status within Household

Variables	Increased	Decreased	Same
Respect to elder member of the household due to old age allowance	79	5	16
Play a role in decision making	50	3	47
Warm behaviour from household member	76	1	23
Respect from younger members	42	10	48
Good behavior during the time of illness	65	8	27

Forgetting the old age allowance the respect for the elder members of the household increased to 79 beneficiaries, decreased to 5 and same to 16 respondents. Role in decision making increased to 50 beneficiaries, decreased to 3 and remained same to 47 beneficiaries. The warm behavior of household member increased to 76, decreased to 1 and remained same to 47 beneficiaries. In the issue of respect from younger members of the household increased to 42, decreased to 10 and remained same to 48 beneficiaries. The final response regarding good behavior during the time of illness increased to 65, decreased to 8 and remained same to 27 beneficiaries.

Table 5: Changes of Status within the Society

Variables	Increased	Decreased	Same
Respect from Society people	35	15	50
Role in making decision	10	25	65
Attainment of support from the society during illness	30	19	51
Chance to get credit	15	39	46
Capability of borrowing from neighbors	65	12	23
Buying capacity on credit	70	10	20

Table 5 focused on the response regarding the status within the society. 35 respondents expressed that respect from people of the society increased, 15 said decreased and 50 respondents expressed that the conditions were same. In the matter of role in taking decision were increased to 10, decreased to 25 and 65 respondents expressed about the same condition. About the attainment of support from the society during illness, 30 expressed increased, 19 expressed decreased and 51 expressed about the same. About chance to get credit, 15 respondents expressed increased, 39 expressed decreased and 46 expressed about the same. In the issue of capability of borrowing from neighbors, 65 respondents expressed increased, 12 expressed decreased and 23 expressed about the same. The final issue regarding buying capacity on credit, 70 expressed as increased, 10 as decreased and 23 expressed about the same.

Findings
- OAAP is supportive to cope the life cycle.

- It has a positive impact on changing the status in the household.
- It has a positive impact on changing the status in the society as well.
- A significant number of beneficiaries got better condition than the past.
- Beneficiaries were able to improve their importance in their family and society.
- A significant number of beneficiaries get respect from the family and society as well.
- The programme increases the purchasing capacity of the beneficiaries.
- Society does not provide support for the deserving old age people during illness significantly.
- In the family level, role of those people in decision making has been not increased sufficiently.
- In social level decision making capacity also has not been increased satisfactorily.

Recommendations

- The government should give focus on more coverage in providing old age allowance.
- The rate of allowance should be increased on the basis of analyzing the rate of inflation.
- A database needs to be created in every union regarding the old aged vulnerable group.
- It is necessary to focus on the easy access of the fund to the old-aged people.
- Community people need to be made aware about the fundamental needs of old-aged people.

Conclusion

It is essential for an all-inclusive macroeconomic policy measures for SSNPs to work better and to reduce vulnerability. Measures should be taken on financial maintenance strategies which will help to achieve their objectives to serve the deprived population of the society. Moreover, it is crucial to improve the worth of elementary health and education facilities (Khuda, 2011). Bangladesh as a least

developing state has insufficient capability to raise more SSNPs expense as per requirements. The scarce resource is a main difficulty to make the extension of SSNPs. However, a wider viewpoint of short-run and long-run effect of SSNPs is desired to lessen the poverty rates more efficiently. The short-run support is required to shield the individual and families affected by the shocks. In the long-run support, it is required to keep the poor families' consumption along with refining their productive influence (Pradhan et al., 2013). Threats and vulnerability are part of older people's regular life. However, the influence on the poor and other disadvantaged groups, for instance, the old and disabled section is frequently more frightening than those met by others in the world. The confrontational influence of threats is more harmful to the poorer than individuals more affluent in the matter of income, mental and physical welfare and long term social improvement. SSNPs can play a significant role in assisting families to cope with the threats and manage the fatalities. The OAAP is an absolute cash transfer programme in the shade of SSNPs. The present study is a simple effort to assess the effects and consequences of this programme on recipients. It is exposed that the recipients of the programme have an affirmative effect in shifting the status within the family and society as well.

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Effectiveness of Drug Addiction Treatment and Rehabilitation Centers: An Empirical Study in Tangail, Gazipur and Dhaka District

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Abstract: Drug addiction is a major socio-economic problem in Bangladesh. The alarming situation of drug addiction and for the cure and reintegration of the drug addicts into the society, various drug treatment centers are working around the country. It is the demand of time to justify the activities of drug treatment centers. The objective of this study is to evaluate the effectiveness of drug treatment centers by measuring treatment completion rate, recidivism rate and the rate of rehabilitation of drug abusers. This study identified 250 drug recidivists from six drug treatment centers in three districts. From rehabilitation percentage among treatment method, this study showed that Group Counseling is 22 percent effective, Cognitive Behavioral Therapy is 23 percent, Family Behavioral Therapy is 31 percent, Motivational Enhancement Therapy is 21 percent and 12-Step Program is 25 percent effective in Bangladesh. The study acknowledged that the effectiveness of the drug treatment centers depends largely on the environment, management, treatment methods and economic condition of drug addiction treatment and rehabilitation centers.

Keywords: Drug addiction, recidivism, rehabilitation, treatment, therapy.

Introduction

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Drug addiction is a dreadful threat for society. It can affect the biological, social, financial, psychological and security as part of an individual's life, family and the community as well. Its abuse has become prevalent everywhere in the houses, streets, workplace, parks, slums, and markets and even in educational institutions both in rural and urban areas. As a result, it has turned into a major social obstacle and inextricably adjoined to the whole socio-economic affair of this time. At first drug was used for producing medicine but now it's used in the nature of abusing (Donnelly & Jennifer, 2011).

Drug addiction causes mental disorder, memory loss, carelessness, cancer, lungs problem, abnormal respiratory activities, nervousness etc. It not only affects the addict but also has a far reaching effect which encompasses family, friends, employers, healthcare professionals and society as a whole. It is not a new problem in Bangladesh, but in recent years drug addiction has significantly affected the country. According to Islam (2012), in Bangladesh it is a growing national concern because there are millions of drug-addicted people in Bangladesh and most of them are young, between the age of 18 and 30 years.

The term 'recidivism' originates from the Latin *recidere*, which means to fall back. Simply stated, recidivism is the reoccurrence of criminal behavior. It is often used interchangeably with others such as repeat offending or reoffending (Maltz, 1984). Drug recidivism refers to 'the return of an addict to drug addiction treatment center'. Recidivism is the relapse into criminal activity and is generally measured by a former addict's return to drug addiction treatment center for re-addiction. The rate of recidivism refers to the proportion of a specific group of addicts who sustain a defined negative outcome within a given period of time.

With the aim of establishing effective treatment center "The Single Convention on Narcotic Drugs of 1961, and the 'United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988', includes provisions requesting the State Members of the United Nations to give special attention to, and 'take all practicable measures for the prevention of abuse of psychotropic substances and for the early identification, treatment, aftercare, rehabilitation and social reintegration of individuals'(Article 20.1, UN Convention on Psychotropic Substances, 1971) with drug abuse problems. Keeping pace with the United Nation, various treatment centers were established in the developed countries (USA, Sweden etc). But Bangladesh is lagging behind in this case; first Narcotics Control Act was passed in 1990.

After all it is not fully activated. According to Department of Narcotics Control, there are four government drug treatment centers in Bangladesh whose total beds are 265. Among them Central Drug Addiction Treatment and Rehabilitation Center (Dhaka) has 250 beds and Regional Drug Treatment Centers (Khulna, Rajshahi, and Chittagong) each has 5 beds (www.dnc.gov.bd, 2016). Nowadays various private drug treatment centers are emerging in our country such as Ahasania Mission Drug Addiction Treatment and Rehabilitation Center, Bijoy Drug Addiction Treatment and Rehabilitation Center, Decide Drug Treatment and Rehabilitation Center etc. For this study six treatment centers have been selected purposively. Data were also collected from the drug addicts who were taking services from these treatment centers by survey method. Director's interview and case study of some recidivists have also been taken for this study.

The main objective of this study is to measure the effectiveness of drug treatment center. This study will help to understand the present condition of drug abusers and the demographic characteristics of the addicts. It also explores the effectiveness of the programs of and the causes of failure of the programs, strengths and weakness of programs, find out the way to make effective rehabilitative program and finally help the government in policy making and other researchers to conduct further study.

In this study, effectiveness of various treatment centers are evaluated by four ways such as recidivism rate, percentage of rehabilitated person, the overall percentage of rehabilitated person and the treatment completion rate. From comparative discussion among various treatment centers, it is also possible to predict the effective treatment method.

Methodology

In order to evaluate the effectiveness of the programs the study has used a mixed approach where both qualitative and quantitative type of data has been used. Primary and secondary data have been used to support the study findings. It is done over drug recidivists of six treatment and rehabilitation centers. For this purpose six drug treatments and rehabilitation centers in Tangail, Gazipur and Dhaka district have been studied. The following treatment centers have been selected purposively:

1. Ahasania Mission Drug Treatment and Rehabilitation Center, Gazipur

2. Bijoy Drug Treatment and Rehabilitation Center, Uttara, Dhaka

3. Bijoy, Uttara, Dhaka

4. Decide Drug Treatment and Rehabilitation Center, Tangail

5. Shimanta Drug Treatment and Rehabilitation Center, Tangail

6. Alokito Agami, Tangail.

Admitted persons in these treatment centers are categorized into three different groups such as patients, rehabilitated persons and recidivists. Data collected from the recidivists who are selected as a probability sampling and the respondents were selected by systematic random sampling method. The population of this study was 250. Sampling frame was formed by including all recidivists of six treatment center. In order to represent the population in the study findings 20% of the total population has been considered as sample of this study, therefore fifty respondents have been selected through systematic random sampling for the study where sample interval was 5.

To collect primary data from the respondents, personal interview method has been used. For this method, a questionnaire has been prepared which contains both close-ended and open-ended questions. The questionnaire was pre-tested while in the pilot surveys in order to develop an effective survey tool for conducting the final survey. Six key informant interviews have been taken from the professionals who are directly or indirectly involved with the treatment centers. The Statistical Package for Social Sciences program has been used for processing and analyzing the collected data. Graphical presentations like pie chart and bar diagrams are used to visualize the results.

