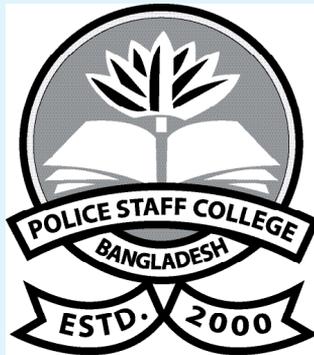

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Chief Editor's Note

It is our pleasure to present the current issue of the PSC Journal to our esteemed readership. We have tried to present thought-provoking, objective and constructive contents with accordance to our constant endeavours for excellence.

The first article is related to one of the biggest law enforcement challenges of the present time – money laundering. The increasingly globalized and interconnected world is generating an ideal setting for illicit laundering of funds. This article found that gaps in the existing laws and illegal transaction methods are among the main challenges in combating money laundering. The laws in force provide limited authority to law enforcers. Moreover, systemic weaknesses can be exploited for manipulation of export-import statistics, the study reveals.

The second article focuses on the crucial issue of witness and victim protection. Detailing the existing legal mandate, it emphasized the need for an integrated victim & witness protection law in Bangladesh. The discussion was made in the context of international, European and South Asian legal frameworks.

The third title in the issue discusses the importance and methods of proper social re-integration of rape victims. Citing the incidents of re-victimization and subsequent sufferings, the article calls for multi-dimensional approaches for effective rehabilitation and social reintegration of rape victims.

The fourth entry pivots around the issue of occupational stress among police personnel. The study discusses the literature on stress factors and explores anti-stress mechanisms among police personnel working in metropolitan areas of Bangladesh. It was found that administrative steps and management intervention can mitigate the issue of stress to a significant extent.

This issue's final entry deals with the current geopolitical scenario which has the potential to reverberate throughout the world, with possible repercussions for Bangladesh as well. The article focuses on the resurgence of Russian military might and explores its implications in terms of the current world order. In particular, it argues that the

strengthening of Russia's armed forces could be one of the indications of the end of the United States' global economic and military dominance.

It is our hope that these research works will contribute to the global and regional knowledge base on the relevant issues and show the way for better policing. We take this opportunity to convey our warm regards and appreciation for all your support.



Md. Golam Rasul

Member Directing Staff (Academic & Research)
Police Staff College Bangladesh &
Chief Editor, PSC Journal

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Combating Money Laundering in Bangladesh: An Analysis of Facing Challenges by Law Enforcement Agencies

Habibur Rahman BPM (bar), PPM (bar)¹

***Abstract:** The main purpose of this research is to explore the legal and policy constraints, and facing challenges by law enforcement agencies to combat money laundering (ML) which could be a big challenge for Bangladesh. This paper is grounded on data and information assembled from both primary and secondary sources. There contains a long substantial history about money laundering engendered national and transnational crime in the world. The overall arrangement of this association reestablishes the 'perfect' cash to the launderer during a dull and underhanded way. Money laundering is the illegitimate collaboration of creating plenty of currency produced through a criminal offense, as an example, drug dealing or fear-based oppressor financing seems to have come from a real source. At the same time, there is a need to focus on generating policy recommendations to be aware of how this system works, and what constraints should be formulated as well as eliminated from the prevailing laws and policies for the future.*

Keywords: Money Laundering, Anti- Money Laundering, Crime, Transnational Crime

Introduction

Money laundering (ML) is a thoughtful financial offence that engaged all types of criminal and white-color personnel alike (Financial Crimes Enforcement Network, 2021). Money laundering should be easily prevented and the economy of Bangladesh should be protected if timely laws and policies regarding anti-money laundering can be formulated and implemented. Nevertheless, most monetary organizations have been hostile to money-laundering (AML) approaches to set up to recognize and forestall this movement (Financial Industry Regulatory Authority, 2020). However, in the 21st century, the monstrous uses and practices of “illegal money laundering network” (Mayank, 2004) by “providing a code” (Chicago Tribune, 1996) involve worrying the legislatures, strategy creators, financial bodies, and law enforcement agencies.

Correspondingly, Money Laundering Prevention Act was first introduced in Bangladesh in 2002. This law came into force on April 30, 2002 and remained in force till April 14, 2008. According to the law, money laundering could be investigated by a person authorized by Bangladesh Bank or Bangladesh Bank

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itself. The officer in charge of the police station may exercise the same powers under the Criminal Procedure Code (Act No. 5 of 1898) in the investigation of any crime, but under this Act the person authorized by Bangladesh Bank or Bangladesh Bank may exercise the same powers. Due to the lack of proper training and possession of weapons by the officials of Bangladesh Bank to investigate these crimes, it was not possible for them to carry out even an effective investigation. An Amendment Ordinance (No. 17, 2007) was enacted with effect from April 18, 2007 to make the law more effective. Through this ordinance, the offenses are made to be investigated by the Anti-Corruption Commission (ACC) as a Scheduled Crime under the Anti-Corruption Commission Act, 2004 (Act No. 5 of 2004) (Mahfuzur Rahman, Dainik Amader Shomoy, 16 October 2021).

However, Money Laundering Prevention Act, 2012 was enacted with effect from January 16, 2012, as money laundering laws and anti-terrorism laws have to meet international standards in every country of the world. The law, which is based on the recommendations of the Financial Action Task Force (FATF), is considered to be of high standard. The name of the ACC was first included here as the investigating agency. It was later found that out of 27 related crimes, only one crime (corruption and bribery) was investigated by the ACC. The criminal investigation department of the police is involved in the investigation of 24 of the related crimes (Mahfuzur Rahman, Dainik Amader Shomoy, 16 October 2021).

Money laundering encompasses of three phases: 'placement', 'layering' and 'integration'. In 'placement' phase, currency beginning from illegal actions is made known to the monetary scheme. At the 'layering' phase, the money launderer manages to bring in illegal funds despite receiving them from legitimate sources. In the last phase of 'integration', the launderer puts resources into different resources, utilizes the assets to make the most of his ailing gotten gains, or keeps on putting resources into extra criminal operations (Jost and Sandhu, 2000).

Furthermore, diffuseness of money laundering in Bangladesh has led to an increase in economic losses and criminal activity that could threaten the country's sovereignty. Consequently, illegal money flow, if not addressed properly, risks terrorist financing, drug money transfer, various money laundering-related crimes, absence of proper coordination and appropriate policies, it is very difficult for law enforcement agencies to interfere and prevent criminal activities of many kinds.

Moreover, remittance moves go-betweens through hidden world exercises, e.g., trafficking, hundi, where these individuals gather remittances in a far-off country and their representatives pay the same information in Bangladesh within very short time. These cycles deny the public authority from charges and

unfamiliar money inflows decline, law authorization offices are not weakened, or prepared to deal with such issues (Nabi, G., and Alam, M.M., 2011). From this perspective, the significance of this issue is important in the present era of globalization.

The objectives of this investigation are to analyze the loopholes of laws regarding the hundi system in Bangladesh and to suggest some effective and efficient policy recommendations with a view to the future implementation of effective laws and policies. Therefore, the discussion of the theme is broadly concise and structured by following an important question on what are the legal and policy constraints that have engendered challenges the Bangladesh Police to combat against Hundi transactions and money laundering.

Methodology

An Exploratory-Qualitative research design was employed to enable an in-depth analysis to meet the objectives and answers to the research questions of this study. Furthermore, individual in-depth interviews of different officials and experts on these issues are taken into consideration for getting more useful and actual information to clarify and better understand the views through different perspectives. Additionally, both primary and secondary data-information congregated in this paper to make the ground of research and analysis. Primary data were composed from eligible respondents who were related to money laundering and respondents were designated over convenience sampling, in-depth face-to-face interviews, telephone, and e-mail were conducted constructed on an interview plan that encompassed closed and open-ended questions. A well-designed interview schedule was used in assembling essential facts from the selected respondents, e.g., officials of anti-money laundering, the Financial Crime Unit of Bangladesh Police; relevant lawyers, and academicians. However, secondary information was collected from the published journal articles, reports of monetary organizations, anti-money laundering, and the anti-terrorism unit, published news of national and international dailies. To accomplish the objective of this study, the collected data were abridged, tabularised, and investigated consequently. The simple tabular method was followed in analysing the composed evidence.

Operationalization of the Concepts

In this study, money laundering refers to the illicit money-making process through terrorist financing, drug trafficking, national and international criminal activities which appears to suspicious activities. The meaning of criminal activities regarding money laundering is as the serious offenses against the

country that employed alike money launderers in same activities (Financial Crimes Enforcement Network, 2021). Money laundering is a real monetary injustice (Financial Crimes Enforcement Network, 2020) by which mass people, especially middle class exploited from their national opportunities and advantages for devastation of economic prosperity.

However, the term anti-money laundering (AML) means such kinds of practices of laws and regulations that can hindrances, and prevent money laundering related criminal offences and activities (Financial Action Task Force, 2021). The target of AML to reduce and diminish money related crime, and criminal activities such as trade of illicit goods, tax evasion, misuse of public funds, market manipulation as well as strategies used to launder huge amount of money.

The main goal of AML is to maintain transnational standard for prevention and protection of money laundering (Bank Secrecy Act & Related Regulations, 2021).

Crime is shaped and defined by legitimate laws and regulations of a country. Moreover, crime is defined also as an illegal act punishable by law enforcement agencies of a country (Elizabeth A. Martin, 2003). In this study, crime refers as the money laundering related criminal offenses and activities that generate devastation not only for the country, but also for its population. These types of acts are strictly prohibited as well as punishable by law.

Furthermore, transnational crime is a crime that has a real or influential impact transversely countrywide borders which damages the basic ethics of transnational society (Boister, Neil, 2003) Drug, arms, and human trafficking, Illegal exports, imports through money laundering are known as transnational crime (Maria G. Burns, 2020). The survey will only cover money laundering-related crimes and international crimes.

Findings and Discussion

The major laws in Bangladesh regarding remittance-based hundi are the Foreign Exchange Regulation Act 1947, the Prevention of Money Laundering Act 2012 (Amended in 2015), and the Anti-Terrorism Act 2009 (Amended in 2013). In South Asia, Bangladesh introduced the Prevention of Money Laundering Act, 2002, in 2002, by means of recommended by the FATF. Subsequently, the Prevention of Money Laundering Ordinance, 2006 (Order No. 12, 2006) was issued with some amendments to repeal the said Act. In the same year, the Anti-Terrorism Ordinance, 2006 was issued. The two ordinances were later enacted in 2009 under the Prevention of Money Laundering Act, 2009 (Act No. 6 of 2009) and the Anti-Terrorism Act, 2009 (Act No. 18 of 2009). The Prevention of Money Laundering Act, and 2009 the Money Laundering Prevention Act,

2012 (Act No. 05 of 2012) were passed with some amendments. The Anti-Terrorism Act, 2009 was revised in 2013. The Prevention of Money Laundering Act, 2012 was last modified in 2015 which was published in the name of Money Laundering Prevention (Amendment- 26 November, 2015) Act, 2015.

With the enactment of this Act, the responsibilities and duties of the reporting agencies have been greatly expanded. Although these laws are more or less effective in the case of money laundering, there are some weaknesses in the laws in the prevention of such hundi which are as follows:

i). Lacking Coordination, and Existing Legal Constraints

Many of the cases under the Prevention of Money Laundering Act have not been settled for years. The investigation of these sensitive cases is taking much longer than usual. The trial is also very slow. A larger part of these cases is related to money laundering abroad. Due to legal complications, delay in investigation, delay of defendants in the court, lack of coordination and stay order in the high court, the trial of the case is not going to be started and disposed of in time. As a result, the objective of controlling money laundering is being disheartened. The establishment of courts for the enactment of separate laws and trials is not yielding the desired results.

In the Daily Amader Shomoy, Mahfuzur Rahman also accentuated some limitations or drawbacks of the law which are as follows:

a. The existing Money Laundering Prevention Act has some other weak points. For example, under section 2 (4), money laundering means “attempting to complete or attempt to complete a financial transaction in such a way that it does not need to be reported under this Act.”

Trend analysis of human transactions with banks is a tool to uncover money laundering crimes. When a person learns from the provisions of the existing law that it is a money laundering offense to transact money close to a certain amount of money, he will be embarrassed to do normal transactions and will want to complete the transaction consciously. Many times, bank officials also suggest such transactions. As a result, the actual course of the transaction is not available and it is not possible to analyse it properly.

b. According to section 2 (6) of the existing law, money laundering means “taking, seizing or enjoying such property despite knowing that it has been obtained from the crime involved.”

In this case, before making any transaction with anyone, everyone should know whether the property in question is acquired from the

crime involved. Again, in the case of accepting money owed by a person, the money or property payable by the debtor cannot be accepted if it has been acquired from the offense. Again, an offender may have legal and illegal income. Suppose a government official receives a salary of one lakh rupees, which is his legal income. Again, he took a bribe of one lakh rupees - which is his illegal income. Now he has mixed these two incomes together. If this gentleman owes money to someone, it is not possible to know from which part of the income he is paying. The reporting agency, the bank or other institution, seizes the proceeds of the offense for natural and reasonable reasons. If the source of income or deposit money seems suspicious, they send suspicious transaction report to BFIU as per the instructions of law. Now, according to this provision, a bank or other reporting agency has to be guilty of money laundering as it has accumulated or seized the income earned from the offense.

c. The Bangladesh Financial Intelligence Unit (BFIU) may, by virtue of the powers conferred by section 23 (1) of the Act, direct the suspension or obstruction of transactions for a period of 210 days by issuing periodic orders with any of the reporting agencies.

Even if an account is thus blocked by the BFIU, if they know for sure that the money held as is not derived from a suspicious sector, there is no provision in the law or in the relevant rules to release the blocked account. As a result, many are in trouble. In this case, the BFIU often cannot do anything as a blocker. In this case, there should be an opportunity to reconsider the blockade order by appointing a BFIU chief and a committee comprising representatives of law enforcement agencies and Bangladesh Bank.

ii. Illegal Transaction of Remittances through Hundi

Billion dollars of remittances came to Bangladesh legally. Although there are no accurate statistics on the amount of remittance income in the country and how it is repatriated, it is estimated that a huge of the number of legal remittances coming into the country is remittance illegally. On the other hand, remittances come to the country illegally mainly through hundi.

According to the Washington-based think tank Global Financial Institute (GFI), between 2006 and 2014, .6 61.6 billion was laundered from Bangladesh. In 2015 alone, about 9 5.9 billion was smuggled out of the country. GFI reveals that average of \$ 7.53 billion is laundered every year, and consequently, about \$ 37.65 billion was laundered from 2016 to 2020 (Emdadul Haque & Dr. Kudrat-E-Khuda Babu,

The Business Standard, 23 August 2021). This suggests that the hundi process is being misused to launder the country's internal black money.

iii. The Threat of 'Digital Hundi' and Lacking Guidelines regarding Awareness

The proliferation of digital hundi has become quite noticeable these days. Usually, mobile is the main medium of such a hundi. The existing law does not mention the monitoring of digital financial hundi by mobile financial services companies. Then again, halting deceptive activities is quite difficult for administrators. As of late, MFS exercises have gone under examination because of charges of deceitful exercises including illegal channeling of remittance, called "Digital Hundi" (Fakhruddin Mehedi, The Daily Asian Age, 17 October 2017) and terror financing.

Money launderers and those who finance terrorism use various financial institutions and some non-financial businesses as well as professionals to assist them in their criminal activities. Access to such entities and individuals is crucial for criminals to succeed because it provides a way to transfer funds to financial institutions and other, internally and internationally, other financial institutions.; currency exchange, and converts criminal income into various financial instruments and other assets. According to the Prevention of Money Laundering Act of 2012, only the ACC was responsible for investigating the case. According to the 2015 amendment, the agency will be able to investigate the organization involved in money laundering. This is speeding up the investigation and verdict of the case.

