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The Rights and Status of Women in Ancient India: Insights from Hindu Legal Literature*

Gobinda Chandra Mandal*

Abstract

This article offers a comprehensive analysis of the multifaceted roles and rights of women in ancient India, as reflected in Hindu legal texts. It examines how social norms influence women's lives, from their education and intellectual development to the constraints and expectations that shape their experiences. The study delves into family dynamics, addressing women's roles and rights within the family, their marital relationships, and controversial practices such as *niyoga* (levirate) and sati. It also explores the legal aspects of marriage, polygamy, polyandry, and divorce, while considering women's property rights, inheritance, and maintenance. The article emphasises the progressive elements of gender relations and the rights granted to widows, while also briefly discussing their rights to adoption, guardianship, and maintenance. Overall, it provides a thorough overview of the legal status of women in ancient India, revealing the complexities of their social position.

Key words: Hindu Women, Ancient India, Rights of Women, Hindu Legal Literature.

1. Introduction

The rights and status of women in ancient India have been the focus of extensive debates in historical and socio-legal studies.[1] By examining Hindu legal literature, we gain a concise understanding of their rights, roles, and responsibilities. Key Hindu texts such as the Shrutis (Vedas), Upanisads, Puranas, Dharmasutras and Dharmashastras including the Smritis—along with their commentaries and digests, as well as the great Indian epics, the Ramayana and Mahabharata, provide valuable insights into the social and legal norms that shaped women's lives during this period.[2] This paper explores the complex array of rights envisioned for women in these ancient texts, highlighting their diverse roles and social positions. It reveals how social norms and legal structures

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* This article is based on the PhD thesis by the author.

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1 D. Halder and K. Jaishankar, "Property Rights of Hindu Women: A Feminist Review of Succession Laws of Ancient, Medieval, and Modern India", *Journal of Law and Religion,* Vol. 24(2), 2008, pp. 663-664

2 See J. Leslie (ed.), *Roles and Rituals for Hindu Women*, (Motilal Banarsidass Publishers 1992), pp. 1-3

created a blend of respect, protection, and subordination for women. Through this exploration, we gain a deeper understanding of the social, cultural, and moral contexts that influenced the lives of women in ancient India.

Women in ancient India occupied a seemingly paradoxical position: revered as goddesses yet constrained by strict social norms.[3] Hindu legal literature, including the Smritis and their commentaries and digests, offers a comprehensive view of the legal and moral guidelines governing their lives. Written over the centuries, these texts reflect the evolving status, rights, and responsibilities of women.[4] Scholars have varying interpretations of these ancient texts regarding the role and rights of women.[5] Some view them as reinforcing the patriarchal system, while others identify elements of empowerment within them.[6] A careful examination of the complexities of these texts is essential to fully appreciate the status and rights of women in ancient India.

Despite a wealth of research on ancient Indian society, there remains a surprising lack of in-depth studies focusing on women's rights within Hindu legal literature. Many existing studies either generalize women's roles or concentrate narrowly on specific aspects such as marriage or property rights. This article aims to bridge this gap through a detailed analysis of various facets of women's lives as depicted in ancient legal texts, intending to provide a more comprehensive picture of their rights and status.

The primary objective of this article is to critically assess how Hindu legal literature in ancient India represented the rights and status of women. To achieve this, the article examines provisions from the major Smritis and other texts that influence women's lives from birth to death, explores social attitudes toward women and their impact on legal rights, and analyses how the status of women has evolved across different historical periods.

This study investigates various aspects of women's lives, from their roles as daughters, wives, and widows to their access to education, personal freedom, marital duties, and property rights. It also addresses contentious issues such as niyoga (levirate), sati, polygamy, polyandry, divorce, and women's legal rights to property, maintenance,

3 U. Ray, *'Idealizing Motherhood': The Brahmanical discourse on women in Ancient India (circa 500 BCE-300 CE)*, Unpublished PhD Thesis, (SOAS 1999), p. 204

4 A.S. Altekar, *The Position of Women in Hindu Civilization: From Prehistoric Times to the Present Day*, (Motilal Banarsidass Publishers, 1956) p. 76

5 See R. Thapar, "Interpretations of ancient Indian history", *History and Theory*, Vol. 7(3), 1968, pp. 318-322; V. Singh, "Women Empowerment: Identity of Women in Ancient India and Modern Indian Globalized Society", *International Journal for Multidisciplinary Research*, Vol. 5(6), 2023, pp. 5-6

6 U. Chakravarti, "Conceptualising Brahmanical Patriarchy in Early India: Gender, Caste, Class and State", *Economic and Political Weekly*, Vol. 28(14), 1993, pp. 580-581

adoption, and guardianship. However, the study has limitations. Ancient legal texts may not fully reflect the lived experiences of all women, as they often embody a patriarchal perspective that may marginalize women's voices. Additionally, interpretations of these Sanskrit texts vary among scholars, and the historical contexts are not always well-established.The article includes a critical analysis of both primary and secondary sources. The primary sources consist of ancient texts such as the Vedas, Upanishads, Dharmasutras, Dharmashastras, the later Smritis, along with their commentaries and digests that outline legal and social norms. Secondary sources encompass scholarly articles, interpretations, and historical analyses that offer context and critique. The study employs a hermeneutic approach to interpret these texts by considering their historical and cultural contexts. It entails a thorough examination of the contexts and jurisprudential principles within the texts. Comparative analysis is utilised to juxtapose legal prescriptions with historical accounts to comprehend how these laws were applied and experienced.

By elucidating the legal principles and social norms that influenced women's lives, the article enhances the understanding of gender dynamics in ancient Indian society. It offers valuable insights into the historical evolution of women's rights, emphasizing both continuity and change over time. Moreover, this study is pertinent to contemporary discussions on gender relations and women's rights. By providing historical context, it aids modern scholars and practitioners in appreciating past advancements and ongoing challenges. The article also functions as a resource for comparative legal studies, offering a framework for examining women's rights in other ancient civilisations and legal traditions.

The article is structured around three main sections. The first section highlights the role and experiences of maidens, addressing their education and independence. The second section explores the complexities of marital life, including debates surrounding polygamy, divorce, and remarriage, as well as contentious practices such as sati and niyoga during the post-coverture period. The third section investigates the legal rights and status of women, including the rights to property, adoption, guardianship, and maintenance. Each section builds upon the previous one, ensuring a logical flow and comprehensive understanding of the topic.

2. The Position of a Maiden

2.1. The Birth of a Daughter

During the Vedic period, the birth of a daughter was not as positively received as that of a son. The Vedas, particularly the Atharvaveda, did not favour the birth of daughters,

and there were even negative references to their birth.[7] Hymns in the Rigveda sought blessings for the birth of sons, while magical incantations in the Atharvaveda Samhita aimed to counteract feminine traits.[8] Although girls were not considered inferior, establishing equality with boys was a challenging task.[9]

Despite the initial lack of enthusiasm for daughters, in Vedic households, the birth of a daughter was not a cause for concern. Eventually, she was given equal importance as a son. Altekar highlights a ritual in the Brihadaranyaka Upanishad that advises householders to ensure the birth of an educated daughter: "atha ya ichhedduhitia me pandita jayeta, tilaudanau pacayitva asniyatamiti."[10]

In Vedic society, parents and relatives bestowed equal treatment upon sons and daughters, considering them auspicious symbols within the family. Daughters received affectionate nurturing from their mothers and were safeguarded by their fathers and brothers.[11] Fathers in this society offered prayers for the prosperity and welfare of their daughters, mirroring the prayers they offered for their sons. [12] Daughters were regarded as representations of celestial and terrestrial realms, maintaining a harmonious and favourable bond with their parents.[13]

Over time, social attitudes transitioned, with the later part of the Vedic period showing a growing preference for sons and the performance of rituals aimed at preventing the birth of daughters.[14] The Puranas also offer evidence of social bias towards sons, recounting instances of conducting rites to ensure the birth of a gifted son.[15] The

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7 Atharvaveda VIII.6, 25; VI.11. 3

8 Ibid. at VI.11; III. 23; Also in Rigveda, VIII. 6, 25

9 S. R. Shastri, *Women in the Vedic Age*, (Bharatiya Vidya Bhavan 1954), p. 2

10 Brihadaranyaka Upanishada, IV.4.18

11 B. S. Upadhya, *Women in the Rigveda*, (Nand Kishore & Bros. 1941), p. 33

12 Apastamba Grihya Sutra, XV.12-13

13 Ibid.

14 Shastri, supra note 9, at p. 71

15 The Vishnu Purana and Matsya Purana tell of Kashyapa having relations with Diti to have a brave son. According to the Vayu Purana and Brahmanda Purana, the Yadava king Devavridha performed a rite to have a talented son. Various vows and practices are mentioned in the Puranas for having a male child. The Garuda Purana suggests that having a son is essential, and there's no peaceful way for someone without sons to attain heaven. The Skanda Purana states that a person without a son shouldn't be invited to auspicious occasions or rites for the ancestors. The house of someone without sons is likened to a funeral ground, and deities and sages don't partake in meals there. The text also mentions the *Bhishmapancakavrata*, advising childless individuals to perform this vow to get a son within a year. As part of the vow, an effigy representing obstacles to having children is given away. Classical Sanskrit literature, including Kalidasa's works, emphasises the importance of having a son. Kalidasa, in Raghuvamsha, highlights the emptiness in the life of a person without a son, emphasising that forefathers don't accept offerings from a descendant without

lack of sons was viewed as a challenge, prompting actions such as the *Bhishmapancakavrata* to address this concern.[16]

2.2. Social Attitude towards Daughters

The Rigveda illustrates the coexistence of sons and daughters, with daughters inheriting their mothers' glory and receiving respect for their potential roles as mothers.[17] Daughters were valued and cherished within their community, and couples desired both sons and daughters.[18] Fathers were praised for having exemplary daughters, metaphorically likened to a quiver of effective darts.[19] Daughters were affectionately nurtured in their parents' households and often remained there as they aged.[20]

The hymns of the Rigveda suggest that brides were mature enough to bear strong Aryan offspring, and that daughters could stay with their parents until adulthood, with early marriages not being mandated.[21] Upon reaching maturity, daughters gained greater importance and freedom. While most references in Vedic literature depict daughters with affection and esteem, there are occasional mentions of them being sources of difficulty.[22]

In Vedic society, it was believed that unmarried daughters were the abode of Lakshmi, the Goddess of Fortune. As a result, they were chosen for significant roles, such as welcoming important figures and participating in major social events, underscoring their importance. The Ramayana notes that maidens were selected to greet Lord Rama upon his return to Ayodhya and to perform the coronation ablution.[23] Supporting evidence from the Puranas illustrates the honour bestowed upon virgin girls during festival occasions.[24] The goddess Usha, representing the dawn, is depicted as a young maiden, reflecting the ideals and characteristics of girls in Vedic society.[25]

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a son. The extinction of the male line is seen as a great misfortune, as the merits from austerities and charities contribute to happiness in the next world, with a son from a pure-blooded wife being the cause of happiness in both worlds.