Result and Discussion

This study showed that maximum 40 percent recidivists are brought to the rehabilitation center by themselves and 6 percent recidivist are brought by relatives (Figure-1). It is also found that maximum of the respondents stayed more than 15 months at the treatment center and at least 8 percent respondents stayed up to 12-15 months (Table-1).

Psychological treatment largely depends on the motivational therapy and like system which sometimes may require simple but regular basis medication. This study showed that maximum of the recidivists

are treated by motivational therapy and at least 2 percent treated by psychological therapy with some medicine at the treatment center (Table-2). About 34 percent respondents acknowledged that they did not get any therapy from the treatment center and 2 percent took musical therapy from the treatment center (Table-3).

In terms of medicinal treatment the study showed that most of the respondents did not get any medicinal therapy from the treatment center and only 2 percent take medicine such as methanol or naltrexone (Figure-2) in order to overcome their dependency. About 88 percent drug addicts confessed that they get the support from their family to go to the treatment center. On the other hand, only 12 percent confessed that they did not get the support of their family (Figure-3). The study shows that, maximum of the respondents admitted that they are satisfied with the available treatment program and only 16 percent respondents admitted that they are not satisfied (Figure-4).
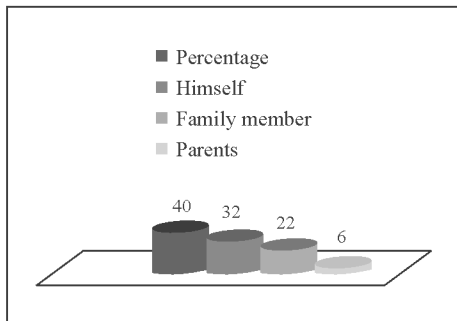
Figure-1: Addicts are brought to the facility
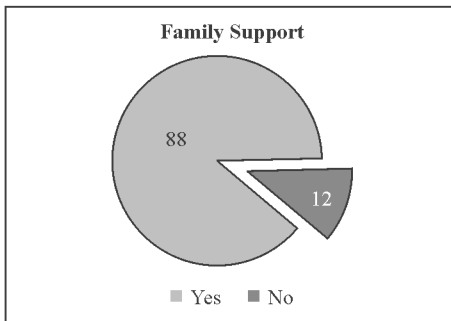
Figure-3: Family support for treatment
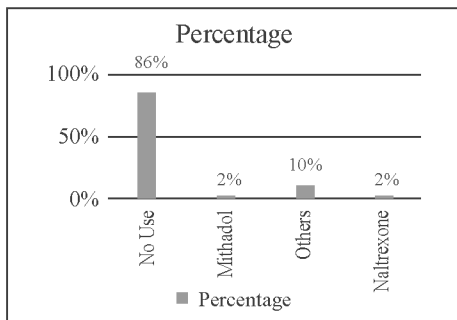
Figure-2: Medicinal treatment center
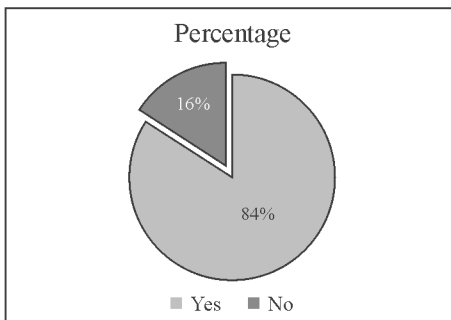
Figure-4: Sufficiency of treatment

Textbox-01: Figure (1, 2, 3, 4)

Table-1: **Duration of staying in the rehabilitation center**

Table-2: Types of treatment method

Duration	Frequency	Percent	Methods	Frequency	Percent
4-7 months	13	26	Therapeutic, physical test	5	10
8-11 months	16	32	Therapeutic and moral	18	36
11+ months	21	42	Therapeutic, moral and medicine	3	6
Total	50	100	Moral/ethics	24	48
			Total	50	100

Table-3: Therapeutic treatment method

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Therapy	Frequency	Percent	Therapy	Frequency	Percent
No therapy	17	34	Cognitive behavioral and music	7	14
Detox-Cog	7	14	Others	7	14
Cognitive	12	24	Total	50	100

This study reveals that 20 percent respondent who are from 22-27 years have taken drugs for a minimum of 4-5 years and 16 percent respondents at the age group of 28-33 years have taken drugs for 6-7 years; 12 percent respondent of 16-21 years have taken drugs for 2-3 years (Table-4).

Table-4: Association between age of the respondents and duration of drug addiction

			Duration of drug addiction					Total
			0-1 years	2-3 years	4-5 years	6-7 years	Un-known	
Age of the respondent	16-21	Count	1	6	2	1	1	11
		% of Total	2.0%	12.0%	4.0%	2.0%	2.0%	22.0%
	22-27	Count	1	2	10	4	2	19
		% of Total	2.0%	4.0%	20.0%	8.0%	4.0%	38.0%

			Duration of drug addiction					Total
			0-1 years	2-3 years	4-5 years	6-7 years	Un-known	
	28-33	Count	0	0	1	8	2	11
		% of Total	0.0%	0.0%	2.0%	16.0%	4.0%	22.0%
	33+	Count	0	1	0	2	6	9
		% of Total	0.0%	2.0%	0.0%	4.0%	12.0%	18.0%
Total		Count	2	9	13	15	11	50
		% of Total	4.0%	18.0%	26.0%	30%	22%	100.0%

In this study it is found that, about 20 percent recidivists aged (22-27) years old stayed at the treatment center for (8-11) months, 14 percent recidivists aged (28-33+) stayed at the treatment center for

15+ months, 8 percent recidivists aged (16-21) stay at the treatment center for (4-7) months and 4 percent recidivists aged (16-21) stay in the treatment center for (12-15) months (Table-5)

Table-5: Association between age of the respondents and time of staying into treatment center

			Duration of staying into treatment center				Total
			4-7 months	8-11 months	12-15 months	15+ months	
Age of the respon-dent	16-21	Count	4	3	2	2	11
		% of Total	8.00%	6.00%	4.00%	4.00%	22.00%
	22-27	Count	4	10	0	5	19
		% of Total	8.00%	20.00%	0.00%	10.00%	38.00%
	28-33	Count	0	3	1	7	11
		% of Total	0.00%	6.00%	2.00%	14.00%	22.00%
	33+	Count	1	0	1	7	9
		% of Total	2.00%	0.00%	2.00%	14.00%	18.00%
Total		Count	9	16	4	21	50
		% of Total	18.00%	32.00%	8.00%	42.00%	100%

Measuring Effectiveness of Treatment Methods in Various Treatment Centers

Effectiveness of treatment centers is evaluated from four dimensions such as recidivism rate, percentage of rehabilitated person, overall rehabilitation percentage of patients in treatment method and treatment completion rate on the basis of data of 2013. Recidivism rate refers to the proportion of total admitted drug addicts and the number of recidivist within certain period. Recidivism rate helps to understand the effectiveness of drug addiction treatment center. Besides the percentage of rehabilitated addicts are marked as the effectiveness of treatment center. The percentages of rehabilitated addicts on the base of treatment method are marked as the overall effectiveness of treatment method. In this study, it is found that; highest treatment completion rate is found in the Bijoy Drug Addiction Treatment and Rehabilitation Center which is 1.9, whereas the lowest treatment completion rate is found in the

Shimanta Drug Treatment and Rehabilitation Center which is 0.286. In this study lowest recidivism rate is 0.27 in the Bijoy and highest recidivism rate is 0.571 in the Shimanta Drug Treatment and Rehabilitation Center. In case of rehabilitation rate, percentage of rehabilitated patients is highest (25 percent) in Alokito Agami and lowest (10 percent) in Shimanta Drug Addiction Treatment and Rehabilitation Center.

Ahasania Mission Drug Addiction Treatment and Rehabilitation Center and Alokito Agami have the most successful rate of rehabilitation which is 22 percent whereas Shimanta Drug Addiction Treatment and Rehabilitation Center has 12 percent rehabilitation rate which is the lowest. Group counseling is practiced as treatment method at the highest rate (22 percent) in Ahasania Mission Drug Addiction Treatment and Rehabilitation Center and the lowest (11 percent) in Shimanta Drug Addiction Treatment and Rehabilitation Center. Cognitive Behavioral Therapy is practiced at the highest rate (23 percent) in Alokito Agami and the lowest 11 percent in Shimanta Drug Addiction Treatment and Rehabilitation Center. Family Behavioral therapy is practiced at the highest rate (31 percent) in Ahasania Mission Drug Addiction Treatment and Rehabilitation Center and at a lowest rate (9 percent) in Shimanta Drug Addiction Treatment and Rehabilitation Center. Motivational Enhancement Therapy is the highest 21 percent in Ahasania Mission Drug Addiction Treatment and Rehabilitation Center and the lowest 10 percent effective in Decide Drug Addiction Treatment and Rehabilitation Center. The 12-step program is the highest 25 percent in Alokito Agami and the lowest 14 percent in Shimanta Drug Addiction Treatment and Rehabilitation Center (Table-6).