The Prevention of Money Laundering Act, 2009 defines money laundering as a money laundering offense as remittances and remittances through illicit channels. Because of the above issues, guidelines for potential remittance fighters at the regional level, their families, civil society representatives, students/teachers, concerned government / autonomous government employees, and other concerned stakeholders and other concerned stakeholders for prevention of hundi and awareness of remittance through legal channels. However, during the in-depth interview, two officials of Criminal Investigation Department (CID):

Multiple gangs in different districts of the country, including the capital, are involved in money laundering abroad through hundi. A joint investigation by various government agencies has found information against thousands of people for smuggling money abroad and bringing money into the country through hundi. These people are smuggling money abroad through hundi under the guise of various business establishments. After receiving the preliminary list, the Economic Crime Squad of the Criminal Investigation Department (CID) of the police started investigating about 200 persons but could not go far.

CID is investigating more than two hundred money laundering cases. In some of these cases, money laundering abroad has been alleged through hundi. The accused include traders, Clearing & Forwarding (C&F) agents, importers, money exchange companies, and cattle smugglers at the Bangladesh-India border.

iv). Having no Special Powers of Law Enforcement Agencies to Combat against Suspicious Transactions

The country passed the Prevention of Money Laundering Act in 2002 and amended it in 2009 and 2012. Although the law introduces ‘Know Your Client’ (KYC) (BFIU Circular No. 16 10 September 2015) and ‘Suspicious Transaction Report’ (STR), banks still do not want to deal with remittances from abroad. Therefore, it would be more effective to motivate them to send money to the country through legitimate channels by collecting their information through foreign missions rather than doing KYC through banks.

Money laundering generally includes any illegal transaction through any crime ranging from bribery, financing to militancy or terrorism, human trafficking, smuggling, counterfeiting. Various suspicious transactions are reported to BFIU by various institutions including banks. which is called Suspicious Transaction Report (STR). According to the respondent of the Bangladesh Financial Intelligence Unit (BFIU):

Suspicious or illegal money transactions in the country’s financial sector have increased more than ever before. Such information was acquiesced to the Bangladesh Financial Intelligence Unit (BFIU), which is in charge of investigating such transactions in the financial sector. Banks, financial institutions, insurance, brokerage houses, jewelry, housing, and various government and non-government organizations have provided this information. Such information has come up in the annual report of the company for the financial year 2017-18. According to the report, there were 5,422 suspicious or illegal transactions in the 2017-18 financial year. 921 crore was involved. And in the 2016-17 financial year, there were 3 thousand 736 such transactions, which involved 1 thousand 163 crores. As a result, suspicious transactions have increased by about 65 percent. The most suspicious of these transactions are related to digital hundi.

v. No Laws to Combat Against Manipulation during Import and Export of Goods

According to Global Financial Integrity (GFI), a Washington-based international organization, an average of \$ 8.27 billion is smuggled out of Bangladesh every

year under the guise of foreign trade. In their released report GFI stated that a total of 4 thousand 965 crore USD had been smuggled out of Bangladesh in six years. The current exchange rate of the dollar is 86 BDT, which amounts to about four and a quarter lakh crore BDT. According to the report, in the decade from 2009 to 2018, 1.6 trillion dollars smuggled under the guise of trade from 134 developing countries of the world. Bangladesh is also in this list. Under the guise of trade, most of the money has been laundered from China. This is followed by Poland, India, Russia and Malaysia (The Daily Samakal, 17 December, 2021).

Moreover, Global Financial Integrity (GFI), a Washington-based research firm, says about \$6 billion was smuggled out of Bangladesh in 2015 through trade manipulation. In Bangladeshi currency, it is about 50 thousand crore rupees. It is mentioned in the report that this manipulation has been done during the import and export of goods in Bangladesh (Mirza Mehdi Tamal and Manik Muntasir, Bangladesh Pratidin, February 5, 2020).

However, during the in-depth interview, another official of Financial Crime Unit of Bangladesh Police stated that:

According to the one respondent of Bangladesh Bank:

“The amount of money laundered through trade-in import-export trade is worrisome. And most of the smuggled money is going to Canada, Malaysia, Thailand, Australia, and Dubai. Traffickers are choosing these countries for money laundering as different countries of the world are open to foreign investment. The money is being invested in various businesses including residential buildings, land purchases, and hotels. There are also allegations of money laundering in smaller island nations, such as the English Channel between the United Kingdom and France. The money of smuggling is also going to the famous and expensive casinos abroad.”

vi. Absence of Laws and Regulations to Stopover Illegal Transactions through Crime

Money laundering generally includes any illegal transaction through any crime ranging from bribery, financing to militancy or terrorism, human trafficking, smuggling, counterfeiting. However, during the in-depth interview, one respondent of the Criminal Investigation Department (CID) stated that:

“The Criminal Investigation Department (CID) is investigating a list of about 200 people identified as hundi dealers. The ring is smuggling around Rs 50,000 crore abroad every year through hundi. He is buying shares of hotels, motels, business investment companies,

residential buildings, and flats in different countries of the world including Singapore, Canada, Malaysia, Thailand, Australia, and Dubai. Money laundering is on the rise in smaller island nations, such as the English Channel between the United Kingdom and France. Bangladesh's established businessmen, bankers, politicians, and people of various classes and professions are on the list of traffickers. He also stated that it is a known fact of CID that more than three thousand Bangladeshis have set up second homes in different countries of the world through smuggling through money laundering. It created challenges for Bangladesh Police as having no formal laws and regulations to combat illegal transactions of money through hundi engendered money laundering."

According to a respondent of Department of Narcotics Control:

The drug traffickers used phone calls, wrapped scotch tape like a cricket ball during the day or at night, packed it in cigarette packs and packed the drugs in small plastic bags, and threw them over the barbed wire. And the transporters are bringing these drugs in the guise of farmer or shepherd with ease. But before that, the money reached India from Kulaura in just 5 minutes. It is known that drug dealers transact huge amounts of money through hundi for buying and selling drugs. Bangladeshi money is being converted into rupees in India through syndicate cycle hundi in different parts of the country.

Policy Recommendations

As a developing country, Bangladesh should follow the Palermo Convention, and the Vienna Convention to stop, and prevent money laundering to strengthen the economic condition mentioned ML as the 'serious crime against the country'.

Moreover, the pace of remittances has increased in the last few months due to the implementation of a 2% cash incentive in remittances (Bangladesh Bank, FE Circular No. 31, 6 August 2019). Properly covered, it will withstand many adverse conditions. At the same time, the country should be urged for strict disciplinary action against money launderers and those who send remittances from abroad through hundi.

Countries should identify, evaluate and take effective action to reduce the risk of money laundering and terrorist financing. Countries should have a national AML policy, be aware of the identified risks, which should be reviewed regularly and nominated by an authority, or should have responsible coordination or other measures for such policies (AML Guideline Policy, Bank Asia, 2019).

Countries need to ensure that policymakers, financial intelligence units (FIUs), law enforcement agencies, supervisors and other relevant authorities, at the policy-making and operational levels, have effective arrangements that enable them to cooperate and where appropriate. Money laundering, development of weapons of mass destruction to finance terrorism, coordination with each other in development and implementation of anti-financing policies and activities (AML Guideline Policy, Bank Asia, 2019).

The intelligence department of Bangladesh Bank should work with it. Apart from this, the government law enforcement and NBR have to work on it. However, it can be said that since remittances to banking channels have increased legally, not only have they increased, new records have been set. The concerned agencies of the government always have to work to prevent money laundering through this hundi. Furthermore, the financial intelligence unit of Bangladesh Bank and various government agencies have to monitor the matter. It is possible to unravel the secrets of the hundi business by properly monitoring why the flow of money to the banks in the border areas is increasing, the source or the source of this money.

Conclusion

Money laundering through hundi is causing havoc for the country's economy. A large part of the remittances sent by expatriate Bangladeshis to their relatives in the country is coming through hundi. Although the number of Bangladeshis working abroad has increased in recent years due to the non-receipt of money through the banking sector, remittance income is declining instead of increasing. As a result, there has been a crisis in the foreign exchange, especially the dollar. At the same time, Bangladesh should implement strict disciplinary action against money launderers and those who send remittances from abroad through hundi.

The responsibility of the Bangladesh Financial Intelligence Unit (BFIU) is to track down the assets of the criminals and inform the law enforcement agencies about the transactions or activities identified only as suspicious. After receiving this information and further confirming the investigation, the law enforcement agency will start legal action against the culprit. The law needs to be amended to enable the BFIU to efficiently collect quality information to identify activities involving suspicious transactions and attempts to legitimize assets acquired from related crimes. Since the law cannot be amended again and again, it would be a fruitful step to bring together all the necessary amendments with the views of all parties concerned and take appropriate steps to make all law enforcement agencies working on money laundering work in their respective fields (Mahfuzur Rahman, Dainik Amader Shomoy, 16 October 2021).

Measures need to be taken to legalize remittances from expatriates to curb hundi fraud. The strong network of hundi that has developed in different countries of the world including the Middle East, Malaysia, Singapore, Europe-America must be broken with a firm hand. According to the Foreign Exchange Policy Act, remittances from abroad have to be sent through banking channels.

Illegal transactions through any crime ranging from bribery, financing to militancy or terrorism, human trafficking, smuggling, counterfeiting. Multiple gangs in different districts of the country, including the capital, are involved in money laundering abroad through hundi. A joint investigation by various government agencies has found information against thousands of people for smuggling money abroad and bringing money into the country through hundi. These people are smuggling money abroad through hundi under the guise of various business establishments. To overcome this unfortunate situation, initiatives should be taken to discourage transactions through hundi engendering money laundering.

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In Search of the Protection of the Victim & Witness Law in Bangladesh

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***Abstract:** In criminal justice system of the world, the role of victim and witness has vital and core contribution to prove the charge against the accused. In adversarial justice system the testimony of victim and witness is regarded the basic evidence to the court setting the conviction. For such key reasons, the victim and witness will be the prime target to the accused creating a situation for victim and witness not to be interested to prove the allegation. In many countries of the globe, the laws on the protection of victim and witness have been enacted and framed for ends of justice. In Bangladesh, there is no law on the protection of victim and witness whereas the voice of demand for law is getting high and the concern stakeholders and the court direct to the government to enact the law. For the proper evidence and witness in the court, the most of the accused will be acquitted though the cases are well founded evidences. In our justice system our conviction rate is very low in the world. Now sexual offences have been increased sparkly but the protection for vulnerable women is not sufficient to get justice. In this Article the real condition and necessity of the protection of victim and witness law will be discussed elaborately and recommended a way out to achieve a goal for justice.*

Keywords: Administration of Criminal Justice, Evidence, Investigation, Justice, Judicial System, Legislation, Protection of Victim and Witness Law, Trial, UN Declaration.

Introduction

Bangladesh is a common law practicing country and here we follow the adversarial legal system in our judicial process. Constitutionally and conventionally the long well established rule is “everyone is presumed innocent until and unless he is convicted beyond all reasonable doubts.” Victims and witnesses provide the information, intelligence and evidence, which enable offenders to be brought to Justice. In order for the system to operate effectively, they must have confidence in the justice process. In turn, the system must recognise the needs and concerns of victims and witnesses and provide adequate information, support, protection and reassurance to generate faith and trust in the legal processes (UNDP Document: 2014, P-6). In Bangladesh, for ensuring rule of law and justice in the society, the protection towards the victim and witness is a need of hour. In our criminal justice process, it is almost impossible to bring the evidences to

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investigation and in the court while the counter part of the case is stronger one because of protection for victim and defects of judicial process. Constitutionally it is the fundamental rights of victim to get fair and speedy justice.

Criminal Justice System in Bangladesh

Bangladesh is a commonwealth country and follows adversarial legal system in the criminal justice process. The whole process is a contest between two parties one of whom is State and the other is accused of crime. Court plays no significant role in preparation of a case; it takes only a non-partisan role. Cases are tried on evidence adduced by parties (Hossain: 2014, P-57). The scheme of constitution of Bangladesh and fundamental rights of the accused provide in the Article 35(3) which states that “Every person accused of a criminal offence shall have the right to a speedy and public trial by an independent and impartial Court or tribunal established by law.” The Articles of 27, 31, 33 and 35 of the Constitution of Bangladesh deal with the rights of victim and accused in the judicial system (Constitution: 1972). For such nomenclature of law, the accused gets unfettered comforts in the trial on the question of evidence and burden of proof. In this normative view, the evidence of victim and witness are vital part of the trial to be regarded the accused is convicted.

Thus, the offenders have a wide range of rights both constitutional and legal in the investigation and trial of a criminal case. Thus it will appear that the law and the principles of criminal justice are all in favour of the right and protection of the accused. But no specific law is there providing for the rights and protection of the victims and more particularly the witnesses although they are the principal actors for the prosecution to prove its case “beyond all reasonable doubt” (Report: 2006). Whenever the courts find any flaw in the evidence of the prosecution, for the sake of ‘fair trial’ give acquittal to the alleged accused by resorting to ‘benefit of doubt’ (Hossain: 2014, P-57).

In our jurisdiction, the state represents the victim in the court and the appointed prosecutor appears in the court to adduce the evidence. Most of the cases they show reluctance to prove the case and bring the victim and witnesses in the court. The burden of proof is up to one who asserts must prove. In such situation the burden to prove the case is on the victim who claims the offence is committed [for detail, see, section 101 to 105 of (Act: 1872)]. It is clear that the accused gets an unfettered privilege in a case where there is no protection measure for victim and witness to prove the evidence in the court.

Legal Implication Identifying of Victim & Witness

The word “victim” has not been analyzed either in the Penal Code or in the Code of Criminal Procedure. We can, however, identify ‘victim’ as a person or persons

who, individually or collectively have suffered physical, emotional, financial, social or psychological injury as a result of the commission of an offence and in some cases, it includes the immediate dependents or a member of the family of the direct victim and also a person who has suffered harm in intervening to assist the victim in distress or to prevent victimization of the victim (Report: 2006).

According to the Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power which defines Victims in Article 1 which states that “Victims means persons who, individually or collectively, have suffered harm, including physical or mental injury, emotional suffering, economic loss or substantial impairment of their fundamental rights, through acts or omissions that are in violation of criminal laws operative within Member States, including those laws proscribing criminal abuse of power” (UN Declaration: 1985). According to EU directive as per Article 2, “a victim is a natural person who has suffered harm, including physical, mental or emotional harm or economic loss which was directly caused by a criminal offence. The definition of victim also expands to family members of a person whose death was directly caused by a criminal offence and who have suffered harm as a result of that person’s death (EU Assessment: 2017).”

The word ‘witness’ may be interpreted as any person including a child, who is or may be required to make a statement or give evidence or who has made a statement or given evidence, in any investigative or judicial proceedings in relation to the commission of an offence (Report: 2006).

Objective of the Study

The objective of the study on the protection of victim and witness law in Bangladesh is to explore the existing conditions and problems in criminal justice system regarding the protection of victim and witnesses. In this research it will be clear why the matter is crying need in our justice system and the development of that law in the globe. It will be focused that the need to address the protection of victim and witness in Bangladesh and initiatives in International and South Asian countries to bring the justice for vulnerable victims. In the ending part, the recommendations and way out will be addressed for framing law.

Methodology of the Study

The research design chosen is documentary basis and secondary source as the study reveals the existing facts, situations and necessity for the law on the protection of victim and witness in Bangladesh. Documentary research is the study which depicts the existing information, facts, current demand on the matter of study and available data to analyze the study of the Article. The study collects

information, legal analysis, statistics, case laws, international legal documents from authentic books, journals, articles, websites, newspaper, fieldwork and personal experience in the judicial service of the author. In the study, it has been applied carefully to analyze the facts, legal conditions and other materials with the demand and condition of our criminal justice system.

Findings & Discussion

Rights of Victim & Witness in the Judicial Process

In all legal systems, everyone can claim fair and neutral justice about one's violation of rights. According to the Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power in which Article 4 states that "Victims should be treated with compassion and respect for their dignity. They are entitled to access to the mechanisms of justice and to prompt redress, as provided for by national legislation, for the harm that they have suffered" (UN Declaration: 1985).