16 A. Roy, *Women in the Purana Tradition*, Unpublished PhD Thesis, (University of Allahabad, 1998) p. 67

17 Rigveda, III.31.1-2

18 Ibid. at VIII.31.8

19 Ibid. at VI.75.5

20 Upadhya, supra note 11, at p. 34

21 "*As a virtuous (maiden) growing old in the same dwelling house with her parents claims from them her support, so come I to thee for support*"- Rigveda, II.17.7

22 Altekar, supra note 4, at pp.11-12

23 Ramayana, VI. 138. 38, and 61, referred to Altekar, supra note 4, at pp.10-11

24 The Devi Purana specifies that during the '*dhvaja-dana*' in Devi-temples, only virgin girls and Brahmanas should be fed. The text further mandates the feeding of virgin girls during the worship of Devi in various forms and the observance of vratas throughout the year.

25 Shastri, supra note 9, at pp. 9-10

2.3. Her Roles and Responsibilities in the Family

The Vedic daughter was seen as bold and strong, showcasing a distinct personality. Society instilled in her the qualities expected of a responsible and authoritative wife and mother.[26] During her early adolescence, she exhibited traits suitable for the responsibilities she would soon assume.[27] The primary duty of Vedic daughters was to contribute to the family's livelihood. They were tasked with milking cows and preparing dairy products like clarified butter and curd.[28] Additionally, they engaged in spinning, weaving cloth, and embroidering garments. Vedic daughters also took part in various outdoor tasks that were not overly strenuous.[29]

It is important to note that, in addition to their domestic responsibilities, Vedic daughters received a comprehensive education. Female seers, alongside their male counterparts, were acknowledged for composing hymns, underscoring their significant intellectual contributions.[30]

2.4. Education for Girls

In the Vedic period, the education of daughters was regarded as equally important as that of sons, highlighting the value placed on marrying a learned partner.[31] Vedic literature underscores this principle:

> An unmarried young, learned daughter should be married to a bridegroom who, like her, is learned. Never think of giving in marriage to a daughter of a very young age.[32]

The Yajurveda and Atharvaveda convey similar sentiments, emphasizing the importance of a young, educated daughter marrying a learned groom: "A young daughter who has observed brahmacarya (i.e., finished her studies) should be married to a bridegroom who, like her, is learned."[33]

The Atharvaveda further advocates the dedicated pursuit of knowledge for all, including females:

> A king, by observing brahmacarya (the vow of study), can protect his kingdom easily. An acarya can impart education to his students if he has himself observed his brahmacarya. A young daughter, after the observance of brahmacarya, should be married to a young man.[34]

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[26] Rigveda, I.126.3; V.47.6; VI.27.8; VII.18.22; VIII.19.36; 68.17; Also see, Upadhya, supra note 11, at p. 40
[27] Upadhya, supra note 11, at p. 40
[28] Ibid. at p. 35
[29] Ibid.
[30] Ibid. at pp. 35-36
[31] A. Naqvi, *Women's Rights and Personal Laws: A Comparative Study*, unpublished PhD Thesis, 2014, University of Rajasthan, 2014), p. 37
[32] Rigveda, III.55.16
[33] Yajurveda, VIII.1
[34] Atharvaveda, XII.3.17.18

Vedic daughters received education in both spiritual and temporal domains. The spiritual aspect included training in religious lore, historical traditions, and mythology, which occasionally inspired hymns. Concurrently, the temporal aspect encompassed instruction in fine arts and, in specific cases, military science.[35]

Female students were categorized as either *Brahmavadinis* or *Sadyotsvahas*. Brahmavadinis were theologians and philosophers for their entire lives, whereas Sadyotsvahas studied until marriage, typically at the age of 15 or 16. During the eight or nine years of required study, they memorized Vedic hymns for daily and periodic prayers, as well as the rituals and sacraments they needed to observe.[36]

Brahmavadinis pursued academic excellence diligently. Prior to the fourth century B.C., Vedic and philosophical studies dominated society, and women engaged with these subjects with great enthusiasm. Many began with the Vedas and specialised in Purvamimamsa, which dealt with sacrifice-related Vedic topics.[37] Women also participated in philosophical discussions during the era of the Chhandogya and Brihadaranyaka Upanisads, a significant period in Indian intellectual history.[38]

In the post-Vedic Smriti period, women, like Shudras, were considered ineligible for Vedic studies. Manu clarifies their position in Chapter IX, Verse 18, stating:

> For women, no sacramental rite is performed with sacred texts; thus the law is settled; women who are destitute of strength and destitute of the knowledge of Vedic texts are impure as falsehood itself, that is a fixed rule.

Jagannatha's interpretation supports the exclusion of women from Vedic studies, arguing that this exclusion renders them morally non-existent or as false beings, despite their physical presence. Additionally, there is a Varna text that explicitly forbids women from reciting Vedic mantras. This evidence highlights the historical perspective on the exclusion of women from Vedic education and rituals.[39]

Manu also categorized women as perpetual minors, requiring them to remain under the guardianship of their fathers, husbands, or sons.[40] Consequently, this limitation curtailed the power and dignity of women and denied them direct engagement with the divine.[41]

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35 Upadhya, supra note 11, at p. 174
36 Altekar, supra note 4, at pp.13
37 Ibid. at pp. 13-14
38 Shastri, supra note 9, at p. 81
39 D. N. Mitter, *The Position of Women in Hindu Law* (University of Calcutta, 1913), p. 98
40 S. Narayanan, "Historical Background of Gender Equality and Succession Right of Women's Right to Property in Tamil Nadu", *Intellectual Property Rights*, 2016, Vol. 4(2), p. 1
41 Naqvi, supra note 31, at p.39

The rise in child marriage after 300 B.C. significantly hindered the education of women. The initiation ceremony (*upanayana saṃskara*), which was previously essential for Aryan women, was reduced to a mere formality and eventually abolished. As a result, the hymns of daily prayers became unintelligible to them. Similar to the Sudras, women lost their status as regenerate classes (*dwijas*) when they became unable to recite or hear Vedic prayers. By the eighth or ninth century A.D., the marriageable age for girls was further lowered, effectively eliminating opportunities for education.[42]

2.4.1. Intellectual Pursuits by Them

Vedic daughters engaged in intellectual pursuits comparable to those of men, exploring Vedic hymns, theology, philosophy, and Purvamimamsa.[43] The Rigveda recognizes approximately twenty female Rishis, such as Lopamudra, Vishvavara, Sikata Nivavari, and Ghosha, who made significant contributions through the composition of hymns and prayers for the well-being of humanity.[44]

Notable scholars like Mena, Dhirini, Bhuvana, Aparna, Ekaparna, Ekapatala, and Sannati are recognized in the Puranas. Mena and Dhirini, daughters of Yaska, are celebrated for their lifelong dedication to the study of theology and philosophy.[45] They are described as Brahmavadinis in the Vishnu Purana,[46] Vayu Purana,[47] and Brahmanda Purana.[48] Similarly, the Vayu Purana[49] and Brahmanda Purana[50] document Bhuvana as a Brahmavadini for her proficiency in both yogic practices and worldly exploration.[51] The Vayu Purana[52] and Brahmanda Purana[53] also identify Aparna, Ekaparna, and Ekapatala as 'Brahmavadini' and 'brahmacarini.' Sannati acquired theological knowledge from her father, emphasising a tradition of familial education.[54] The Devibhagavata mentions that Vedavati was well-versed in Vedic lore from birth and practised austerities.[55] According to the Vishnu Dharmottara Purana, Maitreyi,

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[42] Altekar, supra note 4, at pp. 17-18
[43] Ibid. at pp. 13-14
[44] Upadhya, supra note 11, at p. 174
[45] Altekar, supra note 4, at pp. 10-11
[46] Vishnu Purana, I. 10-19
[47] Vayu Purana, 66. 27.
[48] Brahmanda Purana, II.2.28.
[49] Vayu Purana, LXVI. 27.
[50] Brahmanda Purana, II, 2.28.
[51] Vayu Purana, XVII. 2 in Roy, supra note 16, at p. 90
[52] Vayu Purana, LXXII. 13-15
[53] Brahmanda Purana, III.10. 15-16
[54] Chandogya Upanisada, I. 11. 4.
[55] Devibhagvata, IX. 16

Sulabha, Gargi, and Sannati achieved success in Yoga, transcending caste and gender boundaries.[56] The Matsya Purana notes that Pivari demonstrated profound knowledge of Yoga through rigorous ascetic practices.[57] This array of remarkable women underscores the diversity and depth of intellectual and spiritual contributions by Vedic women in ancient India.

Notable Vedic women such as Maitreyi, Gargi, Atreyi and others were renowned for their scholarly pursuits. Maitreyi was a prominent philosopher who engaged in dialogues with the sage Yajnavalkya. Gargi excelled in philosophical debates at King Janaka's court. Lopamudra made significant contributions to the Rigveda, while Ghosa was recognised for her musical and poetic talents. Atreyi studied Vedanta with sages like Valmiki and Agastya. Many of these female philosophers chose to remain unmarried in order to focus on their spiritual and intellectual pursuits. [58]

2.5. Her Freedom and Liberty

During the Vedic Age, daughters in ancient India enjoyed considerable personal freedom. They had access to educational opportunities comparable to those available to men, participated in social and religious gatherings, and had the autonomy to select their life partners. Vedic girls could remain unmarried until the age of 16, received education before marriage, and underwent the Upanayana ritual, which was customary for both genders. They were educated by family elders or qualified female teachers, although advanced education was predominantly reserved for affluent families.[59]

In Vedic India, female seclusion was virtually non-existent, allowing maidens to move freely, participate in festivities, and attend events known as Samanas, which featured horse and chariot racing.[60] Maidens were particularly drawn to these events at night, often appearing adorned and joyfully amorous.[61]

Vedic women were encouraged to pursue love and romance, with the Svayamvara system enabling them to select their own husbands independently. Parental control was minimal, and brothers primarily offered advice rather than imposing decisions on marital choices.[62] Women, including those without brothers, confidently chose their partners based on personal preference. The Rigveda celebrates women who,

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[56] Vishnu Dharmottara Purana, XCVIII
[57] Matsya Purana, XV. 5-6.
[58] Chandogya Upanisada, I, 11, 4.
[59] Altekar, supra note 4, at pp. 16-17
[60] Rigveda, I. 48. 6; 124, 8; IV. 58. 8; VII. 2. 5; 9. 4; X. 86. 10.
[61] Ibid. at I. 48. 6; X. 69. 11.
[62] Ibid. at IV. 5. 5.

attractively adorned, select their husbands from among a gathering.[63] This freedom sometimes led to bold actions, such as eloping or clandestinely meeting paramours,[64] resulting in occasional moral laxities.[65]

During more favourable periods, Hindu society demonstrated concern and respect for women by giving them priority in crowded streets, offering assistance during journeys, exempting them from ferry taxes, and ensuring their well-being when they lacked guardians. Bride prices were considered sinful, with the responsibility for marriage expenses resting on the father and brothers. Women received lighter punishments in legal matters.[66] Although later periods introduced restrictions such as purdah (seclusion), these were not prevalent during the Vedic Age and became more common in classical Sanskrit literature and under Muslim rule, where purdah became deeply ingrained in Hindu society.[67]