Table-6: Recidivism rate and the effectiveness of treatment method in various treatment centers

Ahasania Mission Drug Addiction Treatment and Rehabilitation Center, Gazipur							
Subject	NA/PS	G.C	CBT	FBT	MET	12Step	Total
Patient admitted	300	280	300	200	290	300	1370
(%) of rehabilitated patients	20%	22%	19%	31%	21%	20%	22%
Treatment completion rate	0.5						
Recidivism rate	0.297						
Bijoy Drug Addiction Treatment and Rehabilitation Center, Uttara, Dhaka							

Patient admitted	200	200	200	150	200	200	950
(%) of rehabilitated patients	16%	16%	13%	15%	11%	16%	14%
Treatment completion rate	1.9						
Recidivism rate	0.32						

Bijoy, Uttara, Dhaka

Patient admitted	100	100	100	100	80	100	480
(%) of rehabilitated patients	22%	22%	20%	15%	16%	22%	19%
Treatment completion rate	0.51						
Recidivism rate	0.27						

Decide Drug Addiction Treatment and Rehabilitation Center, Tangail

Patient admitted	40	40	40	35	40	40	195
(%) of rehabilitated patients	20%	18%	13%	15%	10%	20%	15%
Treatment completion rate	0.475						
Recidivism rate	0.325						

Shimanta Drug Addiction Treatment and Rehabilitation Center, Tangail

Patient admitted	70	70	70	70	50	70	330
(%) of rehabilitated patients	14%	11%	11%	9%	14%	14%	12%
Treatment completion rate	0.286						
Recidivism rate	0.571						

Alokito Agami, Tangail

Patient admitted	40	40	35	30	35	40	180
(%) of rehabilitated patients	25%	18%	23%	17%	17%	25%	22%

Treatment completion rate	0.33
Recidivism rate	0.425
Overall discussion of the above table	
Total patients of six treatment and rehabilitation center in 2013	750
Total treatment completion number	358
Total treatment completion rate	0.477
Total recidivist	250
Total recidivism rate	0.333
Total rehabilitated patients	142
Total rehabilitation percentage	19.6%

Discussions

Drug addiction is a worldwide problem. Every country in the world has been facing this problem where the youth are becoming affected mostly. To eradicate this problem has become one of the major challenges of human civilization. Without proper treatment, it is quite difficult to make them addiction free because of the nature of addiction and the cause of many adverse ways in which continuous drug taking may affect an individual's life. A lot of studies have been conducted by various disciplines or institutions around the world. Treatment of drug addiction is also studied in the developed countries.

The Government of Australia has developed a national drug strategic framework which includes alternative pharmacotherapy for the treatment; improving the effectiveness and quality of services; ensuring community acceptance of services; increasing the involvement of mainstream service providers; building stronger links between drug treatment services and mental health services (Washington, D.C., National Academy Press, 1990).All strategies are effective in this country without pharmacotherapy for the treatment. Pharmacotherapy is not effective in the context of Bangladesh. In case of effectiveness, Group Counseling is 22 percent, Cognitive Behavioral Therapy is 23 percent, Family

Behavioral Therapy is 31 percent, Motivational enhancement therapy is 21 percent and 12-step program is 25 percent effective in Bangladesh. Among these programs, Family Behavioral Therapy is more applicable and after it 12-step program is more applicable in the treatment center of our country.

Islam et al. (2012) showed in his study that among 253 drug abusers, 31 percent is addicted to cannabis, 26 percent to alcohol, 24 percent to phensedyl, 10 percent to heroin and 9 percent to diazepam, antihistamine, methamphetamine etc. But in this study this image has changed like26 percent take a combination of heroin and marijuana, Phensedyl and Yaba; 24 percent take Marijuana and Yaba, 20 percent take Heroin, Phensedyl and Yaba, 12 percent take Heroin and Yaba, only 6 percent take Hashish.

National study of Spain showed that the majority of people received care in outpatient treatment services, with methadone prescription; academic and professional training; integration into the labor force (work in handicraft workshops, specific employment programs, promotion of self-help cooperatives etc.), as well as residential support such as half-way houses or foster families etc. (Landry, 1995). But in this study it is shown that outpatient treatment services is not followed by the treatment center. Mainly Inpatient treatment (12-step program, cognitive behavioral therapy etc.) services are provided by the treatment center in Bangladesh. In case of training, 92 percent respondents did not take any technical training and only 4 percent agreed that they got various technical training. On the other side, only 4 percent have no comment about training. The treatment centers of our country do not have the actual halfway house but if any addict wants to stay in the concerning center, he/she can stay in the respective center by paying additional money.

Afghan refugee camp in Pakistan showed in a study that about 300 drug abusers were provided with pre-treatment motivational counseling, and 128 males and 102 females were provided with home detoxification. In addition, 150 recovering addicts were provided with work experience, job training or start-up funding for income-generating activities (Bethesda, Maryland, National Institutes of Health, 1999). In this study it is shown that about 250 male drug recidivists are admitted in various treatment centers. At first all of them are given medical check-up. But separate detoxification units are not opened in these treatment centers. When medical treatment is necessary, they hire doctor to give the proper treatment.

According to the TEDS report: 18 percent Marijuana users who got admitted into TEDS were only 12 years of age, whereas the average age of primary marijuana users was 24 years and forty percent of marijuana addicts were under age of 20. Seventy four percent of all admitted drug abusers were12 to 14 years and seventy six percent of admitted were aged 15 to 17 years (Rockville, 2013). In the above study only Marijuana has researched by the scholars. But in this study it is shown that about 26 percent take heroin and marijuana; 2 percent take Heroin, Marijuana, Phensedyl and Yaba; 24 percent take Marijuana and Yaba.

According to Brendan Saloner and Benjamin Cook "Across racial and ethnic groups, treatment completion rates were highest for people receiving treatment that primarily targeted alcohol abuse, followed by treatment for methamphetamines, and were lowest for treatment for heroin. Asian Americans were more likely than whites to complete treatment for all substances (Brendan et al., 2013). On the other hand in this study, it is found that highest treatment completion rate is 1.9 in city area as well as lowest treatment completion rate is 0.286 in town.

In a study of US, it was found that of the 2.3 million persons aged 12 or older who received specialty substance used treatment in 2011, 898,000 received treatment for alcohol use only, 780,000 received treatment for illicit drug use only, and 574,000 received treatment for both alcohol and illicit drug use (Rockville, 2012).In this study, it is found that 16 percent addicts aged (22-27) years who received heroin and marijuana; 10 percent addicts aged (28-33) years who consume Heroin, Phensedyl and Yabaand 8 percent addicts aged (16-27) years who received Heroin, Marijuana, and Yaba. Finally it is said that this applied study play a vital role for controlling recidivism rate. This rate is increased at the age of (22-27) years. Young generation of Bangladesh are mostly affected by the drug addiction. Most of the addicts are Muslims. They live in town. They are not well educated. Generally, they are from middle class family. Maximum recidivists are unmarried. They have been taking drug for more than five years. Among drugs, marijuana is cheapest and heroin is comparatively most costly. Most of the addicts take marijuana, heroin, Yaba etc. This study revealed that most of the respondents take drugs for their mental satisfaction. Most of them are addicted by peer groups or from curiosity and gradually this fun turns into addiction.

Conclusion

Drug addiction does not just affect the addicts; it also affects family, friends, employers, healthcare professionals and society as a whole. It is not a recent problem in Bangladesh but in recent year drug addiction has significantly increased in this country. Drug treatment is intended to help addicted individuals stop compulsive drug seeking and use. So the effectiveness of treatment center plays a vital role for reducing drug related problems and increasing treatment completion rate. In this study the effectiveness is evaluated by recidivism rate, percentage of rehabilitated person, the overall percentage of rehabilitated person from treatment method and the treatment completion rate. Finding of this study support that(1) treatment completion rate is highest in the city area in comparison to town (2) recidivism rate is the lowest in the city area rather than town (3) rehabilitation percentage is highest in healthy environment and lowest in poor environment.

Treatment centers of Bangladesh follow group counseling, Cognitive Behavioral Therapy, 12-Step Program etc. From rehabilitation percentage among treatment method, this study showed that Group Counseling is 22 percent effective, Cognitive Behavioral Therapy is 23 percent, Family Behavioral Therapy is 31 percent, Motivational Enhancement Therapy is 21 percent and 12-Step Program is 25 percent effective in our country. For stopping drug abuse, the treatment center should set a goal to enable the addict for returning to the productive functioning in the family, workplace, and community. But in this study, it is showed that 92 percent respondents did not get any technical or other vocational training and only 4 percent agreed that they got some technical training. On the other side, only 4 percent didn't comment about training. Above all there is no opportunity of getting technical training from this treatment centers. In treatment center, addicts and directors both suggested that the treatment programmer should be well trained, aftercare program should be developed, healthy environment should be ensured, improve group counseling facility should be provided, etc. We are very much hopeful that effective treatment system will be introduced soon in Bangladesh for reducing drug addiction problem.

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Code Switching – Pragmatic Aspect in Everyday Life in Bangladesh

Aysha Alam Talukder[1]

Abstract: Recently the use of English language in Bangladesh has reached such a level that most of the educated people use it though many of them use it with a mixture of Bangla. Bangladesh is a monolingual country where Bangla, the mother tongue is a renowned language for which the language martyrs sacrificed their lives. With the evolution of technology and demand of the era, people are using English as an international language very frequently in daily life. Sometimes, the people mingle English with Bangla for communication with others. This common phenomenon of mixing or changing two or more languages in speech is known as 'code switching' in sociolinguistics. In this study the researcher tries to focus on the pragmatic aspects of code switching in different domains of everyday life and it shows that 90% code switching occurs without any notification, it has become so spontaneous that speakers are not even aware of using the strategy in communication. The researcher has used some secondary, a few primary data and some observations in the study.

Keywords: Code switching, pragmatic aspects, communication strategy, monolingual country, domains.

Introduction

Though Bangladesh is a monolingual country where Bangla is used as the official language and it is understood by all but the use of English is quite widespread in the country. Besides standard Bangla, generally the people of Bangladesh switch to various dialects of Bangla and to English in their everyday speeches. At present, English is considered as a linguistic passport to communicate globally. Recently switching from Bangla to English or vice-versa has become a mark of smartness and elegance, especially to the young populace of the country.

Historically, we see a clear scenario of the simultaneous use of Bangla and English from the colonial times. Moreover English is

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compulsory subject of study at all academic levels of all medium of studies and this helps the use of English in everyday life. At university levels, though there is a scope to choose Bangla medium in public universities, the medium of instruction and examination is English in private universities. Students from all categories of education have varied ranges of proficiency in English and most of them are using English with Bangla in everyday life spontaneously whenever necessary. In society, there is a special appeal of the persons who use English in their speech. So, to mingle both the languages in casual or formal conversation has become a popular trend in recent times.

Nowadays the young people of Bangladesh are adopting a new strategy in oral communication while speaking with their friends, especially, in private universities, where use of English is encouraged both in writing and speaking. Mixing of and switching between Bangla and English are found very frequently in everyday speeches in diverse situations.