Article 5 of the said declaration states about judicial process for justice which as states "Judicial and administrative mechanisms should be established and strengthened where necessary to enable victims to obtain redress through formal or informal procedures that are expeditious, fair, inexpensive and accessible. Victims should be informed of their rights in seeking redress through such mechanisms (UN Declaration: 1985)." Article 6 of the said declaration stipulates five types of privileges to be maintained in the judicial process which are in the following; "The responsiveness of judicial and administrative processes to the needs of victims should be facilitated by:

- (a) Informing victims of their role and the scope, timing and progress of the proceedings and of the disposition of their cases, especially where serious crimes are involved and where they have requested such information;
- (b) Allowing the views and concerns of victims to be presented and considered at appropriate stages of the proceedings where their personal interests are affected, without prejudice to the accused and consistent with the relevant national criminal justice system;
- (c) Providing proper assistance to victims throughout the legal process;
- (d) Taking measures to minimize inconvenience to victims, protect their privacy, when necessary, and ensure their safety, as well as that of their families and witnesses on their behalf, from intimidation and retaliation;
- (e) Avoiding unnecessary delay in the disposition of cases and the execution of orders or decrees granting awards to victims." (UN Declaration: 1985)

Scenario of the Investigation & Trial about the Protection of Victim & Witness in Bangladesh:

As the burden of proof is on the part of prosecution and victims, the witnesses and victims have a great role to prove the charge against the accused in the established courts in the proceedings. From filing of the case to disposal of the case and even after the Judgment, the protection and security to victims and witnesses is essential responsibility of the state. Bangladesh, a welfare state, has its sacred duty to citizen keeping them in secure state of rule of law and a society free from fear, intimidation and threat from the accused.

The victim of a crime plays a very important role in the administration of criminal justice both as a complainant/informant and also as a witness for the prosecution. Victim's role is vital at the stage of investigation of a reported crime and also at the stage of trial of the case arising out of that crime. But these victims are now a days vulnerable to threats, intimidation, coercion and harassment by the offenders or their associates preventing the victims from testifying before the investigating officer at the stage of investigation or from giving evidence before the courts and tribunals at the trial of the case.

The testimony of a victim at the stage of investigation and during trial of the case in court specially when the crime is a crime of violence against women and children, can be said to be the best piece of evidence that can be used against the accused. The victim being an important player in the whole process of criminal justice system, much attention needs be given to the rights, privileges and protection of the victims (Report: 2006).

In the present day society crimes have been syndicated and organized posing a challenge to the existing administration of law and order, Particularly, murder, kidnapping, abduction, rape, trafficking for commercial sexual exploitation and acid throwing against women and children have considerably increased and are being organized on a well co-ordinated basis. But the victims of these crimes feel reluctance to file their complaints against the offenders for fear of threat, intimidation, humiliation, harassment and of further victimisation by the offenders and their associates.

After the completion of investigation, when regular cases are started against the offenders, the victims then as witnesses are again subjected to threats, intimidation and coercion by the accused party or their associates preventing them from coming before the court or tribunal to give their evidence at the stage of trial of the case. Since the testimony of the victim is a very important piece of evidence in the criminal trial, it is essential that the victim should be able to give his/her testimony in court or tribunal freely and without any fear or pressure for the purpose of securing the ends of justice. Some legal arrangements for the

protection of the victim-witnesses are, therefore, necessary to be made (Report: 2006).

In our subordinate courts, it is very normal and expected scenario that the witnesses are not spontaneous to come in the courts for giving evidences only for fear, intimidation, and threat from accused and absence of any protection measure. As a Magistrate, I have experienced huge number of cases where the witnesses complained that the accused has shown fear not to come in the court. It is said that in our country, in most of the cases involving the rich and influential persons, witnesses turn hostile making the whole process of justice infructuous. Very often witnesses become untraceable and sometimes they are just eliminated (Report: 2006).

Need for an Integrated Victim & Witness Protection Law in Bangladesh

A widespread concern has been raised over the lack of rights and protection of the victims and witnesses. The victim also needs a fair and quick trial of a criminal case to get justice for the loss he/she and his/her family has suffered by the crime committed on them and that his/her need is greater than the needs of the accused. Certain rights and protection of victims and witnesses should, therefore, be granted by enacting a specific law and in doing so; efforts shall be made to balance the rights of the accused with those of the victims and witnesses without losing sight of the public interest involved in the prosecution of those persons who have committed the crime.

In the case of Rape, the case is now at alarming position in Bangladesh; it generally takes place in closed rooms or in secret places, so there is no eye witness available to such occurrence. In a crime of such situation, the testimony of a victim is the best and the only evidence that can be obtained by the prosecution against the accused. Even then such victims/witnesses are reluctant to appear before the court for fear of their life and property or that of their families because of the fact that there is no specific provision of law for protection of the victims and witnesses as against threat, intimidation or any inducement of the accused party (Report: 2006).

Recently a witness's girl was gang raped and murdered in the Patuakhali District because her mother was testified as witness in the Rape case against the accused (Jugantor: August 09, 2019). Another Victim of Sonagazi, Feni was murdered after 8 days filing FIR against the accused persons (Jugantor: August 03, 2019). The well-known case of Nusrat Jahan Rafi, a teenage girl and Victim, who was sexually harassed by her principal of Madrasha on 27 March, 2019 and filed a case. Later on 06 April, 2019 the alleged accused murdered her through fire in her body taking her in rooftop of Madrasha at the time of her Alim examination.

This case is a unique and glaring example towards to the protection of Victim. Millions of people came out to the road and showed their demand for Justice for Nusrat Jahan Rafi. Later on a speedy trial and measures for witnesses were taken for ensuring the justice. Sometimes, the crime is committed by the law enforcement agency's personnel when the victim is in their custody. In this connection the recent Khulna Railway Police Station gang rape, Sheema murder case, Naraiyonganj seven murder case of RAB can be stated.

Recently by the initiative of the daily Prothom Alo, a comprehensive research was conducted about the cases of the Anti-Women and Children Repression Tribunals of Dhaka from the year of 2002 to 2016. The research focused on basically about the protection of victims, witnesses, speedy trial and specified the barriers of the disposal of such aggravated crimes against women. In the conducted research total cases were 7864 and among them 2604 cases were about rape, gang rape and murder after rape. The said research claimed that only 03% case was disposed of as conviction to accused. They claimed that 55% case was closed and the accused was acquitted only for witnesses. The said research recommended framing a victim and witnessing protection law as early as possible (Tahmina & Bhowmik: 2018).

The Police Bureau of Investigation (PBI) conducted a research and published a report on the dacoity cases of the country. PBI stated in their report clearly that 50% of dacoity cases, which are regarded as aggravated heinous crime, failed in the courts for hostile witnesses. They are not interested to disclose any information or evidences against the accused because of fear, intimidation and security towards them. The said report demands the Victim and witness protection law for ensuring the punishment (Prothom Alo: July 25, 2019).

The Narcotics Department of the Ministry of Home has recently conducted a research and published report for last 10 years (2009-18) on the disposed cases of narcotics that were almost 26000 narcotics cases. In that report, the Government Agency admitted that 48.45% case was failed and the accused was acquitted because of the witnesses. They don't want to disclose the information against the accused because of the fear and intimidation (Prothom Alo: August, 09, 2019).

In 17 August, 2005 Jamaatul Muzahedin Bangladesh (popularly known as JMB) blast series of bomb widespread the country and the Government filed 161 cases against JMB. Till 17 August, 2019, 33 cases are pending in the courts for long 14 years. The Public Prosecutor (PP) of Dhaka admitted that the witnesses are not interested to come in the courts for their protection and safety in their life. This is the scenario of such sensational case of the country against the militants (Samakal: August 17, 2019).

In our subordinate courts, for lack of evidences and witnesses particularly for hostile witnesses the accused gets acquittal in the trial. In a research by PPRC depicted that the conviction rate of GR (General register) cases in the year of 2007, 2008, 2009, 2010 were 22.66%, 23.73%, 26.21%, 24.69% respectively (Khan: 2017). This configuration of conviction's rate will be very much high if the protection of victims and witnesses are ensured by proper law and authority.

The challenges before the criminal justice system are to balance the rights of the accused while dispensing speedy and effective justice. The criminal justice system machinery must also meet the challenge of effectively dealing with the emerging forms of crime and behaviour of the criminals (Hossain: 2014, P-68). Considering above data and information on going in Bangladesh, It's the time to make a legal framework providing protection towards to victim and witnesses to root out the cultural impunity from our country.

Supreme Court's Direction & Guideline for Making a Victim & Witness Law

In recent time, our High Court Division in few cases sets some guidelines to speedy trial and ordered to make monitoring cell and monitoring committee for ensuring the production of witnesses in the courts specially in the case of the Anti-Women & Children Repression Tribunal cases. In the case of Md. Milad Hossain @ Milad Uddin Vs State (Criminal Appeal: 2016), The High Court Division (HCD) ordered to constitute a monitoring cell for expeditious trial of the cases.

The honourable HCD also ordered in the case of Md. Rahel@ Raihan Vs State (Criminal Appeal no 7253 of 2019) to constitute monitoring committee in every district and the member of the committee will be ADM, Additional SP (Admin), representative of Civil Surgeon and concern PP of the Court. Their core responsibility is to produce witnesses in the court in proper time. The HCD expressed that the Government will take proper initiative to make law on the protection of victim and witness (Criminal Appeal: 2019). It is unfortunate that our Law Commission submitted a report and recommended to enact the concern law; even they proposed a draft bill of the proposed Act in 2006 (Report: 2006).

The Supreme Court of Bangladesh has a strategic plan for witness management policy in the courts (Policy: 2017). It's a detail policy on witness management which is prepared by the Supreme Court of Bangladesh and some workshops were conducted with the Judges for taking opinions. But the policy has not been finalized yet. The witness management system should be implemented immediately to ensure the speedy trial and protection as well as privilege of witnesses of the cases. The Supreme Court of Bangladesh has a strategic plan

for the year of 2017-22 to upgrade the judiciary whereas some instrumental developments have been taken for witness management in the courts (Strategic Plan: 2017).

Existing Legal Mandate in Bangladesh about the Protection of Victim & Witness

In our legal system, there are a few laws which provide the provision of the protection of victim and witness. One of the finest Acts is the Prevention of Torture and Custodial Death Act of 2013. It provides a comprehensive protection in the custody of the law enforcement force or authority. The Act outlines stringent action and severe punishment for the violation of the Act.

Another golden statute is the Women & Children Repression Prevention Act-2000. Section 9 (5) postulates the punishment of custodial rape and torture by law enforcement agency against any woman and child and the punishment for custodial negligence is up to ten years and fine. Section 14 deals with the punishment and direction about the privacy and safety of identity of the victims from disclosing their identity in the media and public forum (Act: 2000).

To be mentioned here, section 14 of the Prevention of the Human Trafficking Act-2012 raises a separate offence to show any threat, intimidation to victim and witness as well as keep any barrier to investigation and trial of the offence and punishment is up to 7 years. In 2013, the Parliament enacted a new Children Act which comprehensively covers the protection and legal rights of the children in the light of International standard. A worthy law is the International Crimes Tribunal Rules of Procedure, 2010, which has a separate section 58A to deal with the witness and victim comprehensive protection. For taking such innovative step in the statute, Bangladesh has become a successful country to ensure trial of the war crime criminals after almost 40 years of our Independence.

International Development on the Legislation and Framework of the Protection of Victim & Witness

A) United Nations Initiatives on the Protection of Victim & Witness:

As a reflection of a global accord regarding the position of victims of crime and their basic rights, in 1985, two powerful documents came into existence, urging the international community to enhance the status of victims. The first one was the United Nations Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power (UN Declaration: 1985). The Declaration, although not a legally binding treaty, lays down the minimum standards for the treatment of crime victims and has been heralded as the magna charta of the

international victims' movement. The Declaration groups the basic principles of justice for victims of crime into the following categories: 1. Access to justice and fair treatment; 2. Restitution; 3. Compensation; and 4. Assistance (UNDP Document: 2014).

The United Nations Drug Convention (UNDC) has been spelt out in this respect that all criminal justice systems have a duty to put in place procedures to provide measures for the protection of persons whose cooperation with the criminal justice system in an investigation or prosecution, puts them, or persons closely associated with them, at risk of serious physical or emotional harm (UNODC Website).

B) EU & EU Countries' Legal Framework on the Protection of Victims & Witnesses

The EU and EU countries have developed introducing victim protection law and scheme. The second one was the Council of Europe Recommendation on the Position of the Victim in the Framework of Criminal Law and Procedure [which is known as] Recommendation (85) (EU Recommendation: 2006). The Recommendation contains 16 guidelines for the way the police, prosecution service and courts of the member states of the Council of Europe should deal with victims of crime (UNDP Document: 2014). As per the commitment of EU to member states that They (Victims) should be recognised, treated with respect and dignity, protected and supported, given access to justice and the right to obtain compensation and restoration (EU Assessment: 2017). The European Commission has taken some eventual programme for victim of a crime in its legal framework. The European Union centrally maintains some categories of victims to provide the legal supports. The EC states in its official website that People falling victim to crime have a range of needs, varying from victim to victim. To meet these needs, all victims must be treated individually (EC Document).

The Government of UK enacted The Youth Justice and Criminal Evidence Act 1999 (YJCEA) for the Protection of the Victim and witnesses from fear, intimidation and identifiable to the accused and their associates but this law will be applicable particularly in homicides, organized crime and gun crime. The UK Youth Justice and Criminal Evidence Act 1999 (YJCEA) sets out a range of measures that is available to witnesses in criminal proceedings who are deemed to be 'intimidated'. The special measures which may be relevant for intimidated witnesses are: screening the witness from the accused; evidence by live link; evidence given in private (UK Government Document).

In Germany, the Victims, especially minors and individuals who have been

subject to violent crime, domestic violence, trafficking in human beings or other traumatizing experiences, are in particular need of protection. The German Code of Criminal Procedure stipulates a duty for the court to interrogate victims in the fashion most respectful of the sufferings they have endured. This can extend to the accused being excluded from the interrogation or to allowing the victim to keep his or her identity partly or fully undisclosed (Act: 2002). The German Federal Act for the Protection against Violence, in force since 2002 enables courts to pass orders of restraint (Act: 2002).

In Italy, on August 9, 2019, new legislation related to protecting victims of domestic and gender violence entered into force to cover the protection of victim in the investigation and trial in the court (Global Legal Monitor). Other EU countries are also in the same commitment to sustain the rights of victims for ends of justice in the States.

C) Legal Mechanism in USA

The Federal Government of USA enacted the Act of the Victim & Witness Protection Act, 1982 on 12 October, 1982 (USA Act: 1982). The Victim and Witness Protection Act of 1982 (VWPA) was enacted “to enhance and protect the necessary role of crime victims and witnesses in the criminal justice process; to ensure that the Federal government does all that is possible within limits of available resources to assist victims and witnesses of crime without infringing on the constitutional rights of defendants; and to provide a model for legislation for state and local governments” (US Department of Justice).

D) Legal Initiatives in Australia

Australia constitutionally and through a series of state legislation covers the protection, rights and privileges of the victims. Notably between the mid-1980s and the late 1990s many inquiries, discussion papers and the like were conducted throughout Australia, which resulted in legislative and administrative reforms and the establishment of victim assistance programmes. Constitutionally, the states and territories are primarily responsible for enacting and administering criminal law and thus for providing victims’ rights and victim assistance (Connell: 2015).

On the protection of victims, the State of Western Australia enacted a very good law in 1994 recognising the basic rights of the victims. The Victims of Crime Act 1994 offers 12 guidelines to protect and support victims through this difficult time (Act: 1994). With same echo the State of South Australia recognises the rights of victims under the law of 2001. The Victims of Crime Act 2001 lays down principles to govern how victims of crime are treated, including a requirement

that victims are treated with respect and compassion (AUS Gov't Document).