3. Position during the Coverture

3.1. Getting Married

In ancient India, marriage was regarded as both a social and religious duty for women and was considered a sacred sacrament.[68] The primary purpose of marriage was procreation, particularly the birth of sons, who were believed to absolve the parents' debts to their ancestors.[69] Motherhood was highly valued, and the presence of a son immediately elevated a woman's status. Women in Vedic society enjoyed considerable freedom and actively participated in social functions and interactions with potential suitors.[70] Marriage facilitated opportunities for young men and women to meet and form families.[71] The ideal husband-wife relationship was perceived as the essence of kinship, the fulfilment of desires, and a source of solace.[72]

Furthermore, being a wife was deemed essential for performing religious rites and ensuring the procreation of sons. The wife was expected to bear heirs to continue her husband's lineage and to defend the family against enemies. Sons were vital not only for inheritance but also for the protection of the family, with Aryans traditionally aspiring to have a significant number of male children, often aiming for ten.[73]

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[63] Ibid, at X. 27, 12
[64] Ibid, at I. 184. 3
[65] Upadhya, supra note 11, at p. 40
[66] Altekar, supra note 4, at pp. 378-380
[67] Mitter, supra note 39, at p. 170
[68] Ibid, at p. 195
[69] Ibid, Altekar, supra note 4, at p. 118
[70] Rigveda, IV. 58, 8; VI. 75, 4; VII. 2, 5; X. 86, 10.
[71] Ibid. at IV.58.8; VI.75.4; VII.2.5; X. 86.10.
[72] Altekar, supra note 4, at pp. 117
[73] Upadhya, supra note 11, at p. 137

In her domestic role, the wife actively managed the household and cared for her family. She was described as an "*honourable dame*" and a diligent worker.[74] Her primary responsibilities included attending to her husband and overseeing the entire household, which comprised family members, domestic servants, slaves, and animals. The wife was expected to maintain a benevolent demeanour towards all, attending to the needs of her in-laws and ensuring the overall well-being of the family.[75]

In various contexts, the Puranas underscore the importance of a wife's presence in religious observances. For example, the Matsya Purana emphasizes that a wife's participation in religious rites is a traditional obligation.[76] Additionally, the Brahmanda Purana recounts instances of deities worshipping alongside their spouses.[77]

3.2. Responsibilities as a Wife

In the Indian view of life, the primary objective of marriage was the birth of male children, serving both religious and temporal purposes. The wife was expected to bear heirs to propagate her husband's lineage. In ancient India, sons were essential not only for inheritance but also for protecting the family.[78]

In performing her domestic duties, the wife actively managed the household and cared for her family. She was described as an "*honourable dame*" and a diligent worker.[79] Her primary responsibility was to attend to her husband and oversee the entire household. The wife was expected to exhibit a benevolent temperament towards all, attending to the needs of in-laws and tending to the overall well-being of the family.[80] Vedic texts likened the wife to Usha, emphasizing her role in waking up and caring for all life: "*Rousing all life, she stirs all creatures that have feet and makes the birds of the air fly up*."[81] "*She comes like a matron waking sleepers*." [82] As the mistress of the house, she was like a mother to all life, human and animal alike, affectionately caring for their needs. She played a crucial role in starting the day, opening the house like Usha unlocking the eastern gate of the sky to let in sunlight.[83]

Her religious obligations outweighed secular ones, with the primary function being the upkeep of the domestic fire.[84] She participated in worship alongside her husband,

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[74] Rigveda, I.79.1
[75] Upadhya, supra note 11, at p. 138
[76] Matsya Purana, 58. 21.
[77] Brahmanda Purana, IV.40.93-97.
[78] Upadhya, supra note 11, at p. 137
[79] Rigveda, I.79.1
[80] Upadhya, supra note 11, at p. 138
[81] Rigveda, I.48.5
[82] Ibid. at I.124.4.
[83] Upadhya, supra note 11, at p. 138
[84] Ibid. at p. 133-134

fulfilling her duties with devotion. A powerful Rig Vedic verse underscores the dutiful and sacred life of the couple: "Serving the immortal one with gifts of sacrificial meal and wealth, they satisfy the claims of love and pay due honour to the gods." [85] This verse embodies a sense of balance between the limits of desire and austere renunciation, emphasizing harmony in both material and spiritual pursuits. [86]

In the Aryan family, the wife attended all sacrifices. Religious functions could not be complete without the joint participation of the wife and husband. This indicates that, unlike later times, in the Vedic era, wives could perform religious ceremonies in their own right. The purpose of marriage, in jointly performing social and religious duties, was realized in Vedic society.[87]

3.3. Conjugal Relationship

The Vedic hymns reflect a profound mutual love between husband and wife, demonstrating a passionate concern for the wife's well-being.[88] The wife's love, fidelity, and submission had a significant influence on her husband, often drawing him back to her through silent suffering.[89] Vedic wives occupied tender yet responsible roles, primarily focused on family and home. Husbands aimed to provide a comfortable life for them; however, wives sometimes participated in battles and even suffered injuries. For instance, Vispala lost a leg in battle and received an iron one to continue fighting.[90] Wives were esteemed as worthy companions of heroes, inspiring valour and motivating courageous acts through their proud support.[91]

The role of a wife is denoted by three terms: *Jaya* (one who shares the husband's affections), *Jani* (mother of children), and *Patni* (partner in sacrifices). These terms, found in the Rigveda, highlight different facets of wifehood without specifying precise duties.[92] The perception of husband and wife as a social unit is evident through the term *Dampati*, used to signify a pair: "*They anoint thee, like a welcome friend, with milk and butter, when thou makest husband and wife of one mind.*"[93]

In the Atharvaveda, the ideal wife is portrayed as a kind and affectionate companion, with verses advocating for harmonious communication: "*Let the wife to the husband*

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[85] Rigveda, VIII.31.9
[86] Upadhya, supra note 11, at pp. 135-136
[87] Ibid. at pp. 136-137
[88] Ibid. at pp. 139-140
[89] Ibid. at p. 140
[90] Rigveda, I.116.15 in Upadhya, supra note 11, at pp. 142-143
[91] Prof. Indra, M.A., *The Status of Women in Ancient India*, (Minerva Bookshop, Lahore 1940), p. 182-183
[92] Rigveda, V.I.131.3; I.144.4
[93] Ibid. at V.3.2; I.127.8; X.68.2; X.10.5; X.95.2

speak words full of honey, wealful."[94] Earlier texts indicate instances of marital discord, with prayers and incantations aimed at restoring harmony between spouses, emphasizing unity and cooperation.[95] In rituals such as the *Ashvamedha* and *Rajasuya*, the wife's presence was essential. The *Vajapeya* sacrifice involved both the sacrificer and his wife, symbolizing the sun's ascent by mounting a chariot wheel atop a pole.[96]

In Brahmanical rituals, the wife plays a crucial role as a helpmate during sacrifices, actively participating in childbirth and progeny ceremonies. While often a silent partner, her involvement in rituals is sometimes questioned, as even a widower can perform the *Agnihotra*, underscoring the importance of faith and truth in the sacrificial act.[97]

The *Shatapatha Brahmana* mentions a ceremony in which only the wife could perform a sacrifice, indicating evolving roles for women. It also notes women's rights to read sacred texts and perform rituals.[98] The fourth Brahmana of the sixth chapter in the *Brihadaranyaka Upanishad* focuses on ceremonies for a son, portraying it as a religious duty. The woman is symbolised as the *Vedi* of a sacrifice, with the son deemed the fruit of the offering for future benefit. The text criticises a wife reluctant to follow her husband's directives and permits the use of physical force to ensure compliance.[99]

A ritual involving incantations is described in which a wife seeks to destroy her lover to prevent a *shrotriya* from engaging with another man's wife. Following this, various rituals for bearing sons are outlined, emphasizing the importance of having an educated daughter.[100] During the Upanishadic era, marriage, conjugal love, childbirth, and child-rearing were integrated into religious practices, and treated with the solemnity of a sacred sacrifice. Women were regarded as active partners in a man's religious duties, rather than merely sources of pleasure.[101]

In the Purana tradition, the wife-husband relationship is highly esteemed. The *Brahma Purana* considers a girl essential for performing religious duties, equating the gift of a well-ornamented, chaste girl to a suitable groom with gifting the entire earth. According to Brahma, the completion of a Vedic sacrifice is impossible without the wife, who was created from half of himself.[102]

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[94] Shastri, supra note 9, at p. 53
[95] Atharvaveda, III. 30. 5
[96] Vajasaneyi Samhita, IX.10; Satapatha Brahmana, V
[97] Shastri, supra note 9, at pp. 73-74
[98] Shatapatha Brahmana, I.1.4.13; Shastri, supra note 9, at pp. 76-77
[99] Brihadaranyaka Upanishad VI. 4. 3. in Shastri, supra note 9, at p. 84
[100] Ibid, at VI. 4. 17
[101] Shastri, supra note 9, at p. 85
[102] Brahma Purana, CLXI.33-35 in A. Roy, *Women in Purana Tradition*, Unpublished PhD Thesis, (University of Allahabad 1988) p. 189

3.4. Freedom and Dignity of the Wife

The husband exerted complete authority over his wife, reflecting a mastery indicative of patriarchal norms. This dominance can be traced back to Manu, Kalidasa, or even the Rigveda.[103] Remnants of such social norms persisted, with women sometimes viewed as possessions. For instance, Draupadi, a queen in the Mahabharata, did not question her husband's right when he staked her in a gambling hall, although the audience disapproved.[104]

Such occurrences were exceptional, as only one reference in the Rigveda's Social Gambler's hymns depicts a wife being staked as chattel.[105] Despite this, the husband's dominance persisted even when women were esteemed. The gambler's hymn highlights the detrimental habit among royals, tarnishing virtues and dimming the splendour of royal courts. This practice had inauspicious origins in the Vedic age or earlier, as seen with the 'dice-blinded' King *Yudhishthira* in the Mahabharata.[106]

The bestowal of slave women as chattel gifts was also common. In the Mahabharata, there is an instance of offering a hundred female slaves as a gesture of regard.[107]

While the theoretical notion of a husband's ownership of his wife was recognized, its practical application was often met with social disapproval. In Draupadi's case, the assembly protested when Yudhishthira staked his wife.[108] In more cultured circles, husbands and wives were viewed as joint owners of family property, suggesting that, apart from exceptional cases, there was limited evidence of women being treated merely as property in ancient India.[109]

The dignity of Aryan women was upheld; even blind girls were married with sympathy and love.[110] Women held a revered position within their households. Although theoretical supremacy did not always align with practice, husbands acknowledged their wives' roles and power within the family.[111] The wife was considered an equal partner, addressed with dignity, and expected to participate in the popular assembly.[112]

As a bride, she assumed the role of a benevolent ruler, managing the household and sharing responsibilities and spiritual duties with her husband, thus embodying the