Literature Review

Code-switching:

In sociolinguistics, code refers to a language or a variety of a language and code-switching is switching between two or more languages, or between different varieties of the same language, in a single conversation. Code-switching is a term in linguistics referring to the use of more than one language or between dialects of the same language in conversation. Code-switching is now considered a normal and natural product of interaction between the bilingual (or multilingual) speakers languages.

According to Crystal (1991, p. 59) Code switching can also be described as the switch of bilinguals (depending on who they are talking to or where they are) between standard and regional forms of English, between Welsh and English in parts of Wales, or between occupational and domestic varieties, (cited in http://my-uad-courses.blogspot.com/2011/04/code-mixing-and-code-switching.html).

According to the definition in the Longman Dictionary, Code switching is a change by a speaker (or writer) from one language or language variety to another. It can take place in a conversation when one speaker uses one language and the other speaker answers in a different language. A person may start speaking one language and then change to another one in the middle of their speech, or

sometimes even in the middle of a sentence. On the other hand, code mixing is a mixing of two codes or languages, usually without a change of topic. This is quite common in bilingual or multilingual communities and is often a mark of solidarity, e.g. between bilingual friends or colleagues in an informal situation. Code mixing can involve various levels of language, e.g. phonology, morphology, grammatical structures or lexical items, (cited in https://archive.org/stream/DictionaryOfLanguageTeachingAndAppli edLinguistics/Dictionary of Language Teaching and Applied).

According to Ronald Wardhaugh, code refers to the particular dialect or language to use on any occasion for communication between two or more parties. People usually require selecting a particular code whenever they choose to speak, and they may also decide to switch from one code to another or to mix codes even within very short utterances and thereby create a new code in a process known as code switching.

Hymes defines code-switching as "a common term for alternative use of two or more languages, varieties of a language or even speech styles." (cited in http://grammar.about.com/od/c/g/codeswitchingterm.htm).

According to Gal (1988, p. 247), 'code-switching is a conversational strategy used to establish, cross or destroy group boundaries; to create, evoke or change interpersonal relations with their rights and obligations.' (quoted in Wardhaugh, 2010, p. 98).

Code-switching is considered a technique of structuring speech in interaction that simply reflects as well as creates social situations. Code switching (CS) is an alternation of words and phrases of two languages or dialects in speech. Code-switching is the alternation between two codes (languages and/or dialects), between people who share those particular codes. Choices about how code-switching manifests itself are determined by a number of social and linguistic factors (Skiba, 1997, para. 2), (cited in http://www.slideshare.net/muzahidbillah/code-switchingreason).

Types of Code Switching

Various linguistic scholars and researchers have identified three types of code switching, such as, tag switching, inter sentential and intra sentential (Poplack, 1980; Wardhaugh, 1992; Holmes, 1992; and Romaine, 1995; cited in Sultana N. 2012).

- **Tag-switching** is the switching of either a tag phrase or a word, or both, from one language to another. Normally fixed phrases like greetings are found in it and tag code-switching has minimal syntactic restrictions. During conversations the participants use the tags or phrases or both from one language to another language without violating the syntactic rules. For example, 'Excuse me', 'please', 'I mean' etc. are frequently found to be used in other languages.

- **Inter-sentential switching** occurs outside the sentence or the clause level (i.e. at sentence or clause boundaries), which is also called as **"extra-sentential" switching**. According to Romaine (1989), inter-sentential code-switching requires mastery of both languages as compared to tag code-switching (cited in Younas, M. et al. 2014). For example, in Bengali-English switching one could say, "I need to know. *Bujhte perecho*?" "Hurry up. *Deri hoye jascche*."

- **Intra-sentential switching** occurs *within* a sentence or a clause. It is the most complex one of all and it takes place within single sentence. In intra-sentential code-switching syntactic risks are much greater in comparison to other switching. In Bengali -English switching one could say, "*ami* class attend *korechi.*"

- Another type of code switching is mentioned in Wikipedia as **Intra-word switching** which occurs within a word itself, such as at a morpheme boundary. In Bengali -English switching one could say, "But boys-*ra akhono khelche*". Here the English plural morpheme -*s* appear alongside the Bengali prefix *ra*-, which also marks plurality.

Most code-switching studies mainly focus on intra-sentential switching, since it creates many amalgam sentence structures that require explanation. The other types involve utterances that simply follow the grammar of one language or the other. Intra-sentential switching can be alternational or insertional. In alternational code-switching, a new grammar emerges that is a combination of the grammars of the two languages involved. Insertional code-switching involves "the insertion of elements from one language into the morphosyntactic frame of the other.

Gumperz (1972) has given another typology of code-switching called situational and metaphorical switching. Situational code-switching occurs when participants or strategies of speech event change, whereas Metaphorical code-switching occurs when there is a

change in topic as one redefines the situation – formal to informal, official to personal, serious to humorous and politeness to solidarity (quoted in Wardhaugh, 2010, p. 103).

Wardhaugh defines another type of code switching which occurs within a single sentence or utterance of a speaker as conversational code switching. The speaker may switch codes many times. There is no topic change in case of conversational code switching.

Auer (1998) mentions two types of code-switching- 1) discourse related alternation and 2) participant alternation. According to Clyne (2000), code-switching is the alternative usage of two languages in conversation whether within a sentence or between sentences. Intra-sentential code-switching means within a sentence and inter-sentential means shifts between sentences, whereas extra-sentential is considered as tag-switching (cited in Younas, M. et al. 2014).

Functions of Code-Switching

There are many reasons why people switch from one code to other. According to Zentella (1985) (quoted in Gudykunst, 2004), code-switching performs the following functions;

- First, people may use code-switching to hide fluency or memory problems in the second language (but this accounts for about only 10 percent of code switches).

- Second, code-switching is used to mark switching from informal situations (using native languages) to formal situations (using second language).

- Third, code-switching is used to exert control, especially by parents over children.

- Fourth, code-switching is used to align speakers with others in specific situations (e.g., defining oneself as a member of an ethnic group).

- Code-switching also "functions to announce specific identities, create certain meanings, and facilitate particular interpersonal relationships' (Johnson, 2000, p. 184)."

Appel and Muysken (2006) listed six main functions of code-switching (quoted in Fong, C.W. 2011):

1. **Referential function:** Code-switching involves lack of knowledge or facility in a language. Hence, bilingual

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speakers switch code when they do not know the word or when a certain concept is not available in that language. Language is chosen also because it is more appropriate or suitable to be used for a particular topic.

2. Directive function: This participant-related function of code-switching aims to include or exclude a person from a part of a conversation such as by using a familiar or foreign language to that person.

3. Expressive function: Speakers use more than one language to stress their self identity or feelings to others in the conversation.

4. Phatic function: Code-switching is used to show a change in tone and emphasize parts of a conversation that are of importance.

5. Metalinguistic function: Myers-Scotton (1979) asserted that speakers sometimes switch code in order to comment on another language.

6. Poetic function: Words, puns and jokes in one language are switched to another language for the purpose of amusement or entertainment.

Reasons for Code-Switching

In some situations, code-switching is done deliberately to exclude a person from a conversation. Besides, it is seen as a sign of harmony within a group, and it is also assumed that all speakers in a conversation must be bilingual in order for code-switching to occur. Code-switching provides continuity in speech rather than interference when used because of an inability of expression. Code-switching can be used in a variety of degrees, whether it be used at home with family and friends, or used with superiors at the workplace (Lipski, 1985, p. 23), (cited in www.slideshare. net/muzahidbillah/code-switchingreason).

Code switching is seen as the medium to convey both social and linguistic meanings. According to Gumperz's (p. 144, 1982) list of examples of situations created to convey meaning are as given below (cited in Fong, C.W. 2011):

1. to appeal to the literate
2. to appeal to the illiterate

6. to capture attention, i.e. stylistic, emphatic, emotional

3. to convey precise meaning

4. to ease communication, i.e., utilizing the shortest and the easiest route

5. to negotiate with greater authority

7. to emphasize a point

8. to communicate more effectively

9. to identify with a particular group

10. to close the status gap

11. to establish goodwill and support

According to Malik (1994), (cited in Fong, C.W. 2011) there are ten reasons for code switching, which are:

1. Lack of Facility
2. Lack of Register
3. Mood of the Speaker
4. To emphasize a point
5. Habitual Experience
6. Semantic significance
7. To show identity with a group
8. To address a different audience
9. Pragmatic reasons
10. To attract attention.

According to Hoffman (1991), there are a number of reasons for bilingual and multilingual persons to switch or mix their languages. Those are talking about a particular topic, quoting somebody else, being emphatic about something (express solidarity), interjections (inserting sentence fillers or sentence connectors), repetition used for clarification, intention of clarifying the speech content for interlocutor, expressing group identity, to soften or strengthen request or command, because of real lexical need, to exclude other people when a comment is intended for only a limited audience, (Cited in Mamun, 2012).

The objective of this research article is to find out the pragmatic aspects of code switching in everyday life, to find out the reasons why people switch codes in different situations in different domains in Bangladesh.

To conduct the research both primary and secondary data are collected from field as well as from books, journals, online articles, presentations, audio-visual programs in media, observation etc by using both qualitative and quantitative research methods. Thus mixed method was used, which helps the researcher to reveal the real scenario of code switching in every sector of Bangladesh. The researcher visited many places in Dhaka city, talked with different

people of various professions and collected data through questionnaire, focus group discussion, observation and interview.

CS in Different Domains / Fields

Beyond words, it would be accepted by all that code-switching has turned to a very frequent and familiar communicational device in our everyday life. In a study of Ariffin, K. and Rafik-Galea, S. (2009), the gathered data "clearly illustrate how speakers organized, enhanced and enriched their speech through code-switching strategies such as signaling social relationships and language preferences, obviating difficulties, framing discourse, contrasting personalization and objectification, conveying cultural -expressive message, dramatizing key words, lowering language barriers, maintaining appropriateness of context, showing membership and affiliation with others and reiterating messages." In the researcher's words, "code-switching behavior is not random nor it is seen as a sign of linguistic deficiency or inadequacy. Rather, it is a negotiation between language use and the communicative intents of the speakers. Code-switching is employed as a tool to achieve these intents. It is also used to express a range of social and rhetorical meanings."