The South Australian Parliament passed a declaration of principles to govern the way public agencies and officials deal with victims of crime (Declaration of Principles). In this declaration, there are 20 basic principles which are very basic rights of victims and later on the government of Australia enacted the Victim of Crime Act-2001 on the basis of the principles. The Victims of Crime Act 2001 lays down principles to govern the treatment of victims of crime in the criminal justice system; to provide limited rights to statutory compensation for injury suffered as a result of the commission of criminal offences (Act: 2001).

E) Legislative Approach & Preparation for Protection of Victim & Witness in South Asia

In South Asian countries, the issues of the protection and process of criminal justice for victims are more or less same. There are some fantastic developments in this regard in India, Pakistan and Sri-Lanka. In 2006, the Law Commission of India issued detailed recommendations for “administrative or legislative action” for witness protection (Indian Report: 2006). In the capital, Delhi, however, the authorities took the important initiative to introduce a Witness Protection Scheme in 2015. The Delhi State Legal Services Authority (DSLISA) passes protection orders in each case after evaluating the threat. The Government of India has taken initiative to legislate law on the named “The Witness Protection Scheme 2018” and published a draft copy to the website for recommendation of the stakeholders and also submitted it to the Supreme Court of India for its guidelines (Scheme: 2018). Recent Unno case of Uttar Pradesh (UP) is the glaring example about the insecurity and threat to get justice by marginalized people in India (BBC: 2019).

The Pakistan Federal Government enacted the Federal Witness Protection Bill-2015. Later in the year of 2017 the said bill was passed by the Parliament of Pakistan and the Act was named “The Witness Protection, Security and Benefit Act, 2017” (Act: 2017). In Pakistan’s case, simple steps to the witnesses and a witness protection program drafted on such lines can completely change the criminal justice landscape. These may include the police escorting the witness to courtroom, offering temporary residence in a safe house etc (Act: 2017). The long-overdue finalised draft of the Punjab Witness Protection Act, 2018, has the potential to greatly improve this shortcoming. In the Act, protection can include safe lodging, financial assistance and security arrangements; concealment or change of identity; recording of testimony through video link; and in-camera or jail trials (Punjab Act: 2018). Significantly, it also empowers the court to disallow prejudicial and irrelevant questioning of a sexual assault victim’s sexual history (Dawn: 2018).

In Sri-Lanka, The Assistance to and Protection of Victims of Crime and Witnesses Act, No.04 of 2015 provides for the establishment of National Authority for the Protection of Victims of Crime and Witnesses in order to protect the victims of crime and witnesses. The objective of this Act is to strengthen the course of administration of justice by identifying a proper legal framework to protect the rights of the victims of crime and witnesses (Act: 2015).

Recommendation for the Framework on Victim & Witness Protection Law in Bangladesh

For effective actions on the protection of victim and witness in Bangladesh, the following recommendations have to be implemented for the justice of victims.

1. The victims and witnesses must be given the rights, benefit and protection which shall include, among others, accommodation with a secured housing facility, relocation, change of identify as well as counseling and financial support, transport facilities, subsistence allowance, medical treatment and other facilities to ensure the security of the victim and witnesses to facilitate their becoming self-sufficient (Report : 2006).
2. Protection must also be provided to the immediate family of the witness or a person associated with, such witness, if the family or person may also be endangered on account of the participation of the witness in the judicial proceedings (Report : 2006).
3. A complete legal framework has to be implemented and for taking decision the government can follow the Delhi witness protection scheme of 2015, UN Declaration of 1985, Australian legal instruments of 1994 and 2001 in our legal transplantation.
4. The government should review and revise the proposed law by the Bangladesh law commission in 2006 to enact the law (Report: 2006).
5. The government has to take initiatives to amend the Code of Criminal Procedure-1898 to cover the protection of victims as well as witnesses in investigation and trial.
6. The recent approach of criminal behaviors of the country should be considered to take legal actions.
7. There should be appointed special investigation agency as well as special courts or tribunals to expedite the trial on sexual offences to women and the government can follow the Disha Act 2019 of India (Disha Act : 2019).

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8. There should be revisited and re-evaluated the existing legal instruments whereas the protection of victims is covered to upgrade the scheme of protection with international laws.
 9. The Supreme Court of Bangladesh should finalize the Witness Management Policy for subordinate Courts and Tribunals (Draft), 2017.
 10. The government should take necessary amendment in the Evidence Act of 1872 on witness protection and evidence record system in the courts.
 11. The government must take initiatives to implement and upgrade the digital facilities in the court to record evidence and maintain the protection of victim and witness in the digital evidence based cases.
 12. The concern authorities must provide facilities and privileges as international standard to women who are victims of sexual and aggravate dowry offences in the existing victim support centres of Police and OCCs.
 13. The concern ministry should revisit and review the policy and plan regarding 'Multi-Sectoral Programme against the Repression of Women' complying the normative international principles.
 14. The concern Ministry and the Supreme Court of Bangladesh should formulate and implement a detail victim and witness management policy and system at every courts to provide aids for victims and witnesses in the trial.

Conclusion

Now this is our time to introduce a complete and accessible law covering the protection and other sides of security of the victim and witness to ensure rule of law and justice in Bangladesh.

A comprehensive victim and witness protection scheme is now a need of the hour. The aim should be to protect the victims and witnesses and grant them certain rights and benefits to ensure their appearance before the investigative bodies and the courts or tribunals to give their evidence in respect of the alleged crime without fear of threat or intimidation of the accused. Sometimes protection may also be given to a person who has participated in the commission of a crime but desires to be a witness for the state as such approver.

Now Bangladesh is growing a developed country and it has a great constitutional promise to ensure the justice and rule of law. For upholding the judicial system and taking actions against the changing pattern of crimes and development of process internationally, we must take a comprehensive victim and witness

protection law and scheme to bring the justice at doorsteps of the seekers without any fear and hesitation. For such instances, the government along with concern ministries and other authorities should take a comprehensive action plan to activate the recommendations in this research. To make Bangladesh as a State of rule of law and justice, a sound judicial system and protection of victims and witnesses are must for sustaining right based approach towards victims of crimes.

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Rape Victims and their Social Reintegration in Bangladesh: An in-depth Analysis

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Abstract: *The offence of rape has increased alarmingly in Bangladesh. It is a social disease that destroys the self-esteem of women. For overcoming ugly situation, the innovative collective supports are needed for rape victim. This paper aims to investigate the social reintegration and rehabilitation process for rape victim in Bangladesh. This study has followed the qualitative research method (case study and key informant interview). Moreover, the primary sources have been collected through personal interviews and the secondary sources include the relevant literature on rape victimization and from various journals, reports, documents. The study revealed that the children who are under the age of 18 years old are treated as the most vulnerable group for rape victimization in the study area. Most of the rapes are acquaintance rather than date, gang and stranger rape. These rapes are committed by non-family members but known person in public places at night according to the lifestyle or exposure model of personal victimization. The existing community always blame the rape victim for own victimization. The effective reintegration of rape victim is hampered for re-victimization by offenders, community, medical and legal settings. The evidence presentation of rape cases are not conducted properly for lack of awareness, lack of expertise knowledge on evidence collection and medical test. One Stop Crisis Cell mainly provides psychological support, to ensure security, to conduct medical test, to provide economic support for the rehabilitation of rape victim. In addition, among the rehabilitation measures of Ain o Shalish Kendra, they give more importance on raise awareness, legal and security services. Some family members of rape victim and also few community members are sympathetic in the re-socialization process toward them. However, for effective rehabilitation and social reintegration of rape victim, multi-dimensional approaches are needed.*

Keywords: Social reintegration, rehabilitation, re-socialization, rape victimization, community based program

Introduction

Rape is a global concern. In this worldwide solicitude is connected to mainly patriarchal social system. In fact, rape is an exploitation of capitalist social

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system. The tone of feminists is the real emancipation of women from the repression of existing worldwide social system. In 1970, the term 'Sexual Harassment' was first pronounced by some feminists. One of the prominent American Feminist Journalist, Susan Brownmiller used the term 'Rape' as first in her famous book "Against Our Will: Men, Women and Rape". In the history of war, rape is used as the mechanism of war which is found in Balkan war and also the liberation war in Bangladesh. More than 20,000 women were raped in Bosnia-Herzegovinian and more than 15,000 women were raped in Rwanda during Balkan war (Talukdar, 1998: 24). During the nine months of atrocities of liberation war in Bangladesh, 200,000 Bengali women were raped (Akmam, 2002). Moreover, the incidents of rape have increased alarmingly in Bangladesh. In Bangladesh every profession women are confronted as rape victimization. According to the report of Bangladesh Women Council, the categorization of profession of rape victims are students (93%), servants (5%) and garments personnel and labor (1%), respectively (Sharmin & Islam, 2015: 58). For the prevention of rape in Bangladesh, the existing legal procedures are the Penal Code, 1860 (section: 375, 376), and the Suppression of Violence against Women and Children Act, 2000 (section: 9).

The past literatures relating to social behavior or attitudes toward rape victim, rehabilitation and reintegration of rape victim among the different countries are mentioned here. Social perception of the rape victim's culpability is that males perceived significantly greater precipitation-responsibility on the rape victim than did female respondents (Thornton, et al., 1981). The attitudes toward rape victims are varied on the basis of gender. According to the research findings of Thornton & Ryckman (1983) was that an unattractive victim was assigned greater responsibility for her own victimization, as well as specific behavioral and character related blame, rather than an attractive victim. Internal and external mediators of women's rape experiences measured the four aspects of rape victim as their post-rape adjustment, attitude toward sex and intimacy, and lifestyle changes to prevent future assaults (Wyatt, et al., 1990). The psychological negative impacts of rape are fear and anxiety, posttraumatic stress disorder, depression, poor self-esteem, social adjustment issues, and sexual dysfunctions (Resick, 1993).

The study of Polaschek, et al. (1997) examined that the sexual assault of adult women is carried on huge social and personal cost to the victims, their families, and ultimately society as a whole. A qualitative multiple case study design was implemented to examine communities across the United States that has developed coordinated community-based programs to assist rape victims (Campbell & Ahrens, 1998). In spite of the 1983 legislation on rape in Canada, the critical issues are underreporting of sexual assault; low founding,

charging, and conviction rates; the status of rape-shield rules; and the defense of honest but mistaken belief of consent (Tang, 1998). The study emphasized on the specific social and political factors present in South African society which may place children at risk of abuse and sexual violence (Marchetti-Mercer, 2003). The rape victims are treated more sympathetically by females than by males and by Whites than by African Americans (Nagel, et al., 2005). Long-term effects of labeling a rape experience are psychological distress and alcohol consumption (McMullin & White, 2006). The negative reactions from professionals, friends and family on rape victims reinforced feelings of self-blame and demotivated to the disclosure of rape incidents (Ahrens, 2006). The World Health Organization (WHO) survey reported that levels of sexual abuse before the age of fifteen years ranged from 1 per cent or less in rural Bangladesh to 7.4 per cent in urban Bangladesh (Wahed & Abbas, 2007). The research findings mentioned that negative social reactions (blame, stigmatizing) from family and friends' toward a rape victim: 1) reduced other people's willingness to provide emotional support to a specific rape victim, 2) assuage blame for the perpetrator, and 3) curtail sympathy and support of rape victims in general (Brown & Testa, 2008). Rape victim advocates' perceptions of the re-victimization of rape victims is that this re-victimization process is occurred through the members of criminal justice, medical or mental health systems (Maier, 2008). Another study provides empirical support that ethnic prejudice and specific misogynistic attitudes are important predictors of rape victim blame in ethnic violence contexts (Murthi, 2009). The tragic consequences of Intimate Partner Rape/Violence in Nigeria are physical injury (31.87%); constant headaches (27.27%); sleep disturbances (18.18%); excessive fear and anxiety (9.09%); suicidal ideation (9.09%) and hatred for men (4.55%) (Esere, et al., 2017). The core analysis of the issues on state regulation of rape insurance in India and South Africa focused that rape insurance would collectively do women more harm than good (Sharlach, 2010). The population-based survey data in 2001 indicated that the high prevalence of lifetime sexual violence in urban (37%) and in rural areas (50%) in Bangladesh (Naved, 2013). Mazumder & Pokharel (2018) mentioned about the sexual violence in public transport in Bangladesh which is extremely invisible for high rates of under-reporting and its consequences not only confined women's life but also created a hostile environment towards empowerment. On focusing of the issues of rape and gender conflict in a patriarchal state, Johnson findings (2013) suggested that women in patriarchal communities experience a backlash effect as they achieve progress toward gender equality. Results revealed that Indian people still do not have positive perceptions for rape victims (Thomas, et al., 2014). The radical-liberal feminist perspective on rape is that the assault is motivated by power and control rather than sexual gratification and is a violent rather than a sexual act (McPhail, 2015).

This in-depth study mainly focused in general that how reintegration and rehabilitation process are occurred for rape victim in Bangladesh? And also focused in specific aims which are- What is the nature of rape in the study areas? What kinds of behaviors or attitudes are expressed by social and institutional level toward rape victim? How rehabilitation and reintegration services are provided by various institutions and wider community also?

Methodology

Qualitative research method was developed in social sciences to enable researchers to study social and cultural phenomena. It is a field of enquiry that is employed to explore and understand people's beliefs, experiences, attitudes, behaviors and interactions (Islam, 2011). In order to find out social reintegration of rape victim in Bangladesh, in this study qualitative method has been adopted. In addition, under this method, case study and key informant interview are used for in-depth data collection.

The study area was Tangail Sadar Upazilla. From study area, 09 case studies and 03 key informant interviews were conducted through frequently rapport building on some institutions. Moreover, rapport was developed through frequent visits and discussions with the personnel and rape victim of One Stop Crisis Cell, Ain o Shalish Kendra and District Judges and Magistrate Court. In specific way it can be mentioned that all case studies, the respondents were rape victim under One Stop Crisis Cell, and Ain o Shalish Kendra but key informants were selected from above mention all organizations. All the cases were selected through availability of rape victim at that time under two organizations but the reason for choosing three key informants are that they have deep knowledge on rape.

The primary sources of data were gathered through interview by using checklist for case studies and some open ended questionnaire for experienced key informants. In the same way, secondary sources of data were used under this study from authentic published journal articles, relevant documents and report connecting to rape issues.

Braun & Clarke's six-phase framework for doing a thematic analysis is to become familiar with the data, generate initial codes, search for themes, review themes, define themes, and finally write-up (Maguire & Delahunt, 2017). The collected data were processed and analyzed through thematic analysis method using 'Braun and Clarke's six-phase framework' both for case studies and key informant interviews. In sum, the observed phenomena are elicited in descriptive ways on the basis of themes or patterns.

Theoretical Perspectives

Under the lifestyle/ exposure model of personal victimization, Hindelang, Gottfredson and Garofalo (1978) postulate that lifestyle differences are associated with exposure to a high victimization risk. The main theme is that the probability of suffering personal victimization is directly related to the amount of time spending in public places at night with non-family members and also the personal victimization depends on the extent to which the individual shares demographic characteristics with offenders (Schurink, et al., 1992). This theory support the present study that most of the rape incidents are committed by non-family members in high risk public places. Most of the rape under this study is known. The proposition of this theory support acquaintance rape that there is a correlation between sharing demographic characteristics of rape victim with an offender and victimization. So, it can be said that high risk time, places, lifestyles are exposure to rape victimization.

In labeling theory, Howard S. Becker (1963), Edwin Lemert (1951), and William Chambliss (1973) pointed out that about the definition of deviance and crime; possible discrimination in the application of official labeling and sanctions; and the effect of labeling on continued criminality (Barkan, 2009). After the incident of rape, a girl is treated negatively as rape victim. The study findings mention some negative attitudes of family and society on rape victim are the major obstacles for effective reintegration in Bangladesh perspectives.

Analysis and Discussion

In case studies, relevant socio-demographic background information is identified. Some basic theme or patterns under this study are focused as the nature of rape victimization, attitude or behavior toward rape victim by family and community members, rehabilitation and reintegration mechanisms in Bangladesh perspective. All the patterns observed social reintegration of rape victim in the study area.