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[103] See, Upadhya, supra note 11, at p. 147
[104] Mahabharata II.89.19
[105] Rigveda, X.34.2. 4.
[106] Upadhya, supra note 11, at p. 149
[107] Mahabharata, X.34.2.4.
[108] Altekar, supra note 4, at pp. 254
[109] Ibid, at p. 255
[110] Rigveda, X.27.11
[111] "*Gods, Aryaman, Bhaga, Savitar, Purandhi, have given thee to me to be my household's mistress*."- Rigveda, X. 85, 36
[112] Upadhya, supra note 11, at p. 151

concept of *sahadharmini*.[113] She had the right to express dissatisfaction and raise objections, unlike the submissiveness observed in later periods. The Vedic wife was theoretically considered equal to her husband and practically held significant authority in household management, wielding considerable influence over decisions.[114]

Over time, however, the Aryan wife became a more subservient figure, losing her individuality and existing primarily for her husband's benefit. Her sacrifices often went unrewarded, and her husband's opportunism exploited her compliant nature. The Smritis prescribed obedient behaviour towards her husband, with expectations that she align her life, and to a greater extent, her death, with his.[115]

The other side of the picture reveals darker facets of the Vedic perspective on women. Certain disparaging remarks are noted: one Vedic passage asserts that some maidens were valued solely for their wealth,[116] while another expresses dissatisfaction with the perceived lack of discipline and intellect among women, stating, "*Indra himself hath said: the mind of women brooks not discipline. Her intellect hath little weight*."[117] An even more vehement denunciation claims that enduring friendship with women is impossible, likening their hearts to those of hyenas: "*With women, there can be no lasting friendship: hearts of hyenas are the hearts of women*."[118]

Upon closer examination of Vedic society, Upadhya concludes that within the free Aryan community, life was vibrant and diverse. Men and women, fulfilling their roles as husbands and wives, collaborated closely, stood united in the challenges of life, and sincerely confessed their shortcomings to their gods. This era was characterized by a peaceful and prosperous existence, where women and their chosen partners experienced love and leisure without the fear of impending restrictions: "With sons and daughters by their side they reach their full extent of life, both decked with ornaments of gold."[119]

3.5. The Question of Polygamy and Polyandry

The Rigveda emphasizes monogamy as the ideal, with polygamy recognized as an exception, chosen freely but not commonly practised.[120] Both the sacrificer and deities were depicted with their sole spouses, and a new bride was expected to exercise authority within a monogamous marriage. Happiness was associated with this

[113] Ibid, at pp. 151-152
[114] Ibid, at pp. 152
[115] Ibid, at pp. 152-153
[116] Rigveda, X. 27.12.
[117] Ibid, at VIII. 33, 17
[118] Ibid, at X. 95.15.
[119] Ibid, at VIII, 81, 8
[120] Upadhya, supra note 11, at p. 101

exclusive union.[121] However, as the Indo-Aryans expanded and interacted with non-Aryans, references to polygamy increased in later Rigvedic texts.[122] The term "*sapatni*," meaning co-wife, appears frequently, and the husband's dilemma between jealous wives is portrayed with both humour and poignancy.[123]

In the Atharvaveda, polygamy was more prevalent, with hymns dedicated to it and rituals involving witchcraft to eliminate rivals.[124] The Dharmashastra traditions maintained monogamy as the ideal. The Apastamba Dharmasutra permitted a man to remarry if his wife was found lacking in dharma or progeny, prior to consecrating the Srauta fires.[125] Manu[126] allowed for supersession of a wife under specific conditions, such as misconduct or infertility, while Baudhayana[127] and Yajnavalkya[128] emphasized compensating the superseded wife. Abandoning a faultless wife was met with severe penances,[129] though the strictness of enforcement is unclear.[130]

Devala outlines a hierarchy for the number of wives based on caste: one for Shudras, two for Vaishyas, three for Kshatriyas, and four for Brahmanas, with kings permitted to have as many wives as they desire.[131] While monogamy was idealised in classical Sanskrit texts and Puranas, recognising that true happiness lies in having one wife, polygamy was also practised among the wealthy and rulers.[132] The Puranas document instances of polygamy, including Prajapati Daksha's daughters being given to deities[133] and kings such as Ushinara, Pandu, and Krishna having multiple wives.[134]

The Rigveda provides limited and predominantly negative evidence on polyandry. References are scant and indirect, often viewed as a non-Aryan custom.[135] The Puranas

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[121] Ibid, at pp. 101-102
[122] Ibid, at pp. 102-103
[123] Ibid, at p. 103
[124] Atharvaveda III.18.1. in Shastri, supra note 9, at p. 53
[125] Apastamba Dharmasutra, II.5.11.12-13
[126] Manusmriti, IX. 80-81
[127] Baudhayana, II. 4.6
[128] Yajnavalkyasmriti, I.73
[129] See, Apastamba Dharmasutra, II.1.10.28.19
[130] Roy, supra note 102, at p. 137
[131] Ibid, at p. 137 -138
[132] Brahmavaivarta Purana (*Prakritikhanda*), VI.64.
[133] The texts of Vishnu Purana, Vayu Purana, Brahmanda Purana, and Matsya Purana assert that Prajapati Daksha bestowed ten daughters upon Dharma, thirteen upon Kashyapa, twenty-seven upon Soma, four upon Arishtanemi, two upon Angira, and two upon Krishashva, with the aim of augmenting progeny. See, Vishnu Purana, I.7. 24-27; Vayu Purana, X.25-30; Brahmanda Purana, II.9.50-53
[134] The Vayu Purana and Matsya Purana narrate that King Ushinara had five wives, whereas King Pandu had two. See, Vayu Purana, 99.18; Matsya Purana, 48.16; Vishnu Purana, V.21.5; Matsya Purana, LXX.2
[135] Upadhya, supra note 11, at p. 112

document instances of polyandry, such as Marisha having ten husbands in the Vishnu Purana[136] and occurrences among specific castes in the Skanda Purana.[137] Draupadi's polyandrous marriage in the Mahabharata, justified by Yudhishthira with references to ancient traditions, is particularly notable.[138] However, scholars suggest non-Aryan influences, with potential links to Tibetan practices. Mitter argues that the Rigvedic evidence is insufficient to establish the prevalence of polyandry during that period,[139] and Kane finds it somewhat implausible, noting its lack of recognition in Dharmashastra.[140]

3.6. The Question of Divorce and Remarriage

Earlier Dharmashastra literature indicates that divorce was permitted under specific circumstances. Manu allowed a wife to leave an impotent, insane, or incurable husband and remarry if the previous marriage was not consummated. The Atharvaveda describes a woman remarrying and performing a ritual to unite with her second husband in heaven, which suggests a form of divorce. [141] Dharmasutra authors permitted Brahmana women to consider their husbands dead if they were absent for five years, and Kautilya's Arthashastra allowed second marriages with court approval if the husband was absent for up to eight years.[142] Parashara also permitted remarriage in cases of impotence, religious renunciation, or loss of caste by the husband.[143]

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[136] Vishnu Purana, I.15.8-68

[137] Skanda Purana, VII.1.37.19

[138] Mahabharata (*Adiparva*) Chapter 196.

[139] Upadhya, supra note 11, at p. 116

[140] P. V. Kane, *History of Dharmashastra (Ancient and Medieval Civil Law)*, Vol. 2, Part 1, (Bhandarkar Oriental Research institute 1941), pp. 554-555

[141] Atharvaveda, IX.5.27-28

[142] Before marrying, a childless wife, whose husband is "hrasva-pravasin" should wait only for a year, but more than a year, if she is mother of children. She should wait twice as long if she be provided by her husband; if not, she is likely to be maintained by her relatives for 4 to 8 years after which she is allowed to remarry. If the husband is a Brahmana, studying abroad, his childless wife should wait for 10 years and mother of children, 12 years. The wife of a Kshatriya, however, is not allowed to remarry. But if she bears children to a Savarna husband in order to keep her race, she shall not be disgraced or degraded. Again, a Kumari engaged in any of the first four kinds of marriage must wait for 7 months for her husband who has gone abroad, but is heard of, provided his name is not published, otherwise, for one year. But in case the absent husband is not heard of, the wife shall wait for 5 months. The wife who receives the shulka from her absent husband who is not heard of, shall wait for 3 months, but 7 months, if he is heard of. But the wife who has received the whole amount of shulka shall wait for 5 months, and 10 months, if the husband is heard of. Further, a woman whose husband is dead is also allowed to remarry. See, Das, Sudhirranjan. "The Position of Women in Kautilya's Arthashastra", *Proceedings of the Indian History Congress-3* (1939): 537–63. http://www.jstor.org/stable/44252408.

[143] "*Naste mrite pravrajite klive ca patite patau pancasu apatsu narinam patiranyo vidhiyate*." *"In* [case of] the disappearance or death or renunciation or impotence or lost caste-status of

Kautilya outlined specific rules for divorce, permitting it if a couple was incompatible. A man seeking divorce out of fear had to return wedding gifts, while a complaining wife had to forfeit her rights to her husband's family. Divorce was not allowed if the marriage followed one of the four approved forms.[144] Despite these provisions, divorces were rare, and Buddhist literature suggests they were uncommon in cultured society. The *Kanhadipayana Jataka* indicates that a woman did not remarry due to family tradition. While divorce was practised among the lower classes, it was less common among the upper classes.[145] By the 5th century BCE, the rise of asceticism led to the belief that marriage should be lifelong, which discouraged divorce even in cases of dissatisfaction.[146] The 17th-century *Shudrakamalakara* allowed divorce for lower castes. In the mid-20th century, Gujarati caste panchayats permitted divorce, but this was later invalidated by the Bombay High Court as contrary to Hindu law.[147]

4. Contentious Issues during the Post-Coverture Period

4.1. The Custom of Sati

No Vedic passage incontrovertibly refers to widow-burning, nor do the ancient Grihyasutras prescribe it.[148] This practice likely emerged in Brahmanical India a few centuries before Christ. The Dharmasutras, except for the Visnu-dharmasutra, and the Manusmriti remain silent on sati.[149] The Visnu-dharmasutra suggests that a widow should either observe celibacy or ascend her husband's pyre.[150] References in the Mahabharata and other texts imply that widow-burning was rare and initially confined to royal families and warriors.[151] Texts such as those by Parashara, Angirasa and Vyaghrapada explicitly forbid self-immolation for Brahmana widows.[152] The Veda-Vyasa-smriti[153] and the Ramayana[154] mention widow self-immolation, but this practice for Brahmana widows appears to have started much later than for Kshatriya widows.