According to Muthusamy (2009), "the undergraduates have emphasized that habitual expression which is related to psychological aspect of behaviour as their main reason for code-switching. Besides that, lack of register competence is also another contributing factor for code switching."

Academic Domain: among students, among teachers, between teacher –students

The research findings of Chowdhury (2012) exhibit the reasons behind code-switching of English Language Teachers at Tertiary Level in Bangladesh. There the researcher has exposed the reasons for Classroom Code Switching as follows;

- Class size and maintaining discipline:
- Students' background and mixed ability classes
- Ease of communication
- Explaining and translating unknown terms
- Expression of solidarity

Besides these she has also mentioned the habitual usage of CS, for explaining grammar and vocabulary as well as for rapport building. According to Chowdhury (2012), "On the other hand, although many teachers consider that they should not switch codes in the class room, students possess a positive attitude towards it."

Suchana (2014) has found that learners use code switching especially in socio cultural associative context, in conveying messages, in question of clarification and in making the session more effective. Most of the students face difficulty in understanding words, concepts and terms of L2 where code-mixing / code-switching is helpful for improving students' language skills and memorizing the information easily.

According to Rahman, (2005) English was introduced as a compulsory subject from class I to class XII in schools on 19 January 1989 where students have to qualify in the board examinations. Moreover, at the tertiary level, English was introduced as a compulsory subject in many disciplines since the 90s. Rahman points out that most of the universities use English as their medium of instructions. Besides, there are compulsory English language courses for all the undergraduate students. For this reason, English is given an extra emphasis in the private university education system.

According to Azlan and Narasumanb (2013), "Practicing code-switching is effective for student learning and it is encouraged to be used when teaching students of low proficiency. But it must not be allowed to overtake the target language in the classroom." In the study of the researchers, the findings are parallel with the results of the study conducted by Yao (2011, pp. 23-24), who found that the majority of the students strongly supported their teachers' use of code-switching due to several reasons (quoted in Azlan and Narasumanb 2013):

- Lessons were easier to understand,
- The teachers provided more words of encouragement and better feedback to the students,
- The learning atmosphere became more interactive, and
- Teachers who code-switched were better at negotiating and bonded more with the students compared to teachers who didn't.

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The above study also found that English was the dominant language of communication while code switching was used to convey ideas in specific situations and to enhance solidarity in the first language.

Professional Domain

Very commonly people use code-switching both English to Bangla or Bangla to English in their everyday professional life.

According to Alam (2006), ''substantial command over English is considered as a linguistic passport to the arena of globalization and competitive white-collar job market, especially the non-government ones. The booming of multinational companies along with the private ones in the recent years has acted as a socio economic factor underlying the increasing awareness in learning English.'' In her opinion, official environment plays an important role for the occurrence of code mixing. The multinational companies are using English for verbal communication and documentation, but the employees are in need to switch to Bangla in long narrative, though the extent of mixing varies depending on the formal and informal situations. The researcher has found that the fundamental grounds of code-switching are spontaneity, to draw the attention of others, to show off, to impress for professional purpose, to impress the opposite sex , to alienate a particular group or to take the advantage of knowing a separate language, lack of translation equivalent, medium of education and English training and euphemisms. She also pointed out that code switching occurs not only among colleagues but also among friends, family members, relatives and even with outsiders (p. 58-61). Wardhaugh (1992, p. 98) thinks that people have mixed feeling of both admiration and envy towards the bilinguals.

General Social Domain

Ahmed and Tinny (2011) talked about the Radio Jockeys' (RJ) style of speaking in Bangladesh which is becoming popular day by day among the young people. They claimed that the RJs are being influenced by the western language and culture and are trying to use a new style of speaking which makes them different from others. They frequently mix English and Bangla while speaking on air thinking that this style of presentation will draw the attention of the youths easily. Thus there emerges a new type of language called "Banglish" (mixing Bangla and English) among the youths of Bangladesh. As the FM radio stations are becoming popular day by day among the young people, they are being influenced by the RJs

and their speaking style and followed them to be stylist language users (p. 1).

The Emersion of "Banglish"

Basu (2009) clarified the ongoing debates about the language use by the RJs in Bangladesh. In his study, Basu said that, *The Daily Star,* one of the leading English newspapers in Bangladesh published some articles about the vitality, viability and acceptance of the hybrid FM variety on the newly established FM stations. The debate centered on their attitudes to "FM Banglish" and their overall approach to the phenomenon varied. Basu stated that, the word "Banglish" (a mixture of Bangla and English words) was used first by Binay Barman in *The Star Campus,* the weekly magazine of *The Daily Star* on October 28, 2007, in the article, "I am not ashamed of speaking Banglish". In this article, the writer used the term "Banglish" as well as "FM Banglish" to refer to the presentation style of the RJs and the mixed code hybrid variety the RJs have adopted in Bangladesh. The author called this FM registrar an "alien form of Bangla". He also mentioned "Hinglish" - a combination of English and Hindi prevalent in India and stated that he often mixes Bangla and English in his conversation and he is not ashamed of this matter at all (pp. 5-6).

According to Nilep (2006), "Listeners may need to shift their expectations to come to a useful understanding of speakers' intentions. Similarly, speakers may switch the form of their contributions in order to signal a change in situation, shifting relevance of social roles, or alternate ways of understanding a conversational contribution. In other words, switching codes is a means by which language users may contextualize communication. A useful definition of *code switching* for socio-cultural linguistic analysis should recognize it as an alternation in the form of communication that signals a context in which the linguistic contribution can be understood. To recapitulate, then, *code switching* is a practice of parties in discourse to signal changes in context by using alternate grammatical systems or subsystems, or *codes*. The mental representation of these codes cannot be directly observed, either by analysts or by parties in interaction."

Commercial Domain

In a research work on Bangla to English Code Switching in Bangladeshi Commercial Cinema, Sultana (2012) has found that recently mass people are open to the western culture, so they want to imitate that culture. Accordingly Bangladeshi commercial cinema

also tries to imitate that culture of using English words and phrases in the dialogues so that they can be in the flow of the society. In her view, in commercial cinema switching from Bangla to English occurs to depict the reality which is just the result of the habit of using this language for a long time. Usually, small chunks are used to switch the codes from Bangla to English among the educated or rich people.

Family/ Informal Domain

In family gathering or informal settings the practice of code switching is found very common now-a-days. Code switching is the very current and comfortable trend of conversation which makes the floor wide open to discuss any issue with others. Even the very young members in family are also found to switch codes in daily casual conversations.

The researcher of this study has observed few formal, semi-formal and informal domains of conversations where the use of Code-switching is found to be a very frequent impulsive way of contacting with others. Among those situations one is a semi-formal meeting in a private educational institution where the teachers and administrative authorities were present to share their views regarding the improvements. Here are some examples of code-switching found in their speeches; (examples are given in fragmented sentences)

Convocation –*r baparta niye* serious *hobo*.

Oi rokom akta investment *korte hobe*.

Each and every student *jara vorti hoyechilo tader tottho akhon* internet-*e paoa jai*.

Normally *amra* very careful about this.

Ekhan theke jara pass *kore ber hocche tader akta* job placement *deya hocche*.

Tara job placement *ta pacche* because of *tader aungosangadhangulo* help *korche. Tader bohu* organization *ache jekhane* passing out students- *der job deya hoi*.

Student *dhora rakhar pechone jeti beshi* ensure *korte hob eta holo* quality education.

E bishoygulo case by case analyze *korte hobe*.

Ami amar kono duty-*te anomalies korini*.

Jeti case by case according to law employ *korben*.

Apnara amon kono strategy *nebenna ja amaderke* demoralize *kore*.

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Eta korle apnara victimized *hoben.*

Eta amader controller *saheber jonno subidhajanak hobe.*

Ei bishoyti simplified *korte hobe*.

Amra ekta certain time *diye dibo.*

Eta akta valo point.

Concerned teacher-*der diyechi*.

Anyway *amader chorittra songshodhon korbo*.

These are the exact sentences used by the present members of an informally formal meeting in an institution. Through these it is clear that code- switching has become a part and parcel of communication in the educated circle. People are not even aware of using different codes specifically English in their everyday speeches, it happens automatically and spontaneously.

Through interview the researcher has found very practical and significant words from Professor Dr. M.A. Sobhan, the Vice-Chancellor of Prime University who claimed that English is no more a language now rather it has become a technology to roam every sector in the current era. The researcher has also found the same view supported and agreed by others throughout the observations and interviews in the study.

Survey Analysis

Besides, the researcher has collected data from primary sources and attempted to observe some practical situations from everyday life. After collecting the systematized data (Table 1), the reasons and effects of code switching are explained. Responses of the questionnaires were collected from the students and teachers of different universities (Prime University, Daffodil University, Dhaka University), from some executives of different business fields and few persons from society.