A. Socio-demographic Background

From case studies, majority of rapes are committed on child rather than adult women. Child rape victim ages are 09 years, 13 years, 14 years, 15 years, 15 years, 17 years and women rape victim ages are 18 years, 22 years and 23 years. Basically, the most vulnerable group of rape is children in Bangladesh. In addition, some research findings supported the present study analysis. In Bangladesh, children under the age of 18 years are victimized more for rape and the percentage of child rape victimization (55%) and women (45%) during the year 2011 (Sharmin & Islam, 2015). According to Marchetti-Mercer (2003)

some social and political factors are responsible for children at risk of abuse and sexual violence in South African Society. The rapists are all adult ages under this study. This study claimed is connected to another study that majority number of rapists belongs to 21 to 30 years old (Sharmin & Islam, 2015).

B. Nature of Rape

Most of the rape incidents are occurred in rural areas at night under this study. One of the rape victim statements about the tragic incident of rape which was committed at night-‘On a certain day, my parent went on Gazipur for cutting paddy. I was read in my house at that night. In the meantime, a neighborhood boy came to my house and covered my mouth by my body’s cloth forcefully. Then he raped me’. In a case, a girl is victimized by several known persons. She claimed that,‘as commitment of marriage, the boy for whom my relationship was sustained, he went me on a particular day to his sister’s home and raped me inhumanly. But inhuman act do not stop, then the uncle and Member or local representative of the village of that boy raped me again’. Another rape victimization was occurred as new form as Happy slapping (Happy slapping which is originated in United Kingdom (UK) and in which one or more people attack a victim for the purpose of recording the assault by using Smart phone or camera phone). The rape victim claimed this new form of rape victimization that,‘on a sudden day my friend Rahima went me to her cousin’s marriage ceremony after my parent permission. But she cheated me and went me to a quiet house of Modhupur. I was incarcerated here and the known persons of my friend raped me several times both day and night in 3 days. In the meantime the video footage was recorded. After three days later, they fell down me on a particular rail line’. Further, a child of thirteen years faced the traumatic incident at beginning of her life. She stated that,‘by disobeying my parents, I went to village fair in beside village. From fair I went to my aunt’s house of that village. In the way, rape was committed and at first they assaulted me and then raped me at night. The Lifestyle model of personal victimization corroborated this rape victim statement that there is existed direct relation between personal victimization and spending time in public places with non-family members, particularly in public places at night (Schurink, et al., 1992). The natures of rape under analysis of rape incidents are that most of the rape is acquaintance rape, date rape and gang rape but stranger rape is little. This analytical observation on the basis of types of rape is confirmed by other studies. Hickman & Muehlenhard (1997) stated that women are more fearful and take more precautionary measures for stranger rape than acquaintance rape but actually the acquaintance rape are more committed. In 2002, total 1434 rape cases are reported in Bangladesh and among them 35% were gang rapes (Wahed & Abbas, 2007).

C. Behavior on Rape Victim

The attitudes of family, community are analyzed on the basis of in-depth study on rape victimization. In one incident, rape victim confronted negative behavior by her parent. The parent statement was- ‘You! How you do this act’? The brother attitude of that girl was- “after hearing the incident, my brother angry with me, but not attacks physically’. The neighborhoods and village people behavior on rape victim was reflected on the statement that, ‘how you show your face to people and the girl is responsible for entering the boy and such type of victimization. The negative reactions from friends and family reinforced feelings of self-blame on the mind of rape victim (Ahrens, 2006). Perception of adult men and women regarding rape in Delhi, India is that there are existed negative perceptions for rape victims (Thomas, et al., 2014). In another study, ethnic prejudice and specific misogynistic attitudes are important predictors of rape victim blame in ethnic violence contexts (Murthi, 2009). Some neighborhood was sympathy toward rape victim which was proved by the statement that, ‘the incident is actually committed; they cannot believe it because the character that girl is very well. Nagel, et al. (2005) indicated that victims of rape are generally viewed more sympathetically by females than by males. Most of the cases observations are that the attitude toward rape victim is negative and after rape victimization community members blame rape victim rather than rapist.

D. Rehabilitation Measures

The institutionalized services for the rehabilitation of rape victim are provided by One Stop Crisis Cell, Ain o Shalish Kendra in Tangail. Some practical realization of rape victim about their rehabilitation is stated here by their own perception. One of rape victim stated that, ‘my parents went me on Ain o Shalish Kendra (Tangail branch) for assistance. After hearing the incident, this human rights organization spread its helping hand for the assistance me as a rape victim and my family also. By the assistance of this nongovernment organization, the case is filled in Tangail model Thana. After filling the case, the police send me to One Stop Crisis Cell in Tangail Sadar Hospital for medical test’. Campbell (2006) focused that the rape survivors who had the assistance of an advocate were more likely to have police reports taken and were less likely to be treated negatively by police Officers. A child of rape victim mentioned about her life experiences on rehabilitation services in Bangladesh. She pointed that, ‘she confronted the nongovernment organization (Ain o Shalish Kendra-Tangail branch) for achieving rehabilitation measures after rape victimization. The services provided by this organization are psychological support, legal aid, to process medial aid, raise awareness, to give security, to provide skill based training program’. One of rape victim expressed her grievance on rehabilitation

services that, ‘the rehabilitation measures of One Stop Crisis Cell are not sufficient to the needs of rape victim. They also confronted the Ain o Shalish Kendra for various aids. This nongovernment organization provides awareness program for rape victim, her family and wider community also; to process of legal aid in Thana, to help to go to One Stop Crisis Cell and acquiring medical report as soon as early. But the funding of this organization is not sufficient for the adequate rehabilitation of rape victim in Bangladesh’.

E. Reintegration Procedures

For coming back into normal life of rape victim, the role of family members and community people are significant. But rape victim confronted blame for victimization and negative behavior through their parents and community members also. Thornton, et al. (1981) investigated the influence of individual differences in attribution tendencies on the perception of a rape victim’s causal role in her own victimization. The one of rape victim mentioned that, ‘the local representative (Chairman) of my village takes step of mediation through marriage with rapist. In this way, he denies proper judgment of rapist’. The community people discouraged rape victim family for legal aid and showed reason that, ‘your child is little, for continuing cases for judgment may need 20/25 years and then you may face problem of getting marriage her. So, you should stop it’. However, some cases the role of family and society is positive toward rape victim. The cases are stated that, ‘one of brother of rape victim said that we try our best to comeback into normal life of my sister and education will be continued’. In another case rape victim pointed that, ‘after incident I was not confronted any negligence by my family and also mentioned that my parent loved and take care me more than before’. One of child rape victim mentioned about the support of her family for coming back into normal life that, ‘from beginning my parents support me psychologically and also arrange the process of medical aid, legal aid through various organizations’. The role of neighborhood aunty for coming back into normal life is explained by a rape victim that, ‘why you live in this ways? You came back in before life again’. The women treated more sympathetically on rape victim than men in a particular community (Nagel, et al., 2005)

In Key Informant Interviews, the firsthand knowledge about the rape victimization is gathered from District Judge of Women and Child Repression Prevention Tribunal, Programme Officer of One Stop Crisis Cell and Non-Governmental Organization’s personnel of Ain o Shalish Kendra. All prominent people’s perceptions on rape are mentioned here. The first key informant perceptions are that,

A. Trial of Rape Cases

He stated about trial relating to rape cases that, ‘the trial of rape cases are conducted moderately. The reasons are lack of awareness of evidence relating to rape, faulty medical report, corruption of various stages of law, the societal negative impact on rape victim etc. However, he suggests that the evidence of rape cases should be tested 24 hours (best), or 48 hours, or 72 hours (last resort)’. In Bangladesh, 80% of rape cases are not reached in the legal settings and only 20% are reached in the legal procedures. However, among 15% rape cases, the offender are given acquittal without judgment and 5% rape cases, offender are given punishment but it is difficult to prove for the lack of proper evidence (Talukdar, 1998: 28).

B. Re-victimization of Rape Victim

He said that, ‘sometimes rape victims are re-victimized in various stages of law. Firstly, a rape victim is victimized by the offender, secondly there is a chance to be victimized by the doctor at the stage of DNA test and physical test, and thirdly there is also possibility to be victimized by the words and gestures of the advocate in prosecution stage of case’. Lisak & Miller (2002) stated that the majority of undetected rapists committed repeat rape and multiple offending.

C. Evidence presentation on Rape Cases

The perception of him that, ‘evidence presentation in relating to rape are not conducted properly for lack of awareness of rape victim and her family members, lack of knowledge on the collection procedures and taking narrow precaution measures of Investigative Officers, lack of expertise knowledge in medical settings etc. There is a complexity for properly presenting evidences of rape cases in the court. The evidences are destroyed for taking bath and also the unwillingness to go to doctor for medical test in proper time’.

D. Rehabilitation and Reintegration of Rape Victim

He pointed out that, ‘the services of legal aids of rape victims are not sufficient for their rehabilitation in governmental level. But some measures are sustained by the initiative of Bangladesh government. Government provides legal aid to the rape victims who have no financial capacity for filling and maintaining a case. Beside this, government has given some opportunity for DNA test at few of cost who comes through legal aid services. In Save home (Under the ministry of Social Welfare) and Save custody, Victim Support Centre in governmental settings provide residential security’. However, the main barrier for the exoneration and reintegration of rape victim are lacks of familial and social

acceptance which is confirmed by key informant. For overcoming the challenges of rehabilitation and reintegration, District Judge mentioned some points that, 'to raise ethical issues, to start social movement for the prevention of rape, to take the rapist under punishment, to counsel the rape victim through a simple idea that rape is an accident'. Innovative Community Services for Rape Victims are existed in the communities across the United States that have developed coordinated community-based programs to assist rape victims for coming back into normal life (Campbell & Ahrens, 1998).

The key informant of One Stop Crisis Cell shared his relevant idea about different aspects of rape victimization as, their services, medical test and challenges of rehabilitation and reintegration.

A. Services of One Stop Crisis Cell

He claimed that, 'the major rehabilitation measures are given as psychological support through counseling, to give security through police, to conduct medical test, to process for getting legal aid of rape victim, if necessary to process economic aid for rape victim and her family through the affiliation of various nongovernment organizations and also governmental institutions (through the Department of Youth development, officer of Women Affairs, Ain o Shalish Kendra)'. According to National Crime Victims' Rights Week (NCVWR) Resource Guide: Crime and Victimization Fact Sheets (2018) mentioned that among the sexual violence victims in 2015, about 19% reported receiving victim services, which are information, emotional support, help finding resources, and other assistance.

B. Medical Test

He mentioned that, 'the specific board of Tangail Sadar Hospital has conducted various test relating to rape. In this matter, the personnel of One Stop Crisis Cell help the board of this hospital. However, the manpower is limited for conducting various function of the rehabilitation of rape victim. This cell have no own doctors and nurses. For that reasons, all medical services are conducted mainly the staff of this hospital'.

C. Challenges of Rehabilitation and Reintegration

The programme officer of One Stop Crisis Cell indicated some problems in the rehabilitation and reintegration process of rape victim as the negligence of societal people; the negligence of family towards rape victim; the problems in marriage; the obstacle in the re-socialization process for the adaptation of rape victim again into society'. The negative social reactions of family, friends, and

professionals greatly impact on the disclosure of rape (Ahrens, 2006).

One of personnel of nongovernment organization (Ain o Shalish Kendra) shared her idea on rape victimization about behavior on rape victim and rehabilitation and reintegration services with shortcomings.

A. Attitudes toward Rape Victim

She said that, ‘every personnel of this organization accept rape victim with importance and various rehabilitation and reintegration measures are taken for ensuring their normal life’.

B. Rehabilitation Services

She told that, ‘various rehabilitation measures are taken by Ain o Shalish Kendra. But the highest priorities are given on raise awareness, to process legal aid and security’.

C. Obstacles for Rehabilitation and Reintegration

In the pattern of socio-demographic background in Bangladesh, rape victim cannot properly come back into normal life. She stated that, ‘rape victim hampered to come back into normal life that the state gives her recognition but confronted blame by family and society in a large scale. The core obstacles are confronted by rape victim which are familial negligence, adaptation problem into society, to suffer from psychological stress and finally attempt to suicide for feeling shame of rape’. The psychological impacts of rape victim are fear and anxiety, posttraumatic stress disorder, depression, poor self-esteem, social adjustment issues, and sexual dysfunctions (Resick, 1993).

Conclusion and Recommendations

Every human being is not free from six senses. Among them the psychology of sexuality is existed in the top level of human mind. Actually, it plays fundamental function to create new human generation. But uncontrolled and immoral sexual desire of human being like rape may destroy one’s life-lamp that is a huge loss not only to rape victim but also her family, wider community and state also. For reducing this loss, reintegration for rape victim is demand for present situation in Bangladesh. To reveal the actual situation of rape victim for coming back into normal life again, this is the first endeavor.

The present study revealed some deeper view on rape victim in Bangladesh perspectives. Most of the rape victims are child rather than adult women. But the rapists belong to mature ages. The most vulnerable time of committing rape

is night by known person. Moreover, most of the rape is acquaintance rather than date rape, gang rape and stranger rape. The attitudes or behaviors toward rape victim is not always sympathetic and community also blame for own victimization under victim precipitation theory. In a narrow aspect, One Stop Crisis Cell, Ain o Shalish Kendra and Women and Child Repression Prevention Tribunal in Bangladesh provides rehabilitation services for rape victim. Some suggestions of the prominent person under this study for properly coming back into normal life again are to change familial and social attitude at the first level, to enhance psychological support, to raise ethical issues on society, to ensure certain and swift punishment for rapist, to prompt awareness program, to conduct medical test without delay, to give financial and social security. So, the effective reintegration of rape victim we should take comprehensive innovative initiatives that may be included rape victim and her family, community and state based institutional services. It's our optimism view that this collaborative effort can change uncontrolled and inhuman sexual thirst of human being.

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Perceived Occupational Stress and its Consequences: The Moderating Role of Coping Strategies among Metropolitan Police in Bangladesh

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Abstract: Occupational stress has immense impact on both individual and organizational level. The present study intends at determining the perceived level of occupational stress and its impact on personal and professional life of police professionals posted in metropolitan area. It reveals that the metropolitan police experiences high level of stress at work. Excessive workload, high ratio of facing terrorism, poor prevention mechanism, older weapons than criminals, limited opportunity to apply skills and unfavorable working conditions and low status mostly cause stress at work. The analysis of simple regressions unearths significant relationship between occupational stress and physiological and psychological consequences. The hierarchical regressions reveal that coping strategies significantly moderate the impact of occupational stress on psychological consequences. The findings of this study have extensive implications for police force, police administration as well as policy makers. This research has been able to illustration that police administration can reduce the police professionals' under metropolitan area perceived level of occupational stress, which will simultaneously help in increasing organizational performance.

Keywords: Occupational Stress, Occupational Stress Inventory, Stressors, Member of police force, Consequences, Coping Strategies.

Introduction

Law enforcement personnel are exposed to high levels of stress in their professional life. Personnel belonging to uniformed services, who are allotted field duties are even more prone to stress and its adverse effects. The job performed by typical police personnel, who is assigned field duties involves day-to-day physical dangers and psychological discomforts which results into a range of attitudinal, behavioral and relationships problems (Deiner, 1997). The tasks performed by personnel who are in police service range from detection, control and containing the anti-social elements, so that members of the society feel secure, safe and protected. The police personnel act as the white blood corpuscles to wage their defenses against anti-social elements whose primary task of to disrupt the day-to-day functioning and social fabric of the society. The job expected to be performed by police personnel are sometimes dangerous

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wherein the situations often becomes unpredictable, unique and demanding. It is evident that for every police personnel slain by an assailant while performing duty, sizable numbers succumb to day-to-day pressures emanating from the job. Every year there are many metropolitan personnel commit suicide because of occupational stress. One potent reason of high suicide rate may be increased level of occupational stress or spillover effect of stress from work life to family life. Exposed to myriad range of occupational stressors, the cognitive mechanism which is an inherent property of human mind is very often thrown into turmoil, resulting into adverse consequences on health and well-being. However, an equally compelling body of research provides sufficient evidence that occupational stress is not always bad. In fact, moderate level of stress, sedentary life style and physical work out contributes to facilitate the efficiency of cardiovascular system and performance.