The burning of a widow on her husband's death is termed sahamarana or sahagamana, occurring when she ascends the funeral pyre with his corpse. Anumarana occurs when,

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her husband: in these five predicaments, a woman is allowed to take another husband." – Parasarasmrti, IV. 28

[144] Altekar, supra note 4, at pp. 99-100
[145] Ibid, at pp. 100-101
[146] Ibid, at pp. 101-102
[147] Ibid, at p. 102
[148] See V. M. Apte in "Social and Economic Conditions" in R.C. Majumdar (ed.), *The History and Culture of Indian People,* Vol. 1, The Vedic Age, (Bharatiya Vidya Bhavan 2017), p. 393
[149] See, Kane, supra note 140, Vol. 2, Part-1, p. 625
[150] Visnu Dharmasutra, 25.14
[151] Kane, supra note 140, Vol. 2, Part-1, pp. 625-626
[152] Ibid, at Vol. 2, Part-1, p. 627
[153] Vedavyasasmriti, II.53
[154] Ramayana, Uttara Kanda, 17.15

after her husband is cremated elsewhere, she resolves to die and is burned with his ashes, padukas (sandals), or without any memento.[155]

In Kalidasa's Kumarasambhava,[156] Rati, Kama's wife, speaks of self-immolation but is deterred by a divine voice. The Gathasaptashati[157] and Kamasutra[158] reference anumarana. Varahamihira commends women for their courage in anumarana. In Harshacharita,[159] Yashomati, queen of Prabhakaravardhana, consigned herself to fire before her husband's death. The Bhagavata Purana mentions Gandhari's self-immolation after Dhritarashtra's death.[160]

Numerous epigraphic records, such as the Gupta inscription of 510 A.D. and the Eran stone pillar inscription, reference sati.[161] Initially rare and confined to royal families, the practice eventually spread to other classes. Sati was not imposed by priests but arose from popular sentiment and the harsh realities faced by widows. Manu permits soldiers to retain women as part of their booty.[162] Over time, learned commentators supported sati, promising future rewards.

Brahmin widows were permitted to follow their husbands in death (anumarana) under specific conditions. Restrictions were imposed on widows who were pregnant, had young children, were prepubescent, or were menstruating.

Critics like Medhatithi compared sati to forbidden practices and questioned its alignment with Vedic principles. [163] The Mitakshara defended it as an exceptional case.[164] Kane argues that interpretations of texts related to widow-burning were misused or corrupted.[165] Historical accounts suggest that sati was more prevalent in Bengal due to local property rights laws under Dayabhaga, which granted widows more rights over family property. Despite this, evidence indicates that the number of widows performing sati was relatively small,[166] and there was little widespread resistance to its eventual abolition.[167]

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[155] Kane, supra note 140, Vol. 2, Part-1, p. 628
[156] Kumarasambhava, IV.34
[157] Gathasaptashati, VII.33
[158] Kamasutra, VI.3.53
[159] Harshacharita, *Ucchvasa* 5
[160] Bhagavata Purana, I.13.57
[161] See, M. L. Chadhar, 'Sati Pillars of Eran' DOI: 10.13140/RG.2.2.14936.24322, Date of Accession 13.05.2025
[162] Manusmriti, VII.96
[163] Manusmritibhasya, V.157
[164] Mitakshara, I.86
[165] Kane, supra note 140, Vol. 2, Part-1, p. 634
[166] Apte, supra note 148, p. 518
[167] Kane, supra note 140, Vol. 2, Part-1, pp. 634-636

4.2. Niyoga (Levirate)

Niyoga was an ancient practice that permitted a widow to conceive a son with an appointed male if her deceased husband had no offspring.[168] This practice, whose origin and purpose have been the subject of debate, was governed by strict conditions: the widow's husband must be childless, the appointment must be sanctioned by family elders, and the appointed male—who could be a brother-in-law or someone of the same caste—was expected to act out of duty rather than personal desire.[169] The relationship was regulated to prevent emotional attachment and to ensure that only one or two sons were conceived. The practice was subject to numerous restrictions designed to prevent misuse and incest, rendering it rare and heavily controlled in ancient times.

While texts such as the Gautama Dharma Sutra permitted niyoga under stringent conditions.[170] Manu initially described niyoga but later strongly condemned it, viewing it as a violation of ancient dharma and attributing its introduction to King Vena, who, according to Manu, caused moral decline.[171]

Early dharmasutras, such as those by Vishvarupa and Medhatithi, attempted to reconcile the conflicting views on niyoga, which was both rare and controversial. Vishvarupa outlined several perspectives: niyoga was considered outdated and forbidden in his time, allowed under specific circumstances, or relevant only to certain social classes or contexts. The Mahabharata and other texts reflect the rarity and selectivity of niyoga, with royal families potentially preferring Brahmins over Kshatriyas for this role.[172]

5. Legal Rights and Status of Women

5.1. Proprietary Position of Women

The proprietary rights of women in Hindu society evolved over time. During the Vedic age, women enjoyed notable rights, including access to education, the freedom to choose partners, and participation in social roles. Widows had the option to remarry and were recognized as joint household owners (*dampati*);[173] however, they could not personally hold or inherit property.[174]

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[168] See Manusmriti, IX.59-61; Baudhyana Dharmasutra II. 2. 17; Yajnavalkyasmriti, I. 68-69; Naradasmriti (*stripumsa*, 80-83); Also see Kane, supra note 140, Vol. 2, Part-1, p. 599

[169] See, Kautilya's Arthshastra, I.17, referred to in Kane, supra note 140, Vol. 2, Part-1, p. 600-601

[170] Gautama Dahrmasutra, 18.4-14

[171] Manusmriti, IX.64-68

[172] See, Kane, supra note 140, Vol. 2, Part-1, pp. 604-605

[173] Altekar, supra note 4, at pp. 109-110

[174] Ibid, at p. 409

In the Brahmana period, women's proprietary rights expanded. They were granted life estates in their deceased husband's share, which allowed them to live separately and protect themselves from undesirable situations.[175]

Later texts, such as the Upanishads, the Shrauta-Sutras, and the Grihya-Sutras, introduced changes and challenges to women's property rights. The Dharmashastras from the first and second centuries A.D. explicitly stated that women and children could not be given away or sold under any circumstances.[176] Women were granted rights to stridhana. During this period, the concept of joint ownership between husband and wife emerged as a legal fiction.[177]

However, wives did not have automatic rights to property inheritance or partition. Joint ownership did not entitle them to demand a partition if they could not live with their husbands. Although Yajnavalkya permitted a wife to claim a third share if unjustly superseded, this right was not widely upheld, and husbands could evade obligations by citing disobedience.[178]

Records indicate that Vedic maidens had a share in their father's property and could remain in the family until old age, with maintenance as a legal right. The Atharvaveda and Rigveda suggest that daughters' wealth was considered akin to stridhana, and their personal ornaments and marriage dowries were significant. Wealth played a role in attracting suitors, underscoring its importance in courtship.[179]

While Dharmasutras like Gautama, Baudhayana, and Vasishtha generally exclude daughters from inheritance,[180] the Apastamba Dharmasutra[181] and Manusmṛti[182] acknowledge daughters' rights to inheritance, particularly in the absence of sons. Puranic legends also support daughters' inheritance rights, though evidence on this matter remains somewhat conflicting.[183]

5.1.1. Stridhana

Initially, Hindu society was reluctant to grant wives full or exclusive ownership of immovable property. However, women's ownership of movable property such as ornaments, jewelry and valuable apparel was acknowledged as "stridhana." Stridhana was linked to the practice of bride-price, which was often returned to the bride by her parents as her separate estate. If the bride had no children, her father could reclaim the

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[175] Ibid, at pp. 426-427
[176] Yajnavalkyasmriti, II.175 in Altekar, supra note 4, at p. 255
[177] Altekar, supra note 4, at p. 258
[178] Ibid, at p. 327
[179] Rigveda, X.27.12; X.10.12
[180] Kane, supra note 140, at Vol. III, p. 714
[181] Apastamba Dharmasutra, II. 6.143
[182] See, Manusmriti, IX.92-200
[183] Vishnu Purana, lV.13.151-54; Brahmanda Purana III.60.21; Vayu Purana, LXXXV.21

property; otherwise, it would pass to her offspring. Brides also received wedding gifts considered their own property, even without a bride-price. During the Vedic period, it is unclear if women could dispose of this property without their husbands' consent, as social customs likely discouraged such actions.[184]

Over time, the concept of stridhana expanded to include gifts from husbands during and after marriage. Women gradually gained full control over the property conveyed to them as stridhana.[185] Ancient scholars like Baudhayana and Manu acknowledged women's rights to stridhana, and later thinkers like Vishnu and Yajnavalkya also recognized these rights.[186] Manu identified six types of stridhana: gifts from parents and brothers at any time, gifts from the husband after marriage, and presents from anyone during or after the wedding. Vishnu expanded this to include gifts from sons and other relatives and compensation if the husband remarried.[187]

Originally, stridhana mainly included valuable items like jewelry. From the 7th century AD, its definition broadened to cover property obtained through inheritance, purchase, and other means. Vijnaneshwara's wide-ranging definition included nearly all property a woman possessed.[188] It is noteworthy that almost everyone recognized that her earnings from work are not considered part of her stridhana.[189]

Medieval legal scholars had mixed views on Vijnaneshwara's definition. While most, including Apararka and Mitramisra, agreed with it, some, like Ishvarananda and Jimutavahana, did not.[190] This division of opinions among jurists signifies that society did not adhere to a uniform practice in recognising the extent of stridhana.[191]

Vedic literature shows that unmarried daughters had personal ornaments they could dispose of freely. During the marriage, they gave riches and ornaments to Brahmins, another aspect of stridhana.[192] Vedic literature does not specify if a wife could dispose of her property without her husband's consent, and early Smriti writers did not grant women full control over their stridhana.[193] Manu, for instance, stated a wife should not alienate her property without her husband's approval.[194] Later, this was deemed

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[184] Altekar, supra note 4, at pp. 259-260
[185] Ibid, at p. 261
[186] Ibid, at pp. 261-262
[187] Ibid, at pp. 262-263
[188] Ibid, at pp. 263-264
[189] Ibid, at p. 263
[190] Ibid, at p. 265
[191] Ibid, at p. 266
[192] Upadhya, supra note 11, at p. 37
[193] Pioneer D, "Hindu Women's Land Rights in Context of Stridhan" (The Pioneer, January 1, 2023) <https://www.dailypioneer.com/2023/sunday-edition/hindu-women-s-land-rights-in-context-of-stridhan.html> accessed 3 June, 2024.
[194] Halder & Jaishankar, supra note 1, at pp. 663-687

unjust,[195] and jurists divided stridhana into Saudayika (gifts from close relations like the father, mother, or husband, over which women had full control) and non-Saudayika (which women could not alienate but could enjoy during their lifetime).[196]

5.1.1.1. Inheritance of Stridhana

In ancient India, the inheritance of stridhana was complex. If a woman died without children and her marriage was through some unapproved forms, her stridhana often returned to her family as it was seen as a bride price.[197] However, if she had children, they inherited her stridhana.[198]

Traditionally, daughters were the primary heirs of stridhana. While preference was given to unmarried daughters, the concept of equitable distribution among daughters, including those married and in need, was also recognized. In rare cases, granddaughters could inherit.[199]

Over time, a growing acceptance emerged for both sons and daughters inheriting stridhana, especially property acquired after marriage.[200] This reflected a more equitable approach to inheritance. Ultimately, the inheritance of stridhana varied based on factors such as marriage type, family structure, and prevailing legal interpretations.