Table-1: Reasons and Observations of Code-Switching

Question	Options				
1. Do you mix any other language with your mother tongue in everyday conversation?	a) Yes 15 75%	b) No 0 0%	c) Sometimes 5 25%	---	---

Question	Options				
2. What are the codes that you frequently mix?	a) Bangla-English 18 90%	b) Bangla-Hindi 0 0%	c) Bangla-English-Hindi 2 10%	---	---
3. What are the common domains (fields) of mixing codes? (You can choose more than one option)	a) Informal situations (Family and friends) 12 60%	b) Formal situations (Academic and professional field) 2 10%	c) Both 6 30%	---	---
4. Do you switch codes consciously or subconsciously?	a) Consciousl y 0 0%	b) Subcons-ciously 5 30%	c) Both 15 75%	---	---
5. What are the reasons of code switching? (You can choose more than one option).	a) It shows smartness and style 3 15%	b) To prove competence in different languages 1 5%	c) In necessity (lack of appropriate vocabulary) 6 30%	d) Spontane ous Outcome 8 40%	e) All 2 10%
6. What are the factors that encourage you to switch codes? (You can choose more than one option).	a) Influence of Internet and Electronic Media 14 70%	b) Influence of friends 1 5%	c) Both 5 25%	---	---
7. Do you mix codes in your writings?	a)Yes 13 65%	b) No 7 35%	---	---	---
8. What are the types of writings where you mix codes? (You can choose more than one option).	a) In formal writing 0 0%	b) In Facebook page 3 15%	c) In SMS writing 5 25%	d) Both b and c 12 60%	---

In response to the first question 75% respondents agreed, no one disagreed and 25% ticked 'sometimes', which shows that code switching has become a part of communication strategy. The second question is about the code participants mostly use. Here 90% respondents say they mix Bangla- English and 10% mix Bangla-English-Hindi. In the third question, the researcher tried to find out the domains of code switching in everyday conversations where 60% participants said they mix codes in informal situations with family and friends, 10% said they mix code in formal situations like academic and official situations and another 30% said they mix codes in both formal and informal situations. In response to the fourth question 'Do you switch codes consciously or subconsciously?' 75% participants said they do it both consciously and subconsciously and 30% said that they use it subconsciously. In response to the fifth question (reasons for code switching), 15% participants said they mix codes 'to show smartness and style', 5% participants said 'to prove competence in different languages', 30% participants chose the option 'In necessity (lack of appropriate vocabulary)', 40% participants chose the option 'Spontaneous Outcome' and 10% participants chose all the given options. In response to the sixth question (motivating factors of code switching), 70% respondents think that the influence of internet and electronic media developed this habit in them, 5% said for the influence of friends and 25% ticked both. In the last two questions the researcher tried to find out whether they switch codes in any type of writing, where 60% respondents supported mixing codes both in Facebook chatting and SMS writing, 25% use it for only SMS writing and 15% respondents use it for Facebook chatting. All these responses show the reality of mixing Bangla and English in everyday life so frequently and casually that no one even is aware of that usage.

Table-2: Views on Code-Switching

Questions	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
1. Code-switching becomes a technique of communication.	18 90%	2 10%	---	---	---
2. Code-switching has a positive impact in learning the foreign/ second language.	11 55%	5 25%	2 10%	2 10%	---

3. Practice of code switching is distracting the prestige of mother language among the young generation of Bangladesh.	14 60%	4 20%	2 10%	1 5%	---
4. Electronic media has great impact on the use of code-switching.	15 75%	5 25%	---	---	---

In table- 2 the researcher presents public views regarding code switching. 90% respondents very strongly agreed that 'Code-switching becomes a technique of communication'. 55% respondents strongly agreed that 'Code-switching has a positive impact in learning foreign/ second language', 25% agreed, 10% were neutral in their opinion and 10% disagreed. 60% respondents strongly agreed with the statement that 'Practice of code switching is distracting the prestige of mother language among the young generation of Bangladesh', 20% agreed, 10% were neutral and 10% disagreed. 75% respondents strongly agreed with the statement 'Electronic media has great impact on the use of code-switching' and 25% respondents agreed. These responses show that use of code mixing or switching has become a part of everyday communication in our socio-cultural life.

Observation

The researcher has observed a few TV and radio programs, talked with some people in different public places and found the data presented in the following table;

Table-3: Pragmatic Examples of Code-Switching

Sl. No	Observation	Code Switching
1	**T.V talk show** Title: *Ajker* Bangladesh 5th may 2015 at 10.00pm Channel - Independent	Tension point *o bolte pari, sobcheye beshi* important *monehoy, chit moholer lokder vaggo* finally settle *hosche.*
	Radio program Radio *foorti*	Hello, Radio *foorti* listerners! *Shobaike shagotom*, *Assalamualaikum*. Welcome to Radio 98.4 fm. Hello Dhaka, *kemon asen apnara, nishchoi valo*. *Ajke amader*

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Sl. No	Observation	Code Switching
		show *te apnader jonno nie eshchi onek onek* news, international, *desh bideshi aro onek kisu*. *Ajo addar bishoy gulo hosse besh kisu* beauty tips, *r haa darun shob* hot spicy news. . *. r ekhon amra chole jabo gane.*
2	Shopping mall conversation	Pack *korbo?* Choose *korun,* Display *dekhun,* Trial *diye dekhun.*
3	Family gathering	Please *kaj ta korona*, Kitchen *e dekho.*
4	Friend circle	*Bondhu* sorry, it's urgent. *Amake* inform *korish, Tomar* complete hole *amake bolo.*
5	Name of different shop and signboard	*Mukta Bangla* shopping mall, Prince *Bazaar, Bogura* sweet meats, *Bashundhara* City, *Gyan Bichitra* Books and Stationeries, Aziz Super market, *Mishu* General Store, *Jahangi*r Water Tank, *Shatranji* Handicrafts and Gift, Hong Kong Restaurant,

Television programs and their language use largely expose the changing linguistic scenario of Bangladeshi media. The following is one talk show program telecasted in a private channel Independent, where the presenter and guest are found to switch to English from Bangla randomly in their speech:

('P' - is for the presenter and 'G' - is for the guest, used as fictitious names here).

P: *chit mohol choktite amader paowa ta asole ki?*

G: Tension point *o bolte pari, sobcheye beshi* importan*t monehoy, chit moholer lokder vaggo* finally settle *hosche.*

The program anchors known as the Radio Jockeys (RJs) gave birth to a new speech style - FM Banglish. Mixing of English words and sentences as well as adaptation of English accent to Bangla utterances are characteristic features of this speech styles of the RJs. It is also a potential source of their popularity since most of the audiences consist of the young adults to whom this style means smartness and being up to date (Basu, 2009). Then the practice of commercial business naming in Bangladesh shows a diversified and extensive code switching. Some types of innovative hybrid names

are found in the study too, such as *Bashundhara* City, *Mukta Bangla* shopping mall, *Aziz* Super market, *Shatranji* Handicrafts and Gift, *Mishu* General Store shop. "There is an obvious stylishness in the names, once they are recognized, but the original English pronunciation is sometimes so distorted that even local educated Bengalis may not immediately recognize the original English phrases (Banu & Sussex, 2001, cited in Tina, 2014)".

Findings

English has become a necessity with the globalization of trade, commerce and multinational companies, and being an international Lingua Franca, the importance of fluent spoken English has grown immensely. So the young generation takes it as a part of their life. They think that code switching will be helpful for them. Code switching is making the young generation weak in both English and Bangla languages. They cannot speak in English fluently and hardly say a full sentence in Bangla. Some salesmen and floor managers of different shopping mall said that "when customers are speaking in English, they try to speak in English but most of the time they are using both English and Bangla languages." They think that it boosts up their status. Teachers of different departments said that "Code switching is important for better understanding of the learners to make the topics easy."

Sometimes speakers draw attention of the listeners by switching codes in speeches. They think that code switching is another important way to express group identity. On the other hand some young people switch codes to show that he/she has the ability to use languages and he/she knows thing that are unknown to others. The researcher finds that code switching occurs when there is no suitable lexis in one language. In that case, speakers have to switch codes to use appropriate lexical item of another language that helps them to express that particular topic better.

Attitude of ignoring native language and placing English as the symbol of status is unacceptable. This attitude is very much present in the educated people who emerged as the neo-upper middle class during the three decades after independence. This attitude is criticized in a report published in *The Daily Prothom Alo* (a popular Bangla daily) by Pintu (2006) in his write-up titled 'Bangla Akhon Goriber Bhasha' (Bangla is now the language of the poor). He used the data gathered by the students of NIMCO (National Institute of Mass Communication) on 500 signboards in Dhaka City in his write-up which shows a clear extravagance for English names. However,

an exception is found in his write up in Baily Road where the maximum stores renowned for quality Bangladeshi clothing (saree, salwar kamiz) showed beautiful and creative Bengali names (Cited in Tina, 2014).

The FM Banglish speech style among the RJs in the radio stations in Bangladesh serves two kinds of purposes: identity signifying and popularity determining.

In television, the use of English is motivated by two prime reasons: the adaptation of television programs for international audience of different countries; the need to modernize TV programs to compete with other national and international TV channels. In addition, the program sponsors and the performers tend to reveal their linguistic and cultural prestige to the audience through their use of English.

Conclusion

Code switching has become an indispensible communication strategy now-a-days. In every sphere of life code switching has become a popular trend in everyday conversations. The ground is that there are some common chunks of English used very frequently and found as ordinary language use in everyday life. In different domains around 90% people switch codes from Bangla to English or vice versa for easy and better communication with others. This changing codes or languages is not for difficulty in understanding only, also for showing identity, for providing exact meaning, for holding a place in community, for achieving success etc. whatever the reason is, the main message is that specifically English has turned to a technology in the current era to reach, roam and to be connected globally.

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Appendix

<u>Survey Questionnaire</u>

Name: Gender: Male/Female

Age: Level of study:

Occupation: Institution:

Mother language: Educational Background:

Generally, "Code Switching" means mixing two languages in conversation.
(e.g. *Amra baire jabo,* **do fast**. Or, *Ami jani tor sathe* **competition** *e jeta* **impossible***)*.

1. **Do you mix any other language with your mother tongue in everyday speech?**
   a) Yes   b) No   c) Sometimes

2. **What are the codes that you frequently mix?**
   a) Bangla-English   b) Bangla-Hindi
   c) Bangla-English-Hindi d) Others

3. **Do you switch codes consciously or subconsciously?**
   a) Consciously   b) Subconsciously
   c) Both consciously and subconsciously

4. **What are the reasons of code switching?** (You can choose more than one option).
   a) It shows smartness and style
   b) To prove competence in different languages
   c) In necessity
   d) Spontaneous outcome
   e) All

5. **What are the common domains (fields) of mixing codes?** (You can choose more than one option)
   a) Informal situations (Family and friends)
   b) Formal situations (Academic and professional field)
   c) Both

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Give some examples if you can remember any.