Stress at work is widely reported as one of the key problems for the workers all over the globe (Imtiaz & Ahmed, 2009). It has turned into a major concern that contributes negatively to organizations (Shah & Hasnu, 2013). Stress is the second most frequently described occupational health problem in Europe, which affected 22% of total workers in 27 EU states in 2005 (Milczarek et al., 2009). The levels of stress are also rocketing among workers in other parts of the world. Study (Amble, 2006) evidenced that the level of stress increased by 45% in the USA and 48% in Australia and Canada in 2005. Asians have been found being more stressed than those of other parts of the world (Amble, 2006).

The increasing trend of work-related stress causes greater costs for the organizations and countries in relation to health, absenteeism (McKee, 1996) and lower performance of the workers (ILO, 2015). BBC reports that employees pocketed an average 5.3 days off work in 2012 in the United Kingdom due to depression, anxiety and stress, and the cost of sick leave in the economy of UK worth of £14bn a year (Wall, 2014). A total global cost of job-related stress to the UK economy stands at somewhere between £70-100 billion a year (Coulthard, 2014). Organizations globally altogether suffer costs of occupational stress amounting anywhere between 200 and 300 billion US dollars every year as a result of increased worker's health and compensation claims, decreased productivity and high employee turnover (Wojcik, 1999).

Stress though is not a disease; it is the preliminary symptom of problems that can cause numerous physical problems like long-term damage to organs and systems, contribute to hypertensions, memory loss, musculoskeletal disorders, peptic ulcers, heart disease, inflammatory bowel disease and so on (Farrington, 1995; ILO, 2015). In addition to that, stress also instigates various behavioral and psychological (Humphrey, 1998) difficulties.

Like other professionals, occupational stress significantly affects police force members. A review of literature of police specific studies indicate that police personnel are faced with the grim reality of occupational stressors, which include job and role related stressors (Siwach, 2001., Kumar, 2005). Police personnel operating under severe and chronic stress and burnout syndrome may well be at great risk of errors, accident and over-reaction that can compromise their well-being, performance, jeopardize, public safety and pose significant liability cost to the organization. Kumar (2006) investigated the stress profiles of police personnel posted in the police station in Hyderabad. The major stressors affecting the life of police personnel are related to insufficient time for family, work overload, accommodation problem, lack of confidence of superiors, no time for intellectual development, recreation, to keep everyone satisfied, risky situations, problem of job coordination, lack of clarity in expectation and coping with superiors (Dinesh Nagar, 2009).

Occupational stress has been founded significantly related to personal characteristics of police force member as well as to their role and physical environment. Ayyappan & Vadivel (2013) revealed significant relationship between occupational stress and several demographic variables of police professional, which include gender, education, marital status, designation and length of service. In another study, Pillai (1987) examined the stress experienced by police personnel and their spouse. Based on the review of literature, ten organizational stressors with regard to police job were identified. These stressors were labeled as frequent appearance and leniency by courts, lack of administrative and public support, lack of career development, inadequate rewards, excessive paper work, and ineffective measures against criminals, distorted press reports, poor pay and so forth.

2. Conceptual Foundation Of The Study

Stress can be experienced in different forms. Baker (1985) and Robbins et al. (2012) advocated three major forms of stress: physiological, psychological and behavioral (p. 146).

- (i) Physiological stress: Physical stress can be exposed by headaches, sleep difficulties, high blood pressures, stomach upsets, fatigue, heart palpitations, or muscular aches and pain (Robbins et al., 2012, p. 147).
- (ii) Psychological stress: This stress involves a variety of symptoms including helplessness, worrying with something, a sense of disconnections from friends and colleagues, mood swings, difficulties in concentration/memory, or issues related to decision-making. All of these issues may lead to downsize in productivity (Robbins et al., 2012, p. 147).

(iii) Behavioral stress: The signs of behavioral stress include the following issues.

- Taking frequent sick leave from work (Absenteeism)
- Joining for work but generating low output (Presenteeism)
- Doing things late, or leaving things for future (Procrastination)
- Producing unnecessary mistakes at work, or performing beneath the standard
- Accomplishing work tasks at home despite being ‘off the clock’
- Checking work e-mails at home
- Keeping away from family/social engagement
- Having a short temper
- Eating too much or too little
- Consuming more alcohol than usual, or smoking more often than usual

2.1. Causes of Occupational Stress: Robbins et al. (2012) views that stress can be caused by several factors that he classified into two major categories: organizational and personal (p. 145). Organizational stress is categorized into five factors that are elaborated in the following paragraphs (Robbins et al., 2012, p. 145).

- a) Task demands: The factors of task demands related to the job of an employee, which include job design (autonomy, task automation, task variety), working conditions and physical work layout.
- b) Role demands: Role demands relate to pressures employed on a worker as a task of the individual role he or she performs in the organization. The major factors of role demands involve role conflicts, role overload and role ambiguity that can lead to serious stress among employees.
- c) Interpersonal demands: Interpersonal demands refer to pressures created and imposed by other employees. Poor interpersonal relationship, and inadequate support from colleagues can also cause stress.
- d) Organizational structure: The structure of an organization can also cause stress. Undue rules and regulations, and lack of opportunities to participate in work-related decisions may cause stress among employees.
- e) Organizational leadership: There are managers who create fear, tension and anxiety among employees by imposing unrealistic pressures on

employees to perform in the short run, forcing excessive controls, and routinely firing employees who do not make up. These actually lead to higher stress.

The study of Cooper and Marshal (1976) endorsed seven different factors that cause stress at work, which are as follows.

- **Job-specific issues:** Job-specific issues include safety issues, poor physical conditions, long hours, unrealistic deadlines and unmanageable workload.
- **Individual role:** Individual role involves poor time management, difficulties in managing conflicting roles, inability to do job, and misperception about responsibilities.
- **Career development:** Career development opportunities are the key concern of the employees. Lack of career advancement opportunity may lead to occupational stress. This encompasses promotion, reward, and lack of job security.
- **Relationship:** Relationship consists of conflict with coworkers, inadequate supervisory support, discrimination, or harassment.
- **Organizational structure/ climate:** This involves excessive supervision, lack of perceived control over tasks, office politics and lack of consultation.
- **External stressors:** External stressors include mental and physical condition, lack of sleep and significant changes in work.

2.2. Consequences of Occupational Stress: Among many, George and Jones (2009) identify the consequences of all the three types of stress separately: physiological, psychological and behavioral consequences (p. 284).

- (a) **Physiological consequences:** One of the various physiological consequences of stress is steep disturbance regardless of day or night. The scope of other physiological consequences of stress range from headaches, stomachaches, trembling, sweaty palms, dizziness, feeling flushed, backaches, hives, nausea, and elevated blood pressure to impaired immune system functioning and heart attack. (George & Jones, 2009, p. 285)
- (b) **Psychological consequences:** The extent of stress depends on the application of the two protective psychological gadgets: alarm reaction and adaption (Michie, 2002). The experience of nerve-wracking feelings or emotions is one of the key psychological consequences of stress. This nerve-wracking feelings or emotions can vary from being in a bad

state, feeling upset, worried or anxious to feeling bitter, angry, holistic or scornful. The psychological stress can also be expressed through negative attitude that leads to lower employee job satisfaction (Cooper et al., 1988; Sperry, 1991) and life satisfaction. The employees who are psychologically stressed may feel lack of control, underappreciated, and also feel that their jobs are interfering with their personal lives, and thus they find difficulties in balancing their work and life. (Blaug et al., 2007, p. 5; George & Jones, 2009, p. 285).

- (c) Behavioral consequences: Cox (1985) argues that the economic and organizational consequences of stress emerge from the changes of organizational systems in which an employee works. The behavior of stressed individuals affects organization in many forms. The most common behavioral consequences of stress involve job competence and job performance (George & Jones, 2009; Nelson & Quick, 2011).

Apart from these, some other consequences of behavioral stress are absenteeism, higher turnover and strained interpersonal relations. One of the most significant behavioral stresses at work is related to job performance. George and Jones (2009), and Nelson and Quick (2011) reason that stress up to a certain level increases performance, and beyond that level, any further increase in stress weakens performance (p. 286, p. 245). Both excessive and too little stress severely affect the performance of employee (Cooper et al., 1988; Jones & Bright, 2001). Study of Motowidlo et al. (1986) found occupational stress affected the job performance.

Table-1: Consequences of Occupational Stress

Physiological	Psychological	Behavioral
Headaches	Anxiety	Overeating or loss of appetite
Grinding teeth	Irritability	Impatience
Clenched jaws	Sadness	Quickness to argue
Chest pain	Defensiveness	Procrastination
Shortness of breath	Anger	Increased use of alcohol/drug
Pounding heart	Mood swings	Increased smoking
High blood pressure	Hypersensitivity	Isolation from others
Muscle aches	Apathy	Neglect of responsibility
Indigestion	Depression	Poor job performance
Constipation or diarrhea	Slowed thinking	Poor personal hygiene

Increased perspiration	Feelings of hopelessness	Change in religious practices
Fatigue	Feeling of being trapped	
Insomnia	Frequent illness	

Source: Canadian Centre for Occupational Health and Safety (2000)

2.3. Coping Strategies: According to Lazarus and Folkman (1984), “coping is constantly changing cognitive and behavioral efforts to manage specific external and/or internal demands that are appreciated as taxing or exceeding the resources of the person” (p. 141). In another word, coping is the way in how a person adjusts his emotion, behavior and orientation under the states of psychological stress (Skinner & Wellborn, 1994, p. 112). Eisenberg et al. (1997) views coping as a subsection of the wider category of self-regulation. Researchers are in different views about the dimensions of coping.

Dewe (1987) defines coping as an active or passive attempt to counter a certain state of threat with the intention of eliminating the threat or downsizing the emotional difficulty. Latack (1986) also interprets coping in similar way as a response to circumstances characterized by uncertainty and significant consequences. Stone and Neale (1984) describe that coping involves the thoughts and behaviors, which are deliberately used by persons in order to handle or resist the consequences of anticipating or undergoing a stressful situation.

Lazarus and Folkman (1984) recognized two broad categories of coping strategies: problem-focused coping and emotion-focused coping. Problem-focused coping refers to the efforts intended at altering the transaction between person and environment, and emotion-focused coping is the efforts intended at controlling the emotions (Latack & Havlovic, 1992). Pearlin and Schooler (1978) suggested a third strategy of coping namely perception-focused coping. In addition to that, Billing and Moos (1981), and Latack (1986) offered another category of coping which is known as appraisal-focused coping. Appraisal-focused coping comprises the modification of the meaning or cognition of the situation (Latack & Havlovic, 1992).

Osipow and Spokane (1991) concentrated on four dimensions of coping such as recreation, self-care, social support and rational or cognitive coping. According to House (1987), social support involves three sub types that are emotional comfort or information, practical assistance and advice. Winnubst and Schabracq (1996) argued that social support consists of four subtypes such as emotional (offering care, love, affection, sympathy), instrumental (assisting others), informational (delivering information) and appraisal support (giving feedback). Cognitive

coping resources refers the extent to which a person maintains an affirmative sense of self worth, a positive attitude towards others and confidence about his or her life in general.

3. Study Objectives:

The main aim of the study was identifying the level of occupational stress, the relationship between occupational stress and its consequences. Specific objectives were to –

- identify the levels of occupational stress among metropolitan police professionals;
- ascertain the impact of occupational stress on physiological, psychological and behavioral aspects;
- investigate how coping strategies moderate the impact of occupational stress on physiological, psychological and behavioral consequences.

4. Methodology:

Both the primary and secondary data have been used to accomplish the current study. Quantitative approach has been experimented adopting and adapting measures from earlier study to gather primary data. Sampling of this study has been selected based on some criterion set by the researcher to meet the goals of this study.

The population of this study consisted of the police serving in metropolitan area located in Dhaka, Rajshahi and Rangpur city of Bangladesh. The target audience of this research includes police working at various levels i.e. constable, sub-inspector, inspector. A quantitative survey has been conducted to carry out this study following convenience sampling method.

The researcher identified 6 thanas of above mention 3 different metropolitan police coverage area based on personal relationship, familiarity and close vicinity. After the selection of thana, researcher was able to send the questionnaire aiming to receive data from targeted respondents. 20 sets questionnaires have been handed over to one of the top officials (e.g. OC: officer in charge) of each of the 3 branches, and he then distributed the questionnaires to his fellow staffs.

A total of 120 questionnaires have been dispersed of which 119 questionnaires have been returned. After the careful review of all the returned ones, 113 questionnaires have been considered to be usable.

5. Key Findings:

The age and sex distributions of the respondents have been exhibited in Table-2. As shown in the Table below, 13.27% of the respondents are female which indicates that more than three of every four respondents are male. It is not unpredicted that the majority of the respondents will be male.

Table-2: Distribution by Respondents' Gender and Age

Characteristics	Category	Frequency	Percentage
Gender	Female	15	13.27
	Male	98	86.73
	Total	113	100
Age	21-30	33	29.20
	31-40	65	57.52
	41-50	15	13.28
	Total	113	100

In terms of the age of the participants, respondents have been asked to mark their age in one of the four categories: 21-30 years, 31-40 years, 41-50 years and 51-60 years. The rationale behind using 21 years as starting point of different age groups was that banks generally require having at least a bachelor degree to employ people, and completing bachelor degree before 21 years of age under the current education system of Bangladesh is unrealistic. Although the questionnaire included a fourth age group ranging between the years of 51 and 60, no response has been reported from this group, and thus has not been shown in Table 4.1. According to the statistics displayed in Table-2, a vast majority of the respondents falls under the first age group (31-40), which accounts for 57.52%. 29.20% of the police are aged between 21 and 30 years, and only 13.28% of the police are aged between the age ranges of 41-50.

5.1. Distribution by Community and Educational Level

Table 3 demonstrates the distribution of police by communities and highest educational level. For the distribution of community in which the police have grown up, respondents have been given three options to select: urban, sub-urban and rural. The values of table-3 shows that the sample comprised 23.01% (26) of police who have grown up in urban community. Almost equal number of employees has reported that they have grown up in either sub-urban or rural areas. 38.05% (43) police professional have grown up in sub-urban and 38.94% (44) in rural community.

Table-3: Distribution by Respondents' Community, Relationship Status

Characteristics	Category	Frequency	Percentage
Types of Community	Urban	26	23.01
	Sub-urban	43	38.05
	Rural	44	38.94
	Total	113	100
Relationship	Single/ no relationship	39	34.51
	Single/ in a relationship	11	9.73
	Married	63	55.75
	Total	113	100.00
Education	Under graduate	29	25.66
	Graduate	54	47.79
	Post-Graduate	30	26.55
	Total	113	100

So as to determine the relationship state of the police, respondents have been given three alternatives: single/ no relationship, single/ in a relationship and married. Table-3 reports that less than one (34.51%) of every four police members is not involved in any relationship. More than half (55.75%) of the polices are married while just over 9.73% of the respondents are in relationships outside the marital form. Almost half (47.79%) of the police force members have at least a graduate degree. This statistics is quite predictable since police care much about the academic background of the potential employees while they recruit. 25.66% (29) polices have under graduate and 26.55% (30) of them have a post graduate degree.

5.2. Distribution by Current Position and Weekly Work Hours

Distribution of police in metropolitan area by current position and weekly work hours has been presented in Table-4. In the questionnaire, the question regarding current position of the respondents was open ended. The police force member who participated in this study mentioned the name of their current ranks that vary from Thana to Thana. After collecting the data, the researcher discussed with several police staffs of some of the selected thanas and found responses from four different ranks ranging from Constable, Assistant Sub-Inspector (ASI), Sub-Inspector (SI), Inspector to Officer-in-charge (OC). As expected, Table 4 evidences that the higher the rank, the lower the number of responses. Responses from the first two ranks namely constable and Assistant Sub-Inspector

(ASI) 73.45% (59+24) each while top two ranks namely Sub-Inspector (SI) and Inspector denoted 21.24% (18+6) each of the total respondents. 5.31% (6) police are ranked as officer-in charge.