5.1.2. Widow's Property Rights

For a long time, widows had limited inheritance rights. Vedic texts and Dharmashastras generally did not recognize widows as heirs, focusing instead on male descendants or other kin. Practices like "niyoga," where widows married other family members, often rendered inheritance issues less relevant.[201] By around 300 B.C., Indian jurists, including Apastamba and Manu, did not acknowledge widow inheritance rights.[202] Manu recognized the mother as an heir, but not the widow.[203] With the decline of niyoga and widow remarriage around the start of the Christian era, social attitudes shifted to view religious life as more honorable for widows, further suppressing their inheritance rights.[204]

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[195] Nitisha, "Manusmriti's View on the Status of Women" (Your Article Library, January 28, 2015)<https://www.yourarticlelibrary.com/women/Manusmritis-view-on-the-status-of-women/47392> accessed 3 June, 2024.
[196] Altekar, supra note 4, at pp. 266-267
[197] Yajnavalkyasmriti, II.145
[198] Altekar, supra note 4, at p. 273
[199] Ibid, at pp. 273-274
[200] Ibid, at pp. 274-275
[201] Ibid, at pp. 299-300
[202] Ibid, at p. 300
[203] Ibid, at pp. 300-301
[204] David Brick, "Widow Remarriage and Niyoga", *Widows Under Hindu Law* (2023; online edn, Oxford Academic, 23 Mar. 2023), https://doi.org/10.1093/oso/ 9780197664544. 003.0002, accessed 22 Jan. 2024.

Over time, the recognition of widows' inheritance rights evolved. Early Vedic texts largely excluded widows from property inheritance. By the beginning of the Christian era, this perspective began to shift. The Gautama Dharmasutra proposed co-heir status for widows, and later texts like those of Vishnu and Yajnavalkya recognized widows' rights to inherit their husband's estate in the absence of sons.[205] During 400-1000 A.D., the recognition of widows as heirs faced significant opposition from male property owners, resulting in two main viewpoints: the orthodox view, which opposed widow inheritance, and the reformist view, which supported it.[206] Some reformers proposed compromises, such as the inheritance of property of a certain value or only movable property, while others argued that widows should inherit the entire estate.[207] They supported this by citing ancient texts and sages, claiming that since a wife and husband were considered joint owners of family property, the widow should inherit the estate as long as she was alive and could perform funeral rites.[208]

Widows were asserted to have the right to inherit all of their husband's property, including assets, real estate, and ornaments, even if other relatives were alive. They had authority over their property and could seek royal protection against interference.[209] Jimutavahana argued that a widow's rights to her husband's property continued after his death, disputing earlier views that excluded widows from inheritance. Reformers insisted that chaste widows should inherit their husband's entire estate, despite opposition.[210] While this interpretation was innovative, it was not universally accepted until several centuries later, with the Deccan region recognizing widow inheritance rights by the 12th century, as evidenced by inscriptions.[211]

In northern India, widow's inheritance rights were recognized later than in other regions. Initially, the property of those who died without sons would go to the king, who then provided maintenance for the widow.[212] This right began to be acknowledged in Gujarat only in the 12th century, despite previous resistance and the imposition of death duties on such property.[213]

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[205] Altekar, supra note 4, at p. 303
[206] Ibid, at p. 303
[207] Ibid, at pp. 304-305
[208] Ibid, at pp. 305-306
[209] Ibid, at p. 306
[210] Ibid, at pp. 306-307
[211] Ibid, at pp. 308-309
[212] Brick David, "Widows' Rights of Inheritance", *Widows Under Hindu Law* (2023; online edn., Oxford Academic, 23 March 2023), https://doi.org/10.1093/oso/9780197664544.003.0003, accessed 22 Jan. 2024.
[213] Altekar, supra note 4, at pp. 309-310

By 1300 A.D., widow inheritance rights were recognized across India.[214] However, interpretations varied: the Mitakshara school allowed inheritance only if the husband had separated from the joint family, based on Yajnavalkya's texts.[215] In contrast, the Dayabhaga school supported widow inheritance regardless of the husband's family status.[216] These differences reflected concerns about property management and the impact of transferring extensive assets to female heirs.[217]

Jimutavahana's perspective on granting the widow full ownership of her inheritance must be seen in the context of the history of this legal issue. Early jurists like Vishnu and Yajnavalkya, who recognized the widow as an heir, did not explicitly indicate that she had limited rights. It can be argued that they intended to grant her the same rights as other heirs, such as sons, fathers, or brothers, with whom they mentioned her.[218]

In the extensive discussion of this topic in the Mitakshara, Vijnanesvara did not state or imply that the widow's rights were limited. He mentioned that a chaste and legally married wife of a man who died childless and had separated from the joint family would inherit his entire estate. While he used several qualifying adjectives, none of them suggested that he viewed the widow's estate as limited.[219]

Jimutavahana supported full ownership rights for widows, viewing them as heirs with similar rights to other heirs. However, early jurists like Vishnu and Yajnavalkya did not explicitly limit these rights. In contrast, some jurists, including those quoted in the Mahabharata and Katyayana, argued that widows had restricted rights, such as only using income from inherited property and not making transactions or disposals.

In the late medieval period (1200-1800 A.D.), efforts to expand widow's rights emerged, though initially there was reluctance to grant them the right to dispose of inherited property. Over time, texts like Brihaspati's allowed widows to make religious gifts of their property, with some limitations. Writers like Devanabhatta and Nilakantha supported this, emphasizing that gifts for spiritual purposes were acceptable, though consent from reversioners or the caste was sometimes required.[220]

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[214] Y. Kulshreshtha, "Overview: A Widow's Inheritance and Maintenance Rights in India — Ylcube" (YLCube) <https://ylcube.com/c/blogs/overview-a-widows-inheritance-and-maintenance-rights-in-india/> accessed 5 June 2024.

[215] "Mitakshara School of Law" <https://www.legalserviceindia.com/legal/article-5926-mitakshara-school-of-law.html> accessed 5 June 2024.

[216] Altekar, supra note 4, at pp. 310-312

[217] Ibid, at pp. 312-313

[218] Ibid, at p. 314

[219] Ibid.

[220] Ibid, at pp. 316-317

5.2. Women's Right to Adopt a Child

Evidence of women's adoption practices during the Vedic period is found in the Rigveda, where Vadrimati, married to an impotent man, prayed to the Asvins for a son and was granted Hiranyahasta.[221] The Aitareya Brahmana also mentions the adoption of Sunasepha, indicating that adoption practices existed at that time. However, it remains unclear whether women were involved in adoption practices.[222] The interpretation of Vedic law does not explicitly exclude women from adopting; thus, unless otherwise specified, the texts should be considered applicable to females.[223]

In the Smritis, most sages, with the exceptions of Vasistha and Baudhayana, do not address a woman's right to adopt. Atri suggests adoption by those who are childless but does not specify gender.[224] Vasistha and Baudhayana explicitly state that a woman cannot adopt a son without her husband's permission.[225]

There is debate among Hindu law commentators regarding women's adoption rights. Vachaspati Mishra argues against women's rights to adopt, even with the husband's permission.[226] Nanda Pandita generally maintains that women cannot adopt but acknowledges an exception if Vasistha's text permits adoption with the husband's consent. [227]

The Dattaka Chandrika, citing Vasistha, permits adoption by women with their husband's consent,[228] whereas the Dattaka Nirnaya[229] and Dattaka Tilaka[230] assert that a woman cannot adopt without her husband's consent, emphasizing that a woman does not have independent rights in such matters.

Jagannatha emphasizes that traditionally, the responsibility of adopting a son is assigned to men, with no legal provisions indicating it as a woman's duty.[231]

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[221] "*The intelligent (Vadhrimati) invoked you, Nasatyas, who are the accomplishers of desires and the protectors of many, with a sacred hymn; her prayer was heard like the instruction of a teacher, and you Aswins gave to the wife of an impotent husband Hiranyahasta her son*. - Rigveda I.116.13

[222] Mitter, supra note 39, at p. 134

[223] Ibid.

[224] Dattaka Mimansa, I.3

[225] Mitter, supra note 39, at pp. 135-136

[226] Ibid, at pp. 136-137

[227] Ibid.

[228] Ibid.

[229] "*Giving or taking a son in adoption is illegal in a woman unless her husband gives his consent to it*." See, Mitter, supra note 39, at p. 138

[230] "*In regard to a wife, in regard to wealth, and especially in regard to sacred law, a woman does not deserve independence neither in taking nor abandoning*." See, Mitter, supra note 39, at p. 138

[231] Mitter, supra note 39, at p. 138

Currently, all schools of thought except the Mithila school accept the ability of widows to adopt. Generally, women are seen as incapable of adopting independently and do so on behalf of their husbands under delegated authority.[232]

Nanda Pandita argued that individuals without female children could adopt daughters, citing texts from Manu[233] and Yaska,[234] as well as examples such as the adoption of Santa, Dasharatha's daughter, by Lomapada.[235] However, Nilkantha contended that only males could be legally adopted, based on the use of "he" in certain texts. Critics argue that Nilkantha's view neglects texts suggesting that females can also be adopted.

In Bengal, a wife may give her son in adoption with her husband's consent, with the assumption of consent in the absence of explicit prohibition. Even without explicit authority from a deceased husband, a widow may give her son in adoption.[236]

In the Southern School, a wife's power to give or take a child in adoption is considered equal to that of her husband unless explicitly prohibited.[237] In the Maharashtra School, there is debate on whether a mother's right to give a child in adoption derives from her *Patria Potestas* or her maternal relationship.[238]

5.3. Her Right to Guardianship of Children

In Hindu law, the minority typically ends at the age of sixteen. Narada defines a youth under sixteen as 'Poganda,' a term indicating someone who is legally incapable of handling legal matters.[239] This definition forms the basis of contemporary Hindu law regarding the age of majority.[240]

There is debate among commentators regarding whether minority concludes at the beginning or the end of the sixteenth year. In Bengal, it is commonly believed that majority begins at the start of the sixteenth year, whereas other schools of Hindu law argue that it begins at the end of the sixteenth year. [241]

Hindu law grants mothers the right to guardianship of their children, subordinate only to fathers. Although Hindu law provides specific rules for guardianship within the

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[232] See *Amrita* vs. *Sarnomoyee* L. R. 27. I. A. p. 120, in Mitter, supra note 39, at p. 140

[233] Manusmriti: "*Not having read the Vedas, not having produced issue: and not having performed the various sacrifices, a regenerate man desiring absorption falls into a region of horror.*"

[234] "*Manusmriti, descendant from self-existent, has declared at the commencement of the world, without distinction, that wealth is that of children (putra) male and female (mithuna)*."