6. **What are the factors that encourage you to switch codes?** (You can choose more than one option).
   a) Influence of Internet and Electronic Media of Bangladesh

   b) Influence of friends
   c) Both
   d) None

7. **Do you mix codes in your writings?**
   a) Yes   b) No

8. **What are the types of writings where you mix codes?** (You can choose more than one option).
   a) In formal writing   b) In Facebook page
   c) In SMS writing   d) Both b and c

9. **Code-switching becomes a technique of communication.**
   a) Strongly Agree   b) Agree   c) Neutral
   d) Disagree   e) Strongly Disagree

10. **Code-switching has a strong positive impact in learning the foreign/ second language.**
    a) Strongly Agree   b) Agree   c) Neutral
    d) Disagree   e) Strongly Disagree

11. **Practice of code switching is distracting mother language among the young generation of Bangladesh.**
    a) Strongly Agree   b) Agree   c) Neutral
    d) Disagree   e) Strongly Disagree

12. **Electronic media has great impact on the use of code-switching.**
    a) Strongly Agree   b) Agree   c) Neutral
    d) Disagree   e) Strongly Disagree

   THANK YOU SO MUCH FOR YOUR COOPERATION!!!

The Self, the Real and the Reality: A Study of Lacanian Subjectivity in R. K. Narayan's *The Guide*

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Abstract: In *The Guide,* R. K. Narayan proves to be a keen and perceptive observer deploying irony and mystery to beguile the reader into an exploration of the protagonists' 'Self'. The whole story may be perceived as a quest for "the Real to attain the Self", and eventually creating one's 'Reality'. If this mystery of self-quest is examined from Lacan's psychoanalytic inspection, some new perspectives can be discovered as 'the Real' is always unattainable; it's a void, a lack. This paper aims at exploring the protagonists of R. K. Narayan's *The Guide*, as the unified Lacanian subject who are shifting their symbols incessantly to fill up the void, and to attain 'the Self'. According to Lacan, attaining one's self is a process that a person goes through in search of his/her real self. In this process a subject crosses three phases that are named by Lacan as 'The Real', 'The Imagery' and 'The Symbolic'. Again in this process of attaining self, Lacan focuses on one's 'desire' to be the driving force that involves the constant search for the Real. As we observe in R. K. Narayan's *The Guide*, the protagonists- Raju and Rosie can very adequately be fitted in the chain/process of Self-Real-Reality. Both Raju and Rosie were driven/governed by their desire in search of 'the Real' to attain 'the Self' and created their lives' 'Reality' that presented us a wonderful story of life- *The Guide*.

Keywords: Lacanian subjectivity, imaginary stage, desire, concept of reality, symbolic order.

The Guide gives us a story of mainly the characters with their established social realities, but they are not satisfied with that, in the course of their life, they move to another reality. Raju, Rosie and Marco these are the characters we are to evaluate to identify how they are preceding a journey in search of the real, finding their self and creating their reality. At the beginning of the novel, we find all these characters in a stable social position considering their social context. The novel starts with Raju coming out of the prison and telling his life story before imprisonment. And his life story unfolded

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his peaceful, self-sufficient life in a secure social position living by the shop his father left for him and small family with his mother. And Rosie was also leading a flourishing life with comfort and a respectable social position. She herself chooses this life to come out of her earlier social position (*devadasi*) as it did not provide her an honourable life. That's why R. K. Narayan remarks, "my main concern is with human character- a central character from whose point of view the world is seen and who tries to get over a difficult situation or succumbs to it or fights it in his own setting" (qtd. in Khatri, 2006) who could be considered as Lacan demonstrated the subjects struggle to establish their *self*.

As we can see neither Raju nor Rosie holds the stronger ego or I (Ideal ego) to overpower the unconscious/ the void/the lack/desire. Following the quest for real self, they are governed by their desire; they started building their identity in the cultural world. This desire puts a subject in symbolic order and in a universe full of symbols, objects to satisfy the desire of the subject. But according to Lacan, desire is something that cannot be satisfied fully, because this desire is actually the desire to attain the unified self – that is the real self and get back to the completeness which it (the subject) experienced as an infant when it was not aware of the otherness. In Lacan's topology of subject formation, a subject is only unified while staying in the infant stage that Lacan named as the Real stage. The infant does not have the sense that he/she and their mother has a separate bodies and entities.In fact, the baby is only a kind of blob with no sense of individual identity or self. In this stage it's driven by only its needs and needs can be satisfied by objects. As an infant, the baby takes its mother who satisfies its needs as a part of its own body. But at age of 6-18 months the baby comes to identify its own body separated from their mother's body. Thus, the baby enters to Imaginary stage being able to recognize itself as a separate entity but with a central emptiness, void, and a sense of loss by being castrated from its mother. This castration is important in formation of 'Self'. Both Freud and Lacan emphasized in that a subject must separate itself from its mother to form a separate identity. Entering into the Imaginary order, the subject builds an idea of its own self which is 'Ego' to Freud and 'Ideal Ego' to Lacan. In Freud's view, ego helps us to know our 'self' but in Lacan's view ego is nothing but an illusion, misrecognition because "There is no image of identity, of reflexivity, but a relation of fundamental alterity" (Lacan, 1967-1968). Ego gives the subject the idea of otherness, as the infant grows up and socializes with other people except its mother, and ultimately realizes the fact that the union with its mother is unattainable. Thus, it shifts its attention towards others to search its

own Self. These others are the signifiers with what the subject tries to satisfy its desire that has been invoked from the lack of mother. At this point the subject enters into the Symbolic order. According to Lacan, human being achieves its self, being mainly in Symbolic order- "Everything which is human has to be ordained within a universe constituted by the symbolic function". (Lacan, 1954-1955)

Symbolic order presents a set of signifiers in front of the subject to fill up the lack or the emptiness. But these signifiers are full of shifting, sliding images that create a chain of signifiers in front of the subject. And the subject shifts from one signifier to another, tries to get back to the Real where there is no lack or loss. But as in Lacan's view Real is always in some level a fantasy and ultimately unattainable. This process of shifting from one signifier to another and trying to be settled in a specific signifier is actually what is called achieving the 'Self'. Being in the chain of signifiers the subject comes to know about things that it didn't know earlier and faces different situations that was unfamiliar to it, in this way the subject becomes adult and creates its social reality with the knowledge of its Self :

> "(T)he subject, confronted with the enigma of the desire of the Other, tries to verbalise this desire and thus constitutes itself by identifying with the signifiers in the field of the Other, without ever succeeding in filling the gap between subject and Other. Hence, in the continuous movement from signifier to signifier, the subject alternately appears and disappears" (ibid).

So, "what we call reality is associated with the symbolic order or 'social reality'" (Homer, 2005) and in this symbolic order a person continues to search the real, through shifting of signifiers and driven by desire. Desire is at the centre of our being and most essentially is related to the lack we feel to have. Desire and lack are inextricably tied together. Lacan defines desire as the remainder that arises from the subtraction of *need* from *demand*:

> "Thus desire is neither the appetite for satisfaction, nor the demand for love, but the difference that results from the subtraction of the first from the second, the phenomenon of their splitting " (qtd.in Homer, 2005).

As the story of *The Guide* starts, we get Raju, Rosie and Marco in their adulthood. If we put them in the three orders Lacan demonstrates as the process of creating self, we find them clearly at

symbolic order. These three characters already crossed Imaginary order, taking an image of their self and entering the symbolic order, they have set themselves in the signifying chain, where a subject shifts from signifier to signifier in search of something they feel is lost from their life. As we see in Raju and Rosie, the trends of shifting from one goal (symbol) to another and creating a fantasy world, where they feel everything is under their control. But every time that fantasy world is broken, they again set themselves on the paths their desires lead them to.

To unfold the chain of desires, R. K. Narayan chooses a village named Malgudi (a fictional town created by Narayan) and places his protagonist Raju, who has been recently released from prison, sitting on a granite slab beside an ancient shrine on a bank of the river Sarayu, on the other bank the village Mangala, where people are so simple and gullible as to be made to accept for granted even the most unbelievable things. Raju is revealed exactly in his Symbolic order or turning point of his life after exercising and socializing his Ego in his past days, waiting to fill up the lack or the emptiness of his life or to get back to the real stage where there is no lack or loss to complete the circle of desires.

By recounting the time he left behind, Raju releases all the capricious desires that channeled him to come to this stage of life. He starts with his childhood when he has no sense of individual identity or self. In the process of forming the self he was only driven by the needs and his surroundings as he articulates:

> "You may want to ask why I became a guide or when. I was a guide for the same reason as someone else is a signaler, porter, or guard. It is fated thus. Don't laugh at my railway associations. The railways got into my blood very early in life. Engines, with their tremendous changing and smoke, ensnared my senses. I felt at home on the railway platform, and considered the stationmaster and porter the best company for man, and their railway talk the most enlightened. I grew up in their midst" (Narayan, 1971, p. 26).

Raju introduces with that moment of his life when he was not aware of the otherness. The intrusion of new culture, new ideologies, and new trends in society flourished by the railway, offers a new image of the self in Raju which was different from the mindset of non-descript Hamlet Malgudi. Raju boarded himself in the voyage of creating owns separate self, castrating himself from the traditional Malgudian self. In the process of parting the self and other, the first symbol against his void/ desire thrust upon Raju was his father's shop which was known as 'Hut (Narayan, 1971, p. 10). He was very

enthusiastic to serve in the shop in his father's absence. He used to wait eagerly for the time his father will go inside their home for lunch and call him to serve the customers. He felt himself important. He used to maintain an attitude of experienced shopkeeper and to uphold this attitude sometimes he ''swallowed the fourth in order to minimize complications'' (Narayan, 1971, p. 11). He enjoyed his father's place in the shop. Sometimes, his father's customers greet him when they pass away. This honour became constantly Raju's desirable option to be in the shop. And his vocation as a shopkeeper is the master signifier to demonstrate how he starts to delineate his self by filling up his inner void. The desire of becoming a shopkeeper gives him the feeling of completeness as an individual self.