Table-4: Distribution by Respondents' Current Positions and Weekly Work Hours

Characteristics	Category	Frequency	Percentage
Current Position	Constable	59	52.21
	Assistant Sub-Inspector (ASI)	24	21.24
	Sub-Inspector (SI)	18	15.93
	Inspector	6	5.31
	Officer-in-charge (OC)	6	5.31
	Total	113	100
Hours per Week	40-59	0	0
	60-79	9	7.96
	80-99	99	87.61
	100+	5	4.42
	Total	113	100

The question regarding work hours per week was also open ended. Once the data have been collected, the researcher categorized the ranges of work hours per week into four. According to the responses, the minimum work hour per week was reported as 60-79, and thus 60-79 was considered as the starting point. Table-4 demonstrates that 87.61% (99) of the police work between 80 and 99 hours a week where 7.96% (9) of the police work between 60-79 hours per week. 4.42% (5) of the respondents work over 100 hours a week.

5.3. Reliability of Study Variables

Table-5, Table-6 and Table-7 represent the Cronbach's Alpha scores of different dimensions and variables of occupational stress index (OSI), the consequences of occupational stress questionnaire (CSQ) and coping resources inventory (CRI). The statistics shows that the alpha coefficients of all variables and dimensions vary between 0.647 and 0.884, which are well above of the minimum level (0.600) advocated by Hair et al. (1998). The results of reliability test have been described in the following paragraphs.

Table-5: Cronbach's Alpha Scores of Occupational Stress Index

Dimensions	Cronbach's Alpha	No. of Item
Occupational Stress Index (Overall)	0.849	46
Occupational Stress Index (First half)	0.834	23
Occupational Stress Index (Second half)	0.776	23
Total:	2.459	92
Role overload (RO)	0.775	6
Role ambiguity (RA)	0.814	4
Role conflict (RC)	0.659	5
Unreasonable group and political pressures (GPP)	0.836	4
Responsibility for persons (RP)	0.878	3
Poor peer relations (PPR)	0.731	4
Intrinsic impoverishment (II)	0.875	4
Strenuous working conditions (SWC)	0.789	4
Unprofitability (UN)	0.687	2
Powerlessness (PL)	0.787	3
Under participation (UP)	0.809	4
Low status (LS)	0.854	3
Total:	9.494	46

Table 4.5 demonstrates the values of Cronbach's alpha for overall occupational stress index and its twelve dimensions as well as the number of items used to test the reliability of each dimension. The alpha coefficient of overall occupational stress index has been found to be as high as 0.849. The alpha scores of occupational stress index have also been determined following split-half (First half-Second half) method with the alpha coefficients of 0.834 and 0.776. The alpha values of twelve dimensions of OSI range between 0.659 and 0.878. Responsibility for persons represents the highest (0.878) and role conflict holds the lowest (0.659) scores of alpha among all subscales of OSI.

Table-6 Cronbach's Alpha Scores of CSQ Variables

Dimensions	Cronbach's Alpha	No. of Items
Physiological Consequences (PC)	0.766	7
Psychological consequences (PSC)	0.770	21
General physiological effect (GPE)	0.788	5
Satisfaction with life scale (SWL)	0.800	5
Job satisfaction index (JSI)	0.740	6
Work-life balance (WLB)	0.738	5
Behavioral Consequences (BC)	0.647	18
General behavioral effect (GBE)	0.752	6
Job competence (JC)	0.727	6
Job performance (JP)	0.804	6

According to the statistics displayed in Table 4.6, the overall alpha scores of physiological, psychological and behavioral consequences are 0.766, 0.770 and 0.647 respectively. The results of reliability analysis produce relatively higher alpha coefficients for the four scales of psychological consequences ranging from 0.738 to 0.800. Satisfaction with life scale (0.800) holds the greatest and work-life balance scale (0.738) represents the lowest alpha coefficients among four different scales used under psychological consequences. The Table further shows that the three scales of behavioral consequences generate alpha coefficients ranging between 0.727 and 0.804 in which job performance scale (0.804) has the highest and job competence scale (0.727) has the lowest alpha scores among three different scales of behavioral consequences.

Table-7: Cronbach's Alpha Scores of Coping Resources Inventory (CRI)

Dimensions	Cronbach's Alpha	No. of Items
Coping Resources Inventory (Overall)	0.884	30
Recreation (RE)	0.757	7
Self-care (SC)	0.778	6
Social support (SS)	0.824	7
Rational/ Cognitive coping resources (CC)	0.782	10

Table-7 evidences that the results of reliability analysis of coping resources inventory produce comparatively higher scores for all the four dimensions of CPI varying from 0.757 to 0.824. The overall alpha score of CPI has been found to be as high as 0.884, which indicates greater consistency and reliability of this scale. The highest and lowest scores among all dimensions of CPI have been represented by social support and recreation dimensions with alpha coefficient of 0.824 and 0.757 respectively. Self-care and cognitive coping resources generate almost similar value with alpha coefficients of 0.778 and 0.782 correspondingly.

5.4. Descriptive Statistics of OSI

The results of descriptive analysis of occupational stress index have been exhibited in Table-8. The aim of deploying descriptive analysis of OSI was to determine the perceived level of occupational stress of bank employees working in the private commercial banks in the capital city of Bangladesh. The descriptive analysis also assists in determining the perceived level of twelve dimensions of occupational stress index.

Table-8 Descriptive Statistics of Occupational Stress Index

Dimensions of OSI	Mean	Min.	Max.	Std. Error	Std. Deviation
Overall OSI	147.9799	86	177	1.416	17.286
Role Overload (RO)	21.0671	8	28	0.338	4.126
Role Ambiguity (RA)	11.5705	5	19	0.29	3.546
Role Conflict (RC)	15.5436	7	22	0.273	3.328
Unreasonable Group and Political Pressures (GPP)	11.7517	4	20	0.307	3.743
Responsibility for Persons (RP)	10.4027	3	15	0.243	2.961
Poor Peer Relations (PPR)	12.2685	4	19	0.266	3.25
Intrinsic Impoverishment (II)	12.7047	4	19	0.315	3.846
Strenuous Working Conditions (SWC)	13.3423	4	20	0.266	3.242
Unprofitability (UN)	7.1745	3	10	0.124	1.519
Powerlessness (PL)	9.4899	4	15	0.208	2.535
Under Participation (UP)	13.3423	7	19	0.259	3.155
Low Status (LS)	9.3221	4	15	0.218	2.664
N=113					

The product of descriptive analysis reveals that the mean score of overall occupational stress index is 147.98, which indicates that the bank employees experience high degree of stress at work. According to the statistics of Table-8, the maximum score of overall OSI is 177, which implies that no respondent reported experiencing very high extent of occupational stress since the mean score between 185 and 230 represents very high degree of occupational stress. The overall scores of OSI range from 86 to 177, which suggests that the perceived occupational stress vary among polices from low level to high level.

Table-8 further indicates that the polices experience high extent of role overload, role conflict and responsibility for other employees and organization. The descriptive analysis also reveals high level of intrinsic impoverishment and poor peer relations, which indicate less opportunity for polices to improve their aptitudes, and poor relations among colleagues. Furthermore, the participants report high degree of unprofitability, powerlessness and under participation, which mean the polices are not offered sufficient reward and remuneration, given authority, and involved that much in organizational decision-making. Nonetheless, according to the result of descriptive analysis, the respondents notice medium level of role ambiguity, and group and political pressures.

5.5. Correlation Matrices

The purpose of conducting correlation analysis was two folds: first, to investigate the relationship among demographic variables, and second, to explore the relationship between twelve dimensions of occupational stress index and ten demographic characteristics of the respondents. The Spearman rho test has been experimented since it is considered as one of the most appropriate methods for correlation analysis. Since 0.05 has been used as the significance level for the current study, any correlations between two variables with representing p values under 0.05 have been considered statistically significant. Table 4.9 illustrates the correlation matrix for demographic variables, and Table 4.10 demonstrates the correlation matrix for the twelve dimensions of OSI and demographic variables of the participants.

Table-9. Correlation Matrix for Demographic Variables

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
SL	Gender	Age	Community	Relationship Status	Weekly Work Hours	Education	Current Position	Years in Current Position	Total Experience
1	1								
2	-0.066	1							
3	0.118	0.136	1						
4	-0.119	.659**	0.029	1					
5	0.124	0	0.072	0.13	1				
6	-0.137	.191*	-0.007	.260**	-0.069	1			
7	-0.05	.730**	0.085	.526**	0.054	.339**	1		
8	-0.107	.458**	0.125	.444**	0.106	.165*	.386**	1	
9	-0.106	.800**	0.01	.584**	0.07	0.126	.729**	.508**	1
10	-0.055	.735**	0.041	.560**	0.033	.324**	.881**	.476**	.779**

* Correlation is significant at the 0.01 level (2-tailed).

* Correlation is significant at the 0.05 level (2-tailed). N=113

The result of Spearman rho test for demographic variables presented in Table 4.9 evidences nineteen correlations among ten demographic variables used in this study. All of them are positively correlated. As expected, the variable of age has the most number of correlations. It is significantly correlated with six variables namely relationship status, education, current position, years in current position, total experience and monthly salary. These relationships validate the assumption that with an increase in age; the relationship status, educational level, rank, total experience and monthly salary will increase. The highest correlation (0.881, $p < 0.01$) has been observed between current position and monthly salary. Current position is also highly correlated with total experience (0.729, $p < 0.01$). The second highest correlation has been found between age and total experience. There is also a higher correlation (0.779, $p < 0.01$) detected between total experience and monthly salary.

Di- mens-ions	Gender	Age	Com- muni- ty	Rela- tion- ship Status	Weekly Work Hours	Educa- tion	Cur- rent Posi- tion	Years in Cur- rent Posi- tion	Total Experi- ence
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
RO	-0.005	.181*	.161*	0.142	.338**	0.12	.205*	.252**	0.138
RA	-0.095	0.12	0.061	0.045	0.067	.185*	0.007	0.155	0.071
RC	-0.05	0.013	0.022	-0.047	-0.016	0.046	0.148	0.043	0.039
GPP	0.068	0.053	.203*	.190*	.228**	0.039	0.159	.323**	.171*
RP	-0.068	0.111	0.079	0.104	0.076	0.039	0.115	0.024	0.118
PPR	0.124	-0.151	.223**	-0.039	0.051	0.047	-0.034	-0.023	-0.116
II	-0.091	0	0.124	-0.024	0.093	0.096	0.11	0.004	0.044
SWC	0.03	-0.001	0.053	0.052	.189*	-0.04	0.031	0.082	0.127
UN	-0.055	0.118	-0.031	0.092	0.088	-0.08	-0.011	0.149	0.097
PL	-0.106	-.222**	-0.079	-.198*	0.013	0.078	-0.131	0.072	-.180*
UP	0	-.206*	-0.032	-0.073	-0.06	0.098	-.271**	-0.047	-.234**
LS	-0.016	0.133	0.105	-0.015	0.06	0.077	0.144	.247**	.186*

* Correlation is significant at the 0.01 level (2-tailed).

* Correlation is significant at the 0.05 level (2-tailed). N=149

The outcome of Spearman rho test for occupational stress and demographic variables exhibited in Table 4.10 also endorses a total of nineteen correlations between twelve dimensions of OSI and ten demographic variables of which five are negatively correlated. The highest correlation (0.338, $p < 0.01$) has been identified between role overload dimension of OSI and weekly work hours. Weekly work hours is also significantly correlated with unreasonable group and political pressure (0.228, $p < 0.01$), and strenuous working conditions (0.189, $p < 0.05$). Age, current position, total experience and monthly salary of demographic variables have both positive and negative correlations. Both community and years in current position variables have three positive correlations. Gender, relationship status and education variables of personal characteristics made no relationship with any dimension of OSI.

Table-10 further shows that role overload dimension of OSI represents the most number of correlations among all the dimensions of OSI. It has established six positive correlations with age, community, weekly work hours, current position, years in current position and monthly salary. Unreasonable group and political pressures has made four positive correlations with community, weekly work hours, years in current position and total experience. In addition to that, under participation is negatively correlated with four demographic variables: age, current position, total experience and monthly salary. Five dimensions of OSI namely role ambiguity, role conflict, responsibility for persons, intrinsic impoverishment and unprofitability have not established any correlation with any of the demographic variables.

6. Recommendations:

As a member of a prestigious team the metropolitan police members themselves have some duties to get rid of occupational stress. Following the suggestions below, police members can effectively negotiate with the stress at work.

- Improved peer relations: Cooperation with colleagues is desirable for the goodness of the organization. Thus, police members need to establish a culture where mutual cooperation exists among them and they help each other in solving professional problems.
- Adaptation of coping strategies: Each police members can follow the three techniques of coping strategies that are discussed below.
 - (i) Recreation: Involving in various recreational activities and performance e.g. community policing programs, utilizing free time and weekends being free from work, reserving time for most enjoyable things, police members can overcome various traumas of occupational stress like headaches, concentration difficulties and lonely feelings etc.
 - (ii) Social support: The police members should make a circle of friends and groups with whom they can share their personal and professional concerns and problems, and get important advice from them. It would construct psychological strength in their mind.
 - (iii) Cognitive resources: The police members can also reassess and develop new techniques and styles, set and stick to priorities, and utilize time properly to get rid of occupational stress and its consequences. These cognitive tools will provide mental properties so as to be free from stress at work.

7. Concluding Remarks

The current study found that the police employing in the metropolitan area are highly stressed in general. Excessive workload, high ratio of facing terrorism, poor prevention mechanism, older weapons than criminals, limited opportunity to apply skills and unfavorable working conditions and low status mostly cause stress at work.

This study also established significant relationship between occupational stress and five demographic variables namely gender, community, relationship status, weekly work hours and years in current position. Female police professional realize more stress at work than male. The police members who have been grown up in urban community, and are not involved in any relation perceive less stress at their work. And the police members who have been grown up in rural community, and are involved in relationship either in marital form or other forms experience greater occupational stress. The employees who work more hours a week realize higher level of job stress than those who work less. The present research also revealed that the level of occupational stress increases with the increase in years in similar position. However, this study could not make any such relationship between age and occupational stress.

Regarding relationship between the occupational stress and its consequences, the outcomes of the present study revealed that occupational stress is significantly related to physiological and psychological consequences. This finding suggests that occupational stress causes various physical problems for the police such as suffering from headaches or chest related problems, difficulty in concentrating or sleeping and the like along with numerous psychological harms such as feeling too much pressure, feeling lonely, dissatisfaction with life or job, and difficulty in balancing work and family life. The current research however explored no significant relationship between occupational stress and behavioral consequences.

With regard to the moderator impact of coping strategies on the relationship between occupational stress and physiological consequences, the finding of this study revealed that although the occupational stress is the better predictor of physiological consequences than coping strategies, coping strategies does not moderate the relationship between occupational stress and physiological consequences. This research also found that coping strategies controls the impact of occupational stress on psychological consequences, which implies that adaptation of coping strategies downsizes the psychological consequences of occupational stress. While the relationship between occupational stress and behavioral consequences is insignificant, coping strategies moderates the effect of occupational stress on behavioral consequences. Based on the findings, the present study constitutes the following recommendations for the police administration or policy making level and police employees.

Recommendations to the police administration or policy making level: The higher authorities of police administration or policy making level work to ensure favorable working environment in all aspects. Considering the following suggestions, the police administration can reduce the police professionals' under metropolitan area perceived level of occupational stress, which will simultaneously help in increasing organizational performance.