[235] Mitter, supra note 39, at p. 142

[236] Ibid, at pp. 145-146

[237] Ibid, at p. 146

[238] Ibid, at p. 147

[239] Naradasmriti, V.35

[240] Mitter, supra note 39, at pp. 147-148

[241] *Mothoormohan* vs. *Surendra* I. L. R. I cal. 108, F. B.) In Mitter, supra note 39, at p. 148

context of marriage, it does not offer explicit regulations for other contexts.[242] Manu's text suggests that a mother is the primary guardian of her infant son. In the Bombay region, the Poona Pandits confirmed that a widow would act as the guardian of her son during his minority, overseeing both his person and property. The Mithila school of Hindu law even prioritizes the mother as a guardian over the father.[243]

A female guardian of a Hindu minor is permitted to manage the estate within the constraints set by Hindu law.[244] This authority is limited to instances where it is necessary or beneficial for the estate. [245]

5.4. Her Right to Maintenance

Original Hindu law texts do not comprehensively address the maintenance of females. The law, derived from various commentaries and codes, emphasizes the need to support female family members.[246]

The right to maintenance is purely personal, existing solely for the person in need, and can be enforceable as a personal obligation or dependent on property possession.[247] Manu's text highlights the former, stating:

> A mother, and a father in their old age, a virtuous wife and an infant son must be maintained even though doing a hundred times that which ought not to be done.[248]

This right, similar to property rights, ceases upon the death of the entitled female.[249]

While some argue this right is independent of assets, others, like Kamalakara, believe it is the duty of sons and grandsons to support indigent widows and daughters-in-law, regardless of family wealth.[250]

All commentators agree that maintaining the mother, chaste wife, and infant daughter is a personal obligation, independent of property. Manu's text underscores this, emphasising support even if they act improperly.[251]

This obligation falls on the husband and son, and failure to provide support can result in fines imposed by the king. [252]

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[242] Mitter, supra note 39, at p. 150
[243] *Jussoda Koer* vs. *Lallah Nettyah Lall*. I. L. R. 5 Cal - 43.
[244] *Roshan* vs. *Harsankar* I. L. R. 3 All. 535·
[245] Mitter, supra note 39, at pp. 151-152
[246] Ibid, at p. 177
[247] Ibid, at p. 176
[248] Manusmriti cited in Mitter, supra note 39, at p. 177
[249] Mitter, supra note 39, at p. 177
[250] Ibid, at pp. 177-178
[251] Manusmriti, supra note 248.
[252] Ibid, at p. 178

Revered sages emphasized the importance of maintaining female family members. According to Manu, women should be respected and adorned with ornaments, as honouring them brings divine blessings, while neglect leads to a family's downfall (Manu, Chap. III, verses 55-59).[253]

The author of the Dayabhaga cited Manu, stating that supporting those who should be maintained is essential for attaining heaven, while neglect leads to hell: "The support of persons who should be maintained is the approved means of attaining Heaven but hell is the man's portion if they suffer."[254]

Brihaspati advised providing for one's family's needs before giving to others, warning that neglecting family for the sake of charity may initially seem pleasant but ultimately brings suffering:

> A man may give what remains after the food and clothing of his family; the giver of more who leaves his family naked and unfed, may taste honey at first but shall afterwards find it poison.[255]

Hindu law, based on these teachings, implies a moral and legal duty to support dependent female family members, including the wife, widow, widowed daughter-in-law, brother's widow, grandmother, mother, daughter, and sister.[256]

5.4.1. Wife's Right to Maintenance

Hindu texts, including Manu, emphasize the husband's duty to support his wife, infant son, and aged parents. The wife's right to maintenance arises from her co-ownership with her husband and the moral identity established through marriage: "that the husband receives his wife from the gods; (he does not wed her) according to his own will; doing what is agreeable to the gods, he must always support her while she is faithful"[257]

This right is a personal obligation tied to the marriage relationship, independent of the husband's property possession.[258]

The wife's right to maintenance can be claimed only from her husband. Other family members are not obligated to provide support unless the husband has abandoned her and his property is in their possession.[259] In such cases, the wife is entitled to receive

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[253] Ibid, at p. 179
[254] Manusmriti, II.23
[255] Brihaspatismriti, XV.3
[256] Mitter, supra note 39, at pp. 180-181
[257] Manusmriti, IX.95
[258] *Sidlingapa* vs. *Sidava* (1878), I. L. R., 2 Bom.,624; *Gopikabai* vs. *Dattatraya* (1900), I. L. R., 24 Bom.,386.
[259] *Ramabai* vs. *Trimbak*, 9 Bom. H. C. R., 283; *Gopika* vs *Dattatraya*, I. L. R., 24 Bom., 386

maintenance, typically not exceeding one-third of the husband's assets held by these family members.[260]

Legal cruelty, which prevents a husband from seeking restitution of conjugal rights, can also justify a wife's departure from her husband's home and her claim for separate maintenance.[261]

5.4.1.1. Forfeiture of Maintenance

A Hindu wife cannot claim maintenance if she refuses to live with her husband without valid reason. Mere unkindness or neglect, unless it amounts to cruelty, does not justify her leaving him.[262] Separating without justifiable cause breaches her duty and disqualifies her from receiving maintenance.[263]

This obligation does not apply to widows, who are not required to reside in their deceased husband's house.[264] However, a wife may be granted separate maintenance if she has justifiable reasons for leaving, such as habitual cruelty or violence by the husband that poses a severe threat to her personal safety.[265]

5.4.1.1.1. Unchastity as a Ground of Forfeiture

In Hindu law, a widow forfeits her right to maintenance if she engages in unchaste behaviour.[266] There is debate regarding whether an unchaste wife can claim maintenance. Manu recommends confining such wives and imposing penances:

"An exceedingly corrupt wife, let her husband confine to one apartment, and compel her to perform penance which is prescribed for males in cases of adultery"[267]

Kulluka interprets this as physical restraint to prevent further misconduct. Conversely, Vishnu, Vasistha, and Brihaspati suggest that an adulterous wife can regain her status through penance and should only be abandoned if she has relations with a low-class man or certain others.[268]

Narada advocates harsher treatment, including sleeping on a low bed, poor food and clothing, and menial tasks.[269]

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[260] Mitter, supra note 39, at p. 286
[261] Ibid.
[262] *Kullyanesuree* vs *Dwarkanath* (1866), 6 W. R., 115; *Sitanath* vs *Srimati Haimabutty* (1875), 24 W. R., 377.
[263] *Surampalli* vs. *Surampalli* (1908), I. L. R., 3 Mad, 338.
[264] Mitter, supra note 39, at pp. 287-288
[265] *Matangini Dasi* vs. *Jogendra Chundra Mallick* (1891), I. L R., 19 Cal, 84
[266] *Ramanath* vs. *Rajanimoni*, I. L. R., 17 Cal, 674; *Kanlasami* vs. *Muru*, I. L. R., 19 Mad, 6.
[267] Manusmriti, XI.177
[268] Vishnu Dharmasutra, LIII.8; Vasistha Dharmasutra, XXI.8-10; Brihaspatismriti, XXIII.14
[269] Naradasmriti, XII.91

Yajnavalkya emphasizes reforming behaviour rather than mere punishment. Vijnaneswara explains that this approach aims to eliminate immoral tendencies.[270]

There is debate on whether Yajnavalkya's text concerning the maintenance of an unchaste wife is mandatory or advisory. Some argue it imposes a moral duty, as other texts suggest an unchaste wife can be abandoned without maintenance.[271]

The Mitakshara, commenting on Yajnavalkya, describes abandonment as depriving the wife of conjugal rights and religious ceremonies, rather than expulsion from the home:

> A woman guilty of adultery is purified by catamenia; but her abandonment (tyaga) is ordained in case of conception by adultery, and in case of causing abortion or killing the husband as well as in case of committing heinous sins.[272]

This suggests that an unchaste wife should remain within the household and receive necessary provisions.[273]

The Viramitrodaya supports providing food and clothing to unfaithful wives, stating they should be maintained if residing near the husband's home:

> Also let one act in the same manner towards even the fallen wives; food and raiment, however, should be allowed to them, if they reside in the vicinity of the dwelling house.[274]

This concept is consistent with the texts of Yogishvara, who emphasizes the husband's responsibility.[275]

Nilkantha and Madhavacharya agree, citing texts that advocate for not abandoning women except in cases of severe sin, and even then, they should undergo penance within the household. [276]

The challenge lies in distinguishing between legal and moral obligations in Hindu law regarding the maintenance of an unchaste wife. Some interpret texts as treating maintenance as a legal duty and viewing adultery as expiable: "She who has performed expiatory rites, becomes fit for conjugal and social association"[277]

5.4.2. Mother's Right to Maintenance

According to Manu, a mother is entitled to maintenance regardless of the presence of ancestral property. The Mitakshara asserts that, in the absence of ancestral property, only aged parents, the wife, and minor children are entitled to maintenance from self-

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[270] Mitakshara, I.71
[271] Yajnavalkyasmriti, II, 142
[272] Yajnavalkyasmriti, I, 72
[273] S. G. Sarkar, *A Treatise on Hindu Law*, 4th Ed. (R. Banerjee & Co., 1910.), p. 367
[274] Viramitrodaya, Translation by G. C. Sarkar, p. 153
[275] Mitter, supra note 39, at p. 292
[276] Prayashchitta Mayukha, Benares Edition, p. 91
[277] Apararka, Anandashrama Series, Vol. I, p. 98.

acquired property.[278] Hindu law does not obligate a stepson to support his stepmother unless family property is involved.[279]

Unchastity does not preclude a mother from seeking maintenance, and even if she is outcast, she retains the right to maintenance from her sons (Apastamba I, X, 2, 8, 9; Gautama XXI, 15).[280]

5.4.3. Daughter's Right to Maintenance

Daughters' maintenance rights typically arise when closer heirs prevent their inheritance. According to Yajnavalkya, daughters are listed as heirs, and fathers are legally obligated to provide for their daughters until marriage, including covering marriage costs. A daughter of a deceased coparcener should be supported from her father's share until marriage; thereafter, her husband is responsible:

"As regards the daughter of a deceased co-parcener, it is thought that she should be maintained out of her father's share; let them support her until marriage; afterwards her husband is to support her"[281]

In Bengal, a daughter without a son cannot claim separate maintenance from her father's estate unless she proves that she cannot be supported by her husband's family.[282]

Unmarried daughters have distinct maintenance rights compared to married or widowed daughters. If a widowed daughter returns to live with her father or brother, there is a moral obligation but not a legal one to maintain her.[283]

Daughters lose their right to claim maintenance upon marriage.[284]

5.4.4. Sister's Right to Maintenance

A sister's right to maintenance can be examined based on ancient texts, including those by Yajnavalkya, Manu, Vyasa, and other scholars. These texts highlight the responsibility of brothers to provide for their unmarried sisters, particularly in relation to marriage. Yajnavalkya states:

> Uninitiated sisters should have their ceremonies performed by those brothers who have already been initiated giving them a quarter of their own share.[285]

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[278] Mitter, supra note 39, at p. 181
[279] *Bai Daya* v. *Natha Govindlal*, I.L.R. 9 Bom. 279.
[280] Baudhayana dharmasutra, II.2.3.4.2
[281] Mayukha, IV. 9. 22
[282] *Mokhada* v. *Nando Lal*, I. L. R. 28 Cal. 278.
[283] *Bai Mangala* vs. *Bai Rukhmini*, I. L. R 23 Bombay 291.
[284] *Tulsha* vs. *Gopal Rai* I. L. R. 6 All 632
[285] Yajnavalkya, II.124

Here, "quarter" is interpreted not literally but as financial support necessary for a sister's marriage. Manu similarly advises:

> To the maiden sisters let their brothers give out portions out of their own allotments respectively; to each, the fourth part of the approximate share, and they who refuse it should be degraded.