It is mentionable that Raju had been always driven by his desires from the very beginning of his schooling. His father wanted him to be well-educated. But Raju was not serious about his study and for that reason his father left him with the remark, "I have better things to do of a morning than make a genius out of a clay-head" (Narayan, 1971, p. 12). Instead of studying, he loves to play and loves to be in the shop most. With intrusion of the train, his life begins to run. His father decided to take another shop in the railway station. Lacan asserts that a subject moves in the process of signification to reveal their core emptiness. And Raju starts to move through this process also; he says "All this business expansion in our family helped me achieve a very desirable end—the dropping off of my school unobtrusively" (Narayan, 1971, p. 38). Thus he shifted his desire from school which was actually the desire of his teacher almost imposed on him and set it finally on the shop. This way, he introduces his individual self which was waiting to run after desires. His father's death means to give fulfillment of his desire. But Lacan explained desire to be unfulfilled and recurring. So it creates an unsatisfied self, who carries a void within and shifts the desire towards a new symbol. After the death of Raju's father when Raju owned the shop, he started to feel a lack of interest in it. He himself admits: "I bargained hard; showed indifference while buying and solicitude while selling. Strictly speaking, it was an irregular thing to do" (Narayan, 1971, p. 43). Raju's reality in the context to Malgudi shows that he was in a safe position of life; if he maintains his shop skillfully he has nothing to worry about future and can lead a happy family life just like his father. But Raju denies that reality and goes for a creating a new reality following his desires.

After his father's death, his desire shifts to pick up a bundle of assorted books and learn from the scrap about the old temples and

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ruins and new buildings and battleships and soldiers and pretty girls. As Raju has no fixed desire to be filled up, he shifts repeatedly until he reaches his symbolic juncture of life. The visitors who used to stand before his shop and ask "How far….is….?.' or "Which way does one go to reach…..' or 'Are there many historical spots here" (Narayan, 1971, p. 49)? Raju got a new break in identifying his self. He becomes 'Railway Raju' (Narayan, 1971, p. 52)—the guide. Becoming a guide was also very interesting in Raju's life. He did not intentionally get involved in this work. In the beginning when the visitors asked him about the places, Raju even gave them false information and he did not do it to misguide the visitors but just to heighten his importance among them, he enjoyed their attention-- "It was not because I wanted to utter a falsehood, but only because I wanted to be pleasant" (Narayan, 1971, p. 49). This momentary pleasure of being important led Raju towards another signifier of the symbolic order. The point we may notice here is Raju's response to that unrecognized self of himself denying a safe and recognized self. This was Raju's choice driven by his desire and set him to create a new reality of life:

> "This sort of enquiry soon led me to think that I had not given sufficient thought to the subject. I never said, 'I don't know.' Not in my nature, I suppose if I had had the inclination to say 'I don't know what you are talking about,' my life would have taken different turn" (Narayan, 1971, p. 40).

The materialist world leads Raju to grow from his infancy (real stage) to his 'Imaginary stage'. Being able to recognize the self as a separate entity, Raju begins to feel the emptiness or the void again that was refilled with another character Rosie who herself is in the transition to find the 'Self' and establish the 'Reality'. Rosie, despite being an M.A. in Economics and a talented dancer sacrificed her 'Self' to form a new identity of class and cast by uniting herself with Marco. But as she hails from the class of 'Devdasis', she is categorized as a low caste. Even Marco, who willingly ties wedlock with her in spite of knowing her origin, affirms patriarchal norms by forcing her to lead a submissive life and also forbids her to perform dance in public functions. The lack of material satisfaction creates the desire to be wealthy, affluent and the status she needs. Marco's status and position drives the desire of Rosie in process of creating an individual self. The family of Rosie was ready to sacrifice their tradition to fill up the void they are experiencing. On the other hand, Rosie remarks that Marco "…was living… all alone, no family at all; he lived with his books and papers" (Narayan, 1971, p. 76). This characteristic difference between Rosie and Marco brings a

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cataclysm in their wedded life. The complexities of Marco and Rosie's marital life create an empty space to be filled up. And this empty space magnetizes both Raju and Rosie to recognize their new shifting of desire.

Rosie is one of the vital symbols in formation of Raju as a subject because to Raju, Rosie is an embodiment of emotion and sentiments. The subjectivity that Raju now wants to form is centered on Rosie. Raju says "The only reality in my life and consciousness was Rosie' (Narayan, 1971, p. 104). But Rosie's desire acts like an ambivalent as she shows excessive consideration for her husband on the hill. In the midst of my caresses she would suddenly free herself and passionately tells Gaffur to bring the car. She shows the urge to go and see/ meet Marco. As Marco was goal oriented person, he is not shown in the process of shifting desires. Even when Raju and Rosie's covert relationship is exposed, Marco shows extreme displeasure but he remains indifferent to his desire. This indifference of Marco revitalizes Raju to support Rosie physically and morally against the codified laws of society. Both Raju and Rosie from now on will start to shift from one goal (symbol) to another and create a fantasy world where they felt everything is under control. The decision of performing publicly brings Rosie name, fame and money and her popularity brings Raju the material success. Raju's attention shifts from Rosie to money. Money creates a new machine like individual self of Raju.

The fantastic world of Rosie's fame and Raju's luxury masked their real self. It is money which brings an enormous transformation in Raju's flourishing life. In the words of Prof. Krishna Sen: "The modern Malgudi society that Raju embraces during his days of prosperity is hardly any better, either from the point of view of morality or humanity" (Narayan, 1971, p. 195). Raju fully utilizes the power of money to get the permission for liquor from the government which was prohibited at that time. The author says: 'Permit Holder' became a social title in our land and attracted men of importance around me, because the permit was a different thing to acquire. I showed respect for law by keeping the street window shut when serving drink to non-permit folk. All kinds of men called me 'Raj' and slapped my back…Through my intimacy with all sorts of people, I knew what was going on behind the scenes in the government, at the market, at Delhi, on the racecourse, and who was going to be who in the coming week. (Narayan, 1971, p. 184) Raju's unattainable desires drive him even to forge Rosie's signature with the intention of misappropriating her jewels and converting them into easy wealth. Raju successfully shifts from his imaginary

order to symbolic stage of life. The chain of signifiers in front of Raju seems to offer the 'Real' but Lacan says that Real is always in some level a fantasy and ultimately unattainable. As we see the false support of the fantasy was shaken with the entry of Marco's book and the legal notice about the ornaments. Here, Marco is the key signifier or symptom that was being excluded from till now in Raju and Rosie's world. The presence of Marco always gets them back to their shattered self and to the symbolic order. Raju's forgery breaks away Rosie's fantasy.

Raju and Rosie both characters can be well framed in Lacan's concept of subjectivity. As Lacanian subject both Raju and Rosie as adult experience the chain of signifiers in order to have their new self. Entering into the symbolic order they are guarded by their desires and sets themselves in the signifying chain where a subject shifts from signifier to signifier in search of something that they felt lost from their life or they are unfamiliar to it. This is how the symbolic order is structured to experience the social reality.

Instead of attaining the real to convey the self, the self ultimately is framed by the 'social reality'.

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Book Review

Impact of Migration on Poverty and Local Development of Bangladesh by Tasneem Siddiqui & Raisul Awal Mahmood, pp. 200, Refugee and Migration Movements Research Unit, 179, Shahid Syed Nazrul Islam Sarani, Bijoynogor, Dhaka-1000, Published in February 2015, Price Tk.500

The title of the book attracts the attention of three categories of readers and researchers interested in the fields of migration, poverty and local development. These three issues along with others could be discussed in much detail, but the authors gave short accounts, because it is a project-focused publication. Again, all the three components are dynamic in nature, their contents are changing rapidly and now drawing more attention, so to say. With the start of war in Middle Asia and consequent turmoil situation, the whole world is shivering with migration problem. The question of its impact has drawn global thinking. Secondly, poverty reduction is the focal issue of sustainable economic development efforts now being pursued by 193 developing countries of the world. Third, latest development thinking in the line of inclusive development is only possible to achieve with the pursuance of local development efforts.

With this short introduction, let us try to explore how far the book under review can satisfy us. The book is an outcome of a research project and its objectives are to accommodate a large number of issues designed in the project objectives and also there are time-constraints. Thus, so many issues were dealt but with less focus. For example, the issue of poverty, migration and remittance deserve exhaustive discussion. Those are discussed briefly. Whole things were looked from the angle of opinions and findings derived from surveys. This is project objectives and findings focus book-not following text-book styles (no detailed discussion). But, the laudable aspect of the book is that it contains field-level data on a number of issues, equipped with detailed tables and displayed in attractive ways in Bangladesh map. Another feature is that a very few works have been done on the topic earlier, as far as my knowledge goes. In order to guide the research, a good number of eminent researchers and scholars worked in advisory body. Obviously, their contributions are in the book. Embassy of Switzerland, who financed the project, expressed their satisfaction on the work done. They deserve thanks.

The book starts with chapter one, i.e. the introduction stating the rationale and objectives of the research, purpose of the study, then review of the existing literature, splinted into migration and poverty, migration and local poverty and the community, then at the end research questions. In this chapter, authors gave a brief idea about the whole book- a praise-presentation. One can here get a brief about the book in a nutshell. Chapter two clarifies the conceptual need of poverty, and local development, and methodological framework including geographical distribution of the survey HHs. Chapter three presents trends of short-term international migration from Bangladesh. Chapter four focuses on the migrant and non–migrant HHs. Chapter six provides differentials impact on migration on HH poverty. Chapter seven mainly presents migrant's investment and local development. Chapter three to seven are the core areas and contain much information. Chapter eight discusses impact of local government through the consumption of goods and services. Chapter nine describes impact on local development through community participation. One feature of each and every chapter is that they present clearly the outcome of the research finding without any ambiguity- of course in a brief manner. The last chapter (chapter ten) puts summary, conclusions and recommendations in a befitting manner. The information, both tables and colored maps are very vital part of the research work and illuminate us with the author's findings. As a whole myself and may be many others will find the book very useful and deserve our admiration.

I took the book with much eagerness, because I have had the opportunity to work at one time with local development, I worked as a consultant of the Ministry of Women and Children Affairs in the project "Combating Child and Women Trafficking in Bangladesh" for three years– a closed area of migration and working life-long in the area of poverty reduction. Both the writers have earned reputation as researchers home and abroad and well-known to me. Prof. Raisul Awal is working now as my departmental colleague; worked life-long in UK and USA and in the end of career now in Bangladesh. They, let us hope, will contribute in development efforts of Bangladesh in future too. I wish the book's wide circulation and extensive use.

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