- **Reasonable workload and sufficient time:** The police under metropolitan area experience, exclusive workload in terms of time and resources required to accomplish the corresponding job, which create difficulties to manage personal problems. Hence, allocation of labor should be given due importance in relation to available time and resources.
- **Improved opportunities to utilize employee's ability and aptitude:** The police under metropolitan area should be offered opportunities so that they can utilize their skills and competencies, which can facilitate the organizational performance.
- **Impassioned working conditions and equipment:** The administration of police under metropolitan area should offer such assignment and physical working atmosphere in which police member are free from extreme risks and threats regarding gender, insufficient number of police, lack of suitable equipment etc.
- **Increased remuneration and rewards:** The perceptions of police in metropolitan area implies that the job they do is unprofitable in terms of salary and rewards. Therefore, the employees should be paid fair amount of salary in respect to their jobs risk, adequate salary for living in the metropolitan area and other matters. In addition to that, the police should also be rewarded for their efficient performance.
- **Improved organizational and social status:** Self-esteem is something that everyone cares. Higher authority must respect every employee regardless of position and tasks varieties. It would assist in creating a sense of belongingness to the employees.

It is hoped that these recommendations will contribute to the improved wellbeing of police personnel. Overall, better management and enhanced human resource strategies, coupled with the time-bound implementation of the study's recommendations, can aid in the solution to the problems that have been discussed and dissected in this study.

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New weapons of Russia is bringing back bipolarization in Geo politics: A new era

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***Abstract:** After Russia's test of advanced military technologies capable of spoiling first strike capacity of the United States (US), the possibility of an Armageddon or the 'end of the world' seems more realistic than ever. In particular, if from now on nuclear war starts these two superpowers will be able to attack each other. USA has a huge amount of nuclear missiles and Russia has gained the capability to prevent many of those missiles in their way to attack which has altered the strategic equations. Consequently this globe is now again the spectator of Mutual Assured Destruction (MAD). Given the recent escalation of tension between Russia and USA, this paper provides an insight into the triggers and the credibility of Russian military technology advancement with a view to analysing way out for de-escalation. Based on these arguments, the paper ends with an exposition of recent bipolarization in Geo politics.*

Introduction

In the current landscape of geopolitical dynamics, all experts are discussing about the continuation of the unipolar world order or to some extent about the possibility of entering into a Tri polar world. In this scenario, the unprecedented improvement of Russian military technology is in a way to reset the whole world order in a bipolar version.

On 1st March 2018 Russian President Vladimir Putin in his annual state-of-the-nation address, similar the the State of the Union speech of US presidents, mentioned about president election of 18th March 2018, day to day life related stuffs of Russian voters for instance employment, medical, health, education, tax system infrastructure and so on. In the last segment of his speech he mentioned about achievement of Russia on nuclear weapons, military technology and Russia's strategic issues. That speech has election value but his direct audience was Washington. Main point of president Putin was for long two decades Russia has just defended itself against the attempts of Washington to achieve nuclear supremacy. In short, in his speech we find Putin describing Russia's attempts to have a firm position against potential nuclear first strike by USA. As a consequence the era of strategic relations between Soviet Russia and North America comes to an end and a new era has started.

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Reassessing capacity of Russia and United States

It is important in a sense that when two nuclear superpowers United States of America and Soviet Union attain the ability to attack each other using Inter Continental nuclear warhead for ensuring security of mankind three ways are open which includes:

- (1) Abolish Nuclear weapon which is near to Impossible to be implemented in near future
- (2) Chasing attainment of nuclear supremacy
- (3) On the basis of Mutual Assured Destruction (MAD) arrangement of Mutual security so that both the parties will have strategic Parity of nuclear weapon and one will go for searching supremacy of first strike.

During Cold War era in the 1960s and 1970s Washington and Moscow started the mutually assured destruction Policy. To maintain parity in the Nuclear Weapon Control treaties, decreasing of nuclear warheads gets priority But the collection of more disastrous nuclear weapons was in process.

In 1980 President Ronald Reagan and leader of the Soviet Union Mikhail Gorbachev expanded the Policy of Mutual Security and these two leaders for the first time as well as last time abolished medium range nuclear missiles. The more credible the threat of a nuclear strike is, the more likely it is that the deterrence will work and this will only function when the deterring party has the power to inflict unacceptable degree of damage on its enemy and the enemy also perceives that the deterring party is willing to do so . In 1991 when Soviet Union dissolved at the same time the-Regan Gorbachev legacy faded way. Almost 10 years ago Professor Stephen kohen wrote in his book ‘Soviet fates and lost alternatives: from Stalinism to the new cold war’ – though the cold war ended in Moscow but this toning down has not happened in Washington.

From 1990s All US presidents Bill Clinton, George W. Bush and Barack Obama emphasized on attaining de facto nuclear supremacy. Washington is maintaining this supremacy in three ways:

- (1) Washington breaks oath and expands NATO adjacent to Russian Frontier.
- (2) Concentrated on creating of more devastating, accurate and usable nuclear Weapon.
- (3) Dismantle Anti Ballistic Missile treaty of 1972 on 2002. This treaty was working on the basis of Mutual Assured Destruction (MAD).

2. Paul Huth, Christopher Gelpi and D. Scott Bennett, “The Escalation of Great Power Militarized Disputes: Testing Rational Deterrence Theory and Structural Realism”, *The American Political Science Review*, Vol. 87, No. 3, 1993, pp. 609–623.

Main reason against this kind of act was Washington was trying to establish nuclear supremacy upon Russia. The threat to the state's survival and anticipation of war are the key causes for proliferation. At present Washington has established anti missile /shield throughout the world both on land and sea for instance Russia is now surrounded by missile defense of NATO (particularly Washington) on land and sea. Though Washington never disclose the fact rather they give shout out like 'Our missile defense system is not because of Russia rather for Iran and other bellicose countries.' But not only Moscow but also the whole world understands this policy.

What Russia Really Wants: Objectives and Priorities

On the 2018 March speech, President Putin stated about a list of weapons which proves that this is the outcome of long analysis as well as design of Moscow. The very fact is these weapons have been installed to defend globally deployed missile defense of Washington. Political media establishment of Washington dismissed President Putin's claims as bluffing, aggressive show-off of military power. But it is not true as this does not match the political character and serious speech of President Putin. In spite of having this information if one fourth of this information really exists then it can be said when Washington runs after gaining nuclear supremacy and first strike capacity at the same time Moscow silently established his counter system in a more firm way. And if it comes true undoubtedly Moscow wins the game. It is the question of existence for Moscow. Moscow has replaced that lack of promise of mutual security on the basis of Mutual Assured Destruction (MAD) which faded away by the demise of Soviet Union and Moscow made it possible through gaining strategic parity. This connotation of President Putin's speech is indispensable for the globe.

Now let us get introduced with the weapons assertion of President Putin as well as proved in reality. In 2012, after completion of Geneva Treaty, Russia along with this alliance took the decision of deployment of peace force in Syria. But in July, 2012 the total scenario changed due to stance of France. As a result Russia restrained from deploying peace force consisting of particularly Kazakh soldiers with the permission of Security Council of United Nations and despite Syrian urge for help Moscow was silent in this regard.

After three years of silence, the Russian Air Force destroyed all Jihadi establishments and by this time US started destruction of Jihadi coalitions in Syria. In these three years the USA conducted various military events and Russia denounced this behavior of USA. In the contrary, Pentagon complained against

3. Alexandre Debs and Nuno P. Monteiro, "Conflict and Cooperation on Nuclear Nonproliferation", *Annual Review of Political Science*, Vol. 20, No. 1, 2017, pp. 333–334.

4. *Ibid.*

activities of Russian bombers in seashore of USA. But for long three years Russia was silent on the question of Damask. Is Russia unwilling to help Damascus or want to do anything else? The answer is Russia is not unwilling to help Syria rather in the mean time Russia prepared for new techniques and military advanced technologies when Russia feels the readiness come to face USA in real.

From September, 2015 after Syria event, Russia deployed a technological system which disrupted signals given by NATO command. Even this new Russian system successfully made a mess of internal communication of NATO command within 300 kilometers of Latkia. After this success Russia brought into effective action of this same system in Black sea and Kaliningrad. Except various aircraft of new generation, Russian cruise Missiles which was used in Syrian target from Caspian sea was more accurate than USA one. Overall capacity and effectiveness of multipurpose air fleet used in battle field in February 2018 is totally unknown.

Present Russian military is more efficient than USA force in conventional war stated by various general of USA. But Pentagon is not quite sure about effectiveness of rival party. They believe they are the best military in this earth. Their logic is USA spends eight times more in military budget than Russia. But Military Capacity and efficiency are not measurable through the military spending.

For instance in Panipat 2nd war or in 1st World War Osmania Empire who belonged to largest military had only five planes and six pilots, even though that empire collapsed. Capacity of Soldiers and capability of military finishing matters a lot in this era.

However, though Russian military is better in conventional war they are not capable to deploy military in the same time in more battle field which is possible for United States of America. USA has NATO and more than eight hundreds military base throughout the world and reserves the position of nuclear supremacy. Therefore Russia has no other way except striving to gain nuclear supremacy At last President Putin stated list of hypersonic nuclear war head in his speech given in March in parliament.

There was a incident of strategic harassment against Soviet force in Afghanistan caused by USA. Definitely to stop occurring this short of incident again on the eve of entering into Guot Russia come into a deed with United States.

This agreement also proves that pentagon fears that if needed Russia will go for their newer version of technology for USA.

5. Amanda Erickson, "Russia Warns against 'intimidating' North Korea after its Latest Missile Launch", Washington Post, 17 May 2017, available at <https://www.washingtonpost.com/news/worldviews/wp/2017/05/15/russia-warns-against-intimidating-north-korea-after-its-latest-missile-launch/>, accessed on 29 May 2017.

6. Marie-Joëlle Zahar, "Reframing the Spoiler Debate in Peace Processes", in John Darby and Roger Mac Ginty (eds.), *Contemporary Peacemaking: Conflict, Peace Processes and Post-War Reconstruction*, London: Palgrave Macmillan, 2008

The Triggers: Sarmat and others

For last few years enlisted Russian programs were more or less known and most of them are now workable. However, the question is how it has been possible in disguise of CIA. For instance in February, 2018 those Russian fighter Planes (SA- 57) which were used in battle field, though assumption by CIA was it will be ready for use after 2025.

President Putin discloses about Intercontinental Ballistic Missile ‘Sarmat’ this missile has been named after ancient Russian people. Men and women were equal in that ancient community. 2030 is when the US is supposed to begin deploying new ICBMS. Russia has already deployed hundreds of new mirrored strategic missiles with plenty more to come. Sarmat is just an addition to this

That technology of orbital head by Reusable ‘Sarmat’ was invented in the decade of 1970 and consequently nuclear supremacy was achieved. But in the mean time Soviet Union signed and ratified the Salt-2 treaty and abandoned that program. USA senate never accepted Salt-2 treaty and as a result that treaty got void.

War head will be deployed on the orbit in the case of missile ‘Sarmat’ then this missile will reenter the air sphere and will drive to the target regard less the range. Right now there is no way to intercept missile ‘Sarmat.’

This means missile ‘Sarmat’ may come to the airspace and may attack the target. Russian government introduces ‘Sarmat’ as Rs-28, NATO named as ss-x-32 Snowflake. ‘Sarmat’ is super heavy Thermo nuclear Inter Continental Ballistic Missile. This missile is capable to target 10-24 (ten to twenty Four) separately and can attack both in the route of northern hemisphere and southern hemisphere.

On the other hand, “Kinzhal” hypersonic missile has to be sent from Bombers to attain hypersonic speed. It is five times more speedy than sound. Successful test of missile kinzhal from MIG -31 has been completed few months before.

Russia also possesses such tiny miniature motor which gains power from nuclear plant and it can be attached with nuclear war head of cruise missile. The way of cruise missile is trajectory so that it cannot be identified beforehand and this motor is unparalleled.

As using this motor with Drone, submarine has been hypersonic without nuclear significance, at least 500 meter high Tsunami wave can be created in the seashore of hypersonic submarine.

At the end Russia now implementing hypersonic trajectory or Avon Guard ‘ consists of the characteristics of missile ‘Sarmat’ and missile kinzhal.

The Role of Russia and US: An Analysis of Objectives

The main theme of this concept of new nuclear war heads is to dismantle anti missile shield of Pentagon. For instance Terminal High Altitude Area Defiance in short THAAD which is being deployed in military bases by Pentagon throughout the world. In this situation the question of supremacy of power is incomprehensible and incoherent. Because there is no any other way to safeguard Anti Missile Shield. This is why Russia is searching for the way to defend shield. It has been observed that in an asymmetric warfare, it is usually the weaker power that initiates the war to baffle the enemy with an element of surprise.

Another unpleasant issue for Pentagon is President Putin stated about lesar weapons but he did not disclose about the salient features of this .This lesar weapons also is in possession of Pentagon. May be Russian lesar weapons will be able to prevent some US launcher in their way to attack.

In instant response NATO Generals are unwilling to accept the truth of Putin's speech. What is the reason behind? Maybe it seems like science fiction or may like first response for a long time opponent. Russia plays cheese, the country of cheese does not play poker. It is not a county of poker if we go through the history, Russia never lies in case of his arms and ammunition. Rather we have seen which weapons have been declared as on test are already workable. But those are never declared as combat ready. In Syrian battlefield Russia has successfully used more than Two hundred new weapons and it is really true that Russian scientists have gone a long way in technological development.

This Russian technological advancement has spoiled first strike capacity of USA. If from now on nuclear war starts these two superpowers will be able to attack each other. USA has a huge amount of nuclear missiles and Russia has gained the capability to prevent many of those missiles in their way to attack. Consequently this globe is now again the spectator of Mutual Assured Destruction (MAD).

On the other hand it can be said that in last long twenty years military-Industrial Complex as a military representative of USA has not done their home work .F-35 three in one is constructed consisting of the characteristics of F-16, F-18, and F-22 under the project F-35 of US Air force But the creator of F-35, US is unable to solve the proper software and to implement technical specification of present version. However US air force is now giving thought to reconstruct previous plane though some countries of NATO are buying some F-35s.

7. This theoretical question has been addressed at length by T. V. Paul of McGill University, Canada. For further scrutiny on why this is the case, see, T. V. Paul, *Asymmetric Conflicts: War Initiation by Weaker Powers*, New York: Cambridge University Press, 1994.

It is true that President Trump and his party have decided to encourage new brains to enter USA who will pave the way to construct new weapons matching new trends and will prevent the selling of old version weapons by military-Industrial complex which tend to supplying trendy weapons as per demands of Pentagon. But it will take time and at least it will be a twenty years journey for USA.

Conclusion: Return of bipolarization & Eclipse for US Dominance

The Russian technological advancement has shocked the world polarization unexpectedly and again brings back bi-polarization. Not only that strategist now bound to rethink about war surroundings.

If we go through history it seems a very few can understand changed military paradigm. For instance Hundred years' war took place on 25th october 1415. Battle of Agincourt decisive victory of the English over the French in the hundred years' war. It is heralded as one of the greatest English military victories. Main reason behind why king Henry V's army was able to defeat a trench force four times its size is in the longbow the English had Perfected an ordinary weapon that provided a significant advantage over the frend crossbow. In spite of significantly outnumbering the English army the French were easily defeated and the same strategy was used by Osmania Empire in the battle of Nicopolis of 1396.

A very suitable example of present days is Operation Desert Storm, the 12-day US led air offensive against invasion of Kuwait and Iraqi leader Saddam Hossein's. Tank war did not won. Why they collapsed many military thinkers could not find out. In the same way in 2006 a small team of Hezbollah won against Markova tank force of Israel. What does it mean? Is tank, an armored personnel carrier is not no longer protectable. Even though very few countries learned this lesson except Australia and Syria and still Russia is constructing battle tanks.

If any country now go for Traditional war against Russia will get the evidence of supremacy of Russian weapons for instance it is impossible to stop hypersonic projectile in the middle of its attack. It proves military paradigm has been shifted. In this changed paradigm it is unprecedented to control command and communication of opponent and Russia is stepping ahead in this regard.