Scholars like Vachaspati Mishra interpret the "quarter share" as covering wedding expenses,[286] a view supported by Sulapani, the authors of Smriti Chandrika, and the Dayabhaga.[287] The Mitakshara, however, suggests that sisters might have a rightful claim to inheritance shares.[288]

Additionally, it is worth noting that a grandmother is legally entitled to maintenance from her grandson.[289]

6. Conclusion

In conclusion, the examination of women's rights and status in ancient India through the lens of Hindu legal literature reveals a complex interplay of social customs, legal provisions, and philosophical foundations. The birth of a daughter, initially met with dichotomy due to prevailing societal attitudes, was nevertheless celebrated as a recognition of the important role that women played within the family structure.[290] Although education for girls was not universally practised, it existed in some contexts, reflecting an awareness of women's intellectual capabilities and challenging prevailing norms.[291] Personal freedom and dignity, though limited by social expectations, manifested in various forms, from autonomy within marriage to the right to conjugal relations.[292]

Practices such as Niyoga and Sati, often misconstrued, illustrate the social structure and pressures of their time, raising important questions about women's agency.[293]

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[286] Vachaspati Mishra is the author of Vivada Chintamani

[287] Dayabhaga, III. 2. 38-39

[288] Mitter, supra note 39, at pp. 186-187

[289] Mitter, supra note 39, at p. 187

[290] Altekar, supra note 4, at pp 4-9

[291] D. Kashyap, "Women's Education in Ancient India" (*Your Article Library*, October 1, 2015) <https://www.yourarticlelibrary.com/education/womens-education/womens-education-in-ancient-india/63492> accessed, 5 June 2024

[292] S. M. Tharakan, and T. Michael, "Status of Women in India: A Historical Perspective." *Social Scientist*, Vol. 4, No. 4/5, 1975, pp. 117–118

[293] See, S. Sahgal, "Gendered Inquiry into Niyoga: Appearing the Institution from the Perspective of Female Actors" *Proceedings of the Indian History Congress*, Vol. 72, 2011, pp. 179–92; H. Kumar, *Women's Empowerment, Issues, Challenges, and Strategies: A Source Book*, (Daya Books, 2005), pp. 15-17

Although polygamy and polyandry were practiced, they were governed by complex laws and customs that reflected the complexity of marital relationships.[294] Divorce, though uncommon, was not entirely forbidden, indicating a recognition of the impermanence of human relations.[295] The status of women's ownership, especially in the area of stridhan and property rights for widows, emphasizes a delicate approach to women's economic independence and protection.[296]

The broader question of the inheritance of stridhan, the personal status of the wife, and morality reveals a society grappling with the balance between tradition and individual rights.[297] The legal provisions concerning adoption, guardianship, and maintenance reflect efforts to safeguard women's interests, albeit within a patriarchal framework.[298] The conditions under which maintenance can be forfeited, such as in cases of unchastity, underscore the restrictive moral expectations placed on women, which were both mirrored and constrained by the era.[299]

The right to maintenance for mothers, daughters, and sisters further illustrates the acknowledgement of women's economic needs and their dependence within the family structure.[300] These provisions, while progressive for their time, also highlight the

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[294] See, S. D. Singh, *Polyandry in Ancient India,* (Motilal Banarsidass Publ., 1988), pp. 38-76; U. Chakravarti and K. Roy. "The Family in Ancient India: Ideal and Reality." *Social Change,* 1996, Vol. 26(2), pp.16-33

[295] See, R. N. R. Sarma, "Ethics of Divorce in Ancient India." *The International Journal of Ethics,* Vol. 41(3), 1931, pp. 329-342.

[296] See R. Sathiyabama, "Gender Equality in Property Rights: The Position of Hindu Women–Historical Perspective." *Interdisciplinarity: The Palimpsest of Culture,* 2016, p. 45; K. A. Shifaya, "Property Rights of Women under Hindu Law: A Critical Study." *International Journal of Management & Humanities*, Vol. 4, 2021, p. 2999

[297] See, H.C. Satyarthi, "Some Aspects of the Stridhana in Post-Maurya North India (c. 200 BC - c. 300 AD)." *Proceedings of the Indian History Congress*. Vol. 34, 1973, pp. 114-119; H. Today, "Culture: Women's Status in Ancient India - Hinduism Today" (Hinduism Today, October 10, 2021) <https://www.hinduismtoday.com/magazine/january-february-march-2015/2015-01-culture-womena8099s-status-in-ancient-india/> accessed, 5 June 2024; S. Verma, "Morality in Indian Society: Significance, Impact, and Cultural Values | Medium" Medium (July 8, 2023) <https://sahillvermaa.medium.com/morality-in-indian-society-significance-impact-and-cultural-values-5eea5262d31> accessed, 5 June 2024

[298] J. Goody, "Adoption in Cross-cultural Perspective", *Comparative Studies in Society and History*, Vol. 11(1), 1969, pp. 55-78; R. Kaur, "Legal Aspect of Guardianship Under Hindu Jurisprudence: An Analysis" *Ilkogretim Online,* Vol. 20(1), 2021, pp.1953-1958; S. Kumari, "An Overview of Maintenance in Ancient and Modern India with Reference to Women's Rights under Hindu Law." *Jus Corpus Law Journal*, Vol. 3(1), 2022, p. 6

[299] See, S. A. Desai, Principles of Hindu Law, 20th Edition, Vol. I, Lexis Nexis, 2007, pp. 887-888

[300] Ibid, at pp. 877-878

limitations imposed on women's full economic participation in society. Ancient Indian legal literature thus offers valuable insights into a period when women's rights were shaped by cultural, religious, and legal influences.

This historical analysis underscores the importance of understanding past legal frameworks in recognizing the ongoing challenges of achieving true equality while celebrating progress in women's rights. The insights derived from Hindu legal texts are crucial not only for informing historical artefacts but also for contemporary discussions about gender equality and legal reform. When we consider the rights and dignity of women in ancient India, we are reminded of the enduring legacy of this early legal tradition and its continued relevance in shaping the future of women's rights.

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Japan's Contribution to Bangladesh's Human Resource Development

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Abstract

Japan has been a time-tested partner of Bangladesh in terms of its human resource development, as well as many other development areas. Bangladesh's demographic dividend offers immense future possibilities, but improper utilisation could lead to demographic disaster and hinder progress in various sectors. Taking all these into account, this qualitative study evaluates the initiatives taken by Japan for human resource development in Bangladesh. The major findings of the study portray that Japan has been cooperating with Bangladesh in higher education through several scholarship programmes, providing work opportunities to young Bangladeshi citizens in several mega projects in Bangladesh (e.g., the Matarbari project, the MRT project), and so on. However, there are some issues in Bangladesh, such as a lack of proper measures to establish industry-academia relationships and a lack of proper utilisation of the TVET programmes, as well as some considerable differences between Bangladeshi people's and Japanese people's mindsets due to different cultural and moral backgrounds. If these obstacles are effectively dealt with, great opportunities lie ahead for Bangladesh. On the basis of these findings, this study recommends that Bangladesh should take effective measures to benefit from Japan's relaxed visa policies; drastic changes need to be introduced in Bangladesh's work culture; and effective measures should be taken to remove all the obstacles facing Japanese human resource initiatives.

Key words: Human resource development, Bangladesh, Japan, contribution, initiatives, challenges, determining factors.

1. Introduction

Bangladesh is blessed with a massive human resource that can play a substantial role in the country's overall development endeavour. At present, the total population of Bangladesh stands at around 174 million, with a progressive growth rate of 1.03%, which is astonishing.[1] The more amazing factor here is that the majority of this population is comprised of young people, offering immense potential for the

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[1] World Population Review, *Bangladesh population live, 2024,* https://worldpopulationreview.com/ countries/bangladesh-population

developing nation. Japan has been a steadfast development partner of Bangladesh in terms of facilitating this massive working-age populace right from the beginning. For instance, shortly after Bangladesh's inception, Japan began to send a group of volunteers, known as JOCVs (Japanese Overseas Cooperation Volunteers), to the rural areas of Bangladesh. Japan sent a total of 1212 JOCVs to Bangladesh from 1973 to 2014.[2] These Japanese volunteers contributed immensely to the human resource development in the rural areas of Bangladesh by empowering them through technical training and practical work experience in several fields. Japan also initiated training programmes for Bangladeshi government officials from several ministries. These officials are selected by the government of Bangladesh based on their merits and prospects and are then sent to Japan on long-term or short-term training programmes. Furthermore, Japan offers technical training opportunities to young Bangladeshi citizens, and after successfully completing these training programmes, these young people contribute considerably to Bangladesh's economy. Another highly important sector that Japan has been contributing to is the education sector. Japan has long been offering generous scholarship opportunities to talented students and scholars who pursue higher studies in Japan. These scholarship programmes cover undergraduate programmes, master's programmes, and PhD programmes at highly reputed Japanese universities.

Japan has been playing the role of a major development partner for Bangladesh through various sorts of assistance and mutual cooperation. This includes several types of grants, Official Development Assistance (ODA), direct investments, as well as public-private partnerships (PPP) in several flagship HRD projects, G2G (government-to-government) programmes, technical and technological assistance, and so on.[3] For instance, among all the development partners in the world, Japan ranks at the top in terms of providing foreign assistance to Bangladesh.[4] Consequently, Bangladesh is making significant progress in terms of the human resource development index and has now become an emerging hub for foreign trade and investments.[5] Just recently, Bangladesh successfully graduated from the list of

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2 Japan International Cooperation Agency, *Activities in Bangladesh: JICA volunteers*, n.d., https://www.jica.go.jp/bangladesh/english/activities/activity05.html

3 H. Shazzad, '50 Years of Japan-Bangladesh Ties: From Economic to Strategic Partnership', *The Diplomat*, 10 February, 2022, https://thediplomat.com/2022/02/50-years-of-japan-bangladesh-ties-from-economic-to-strategic-partnership; '50th Anniversary of Diplomatic Relations: Japan's Invaluable Role in the Development of Bangladesh', *The Business Standard*, 10 February, 2022, https://www.tbsnews.net/thoughts/50th-anniversary-diplomatic-relations-japans-invaluable-role-development-bangladesh-368941

4 Economic Relations Division: Government of the People's Republic of Bangladesh, *Foreign assistance scenario*, 2022, https://erd.gov.bd/site/page/9a23bb25-5ff7-421b-8a73-b7c6b33c8032/Foreign-Aid-Scenario-2020-21

5 M. H. Manik, 'Movement of the economy of Bangladesh with its sector-wise contribution and growth rate', *Journal of Production, Operations Management and Economics*, Vol. 3, No. 2, 2023, pp. 1-8; R. A. M. Titumir, 'Numbers and Narratives in Bangladesh's Economic Development', *Palgrave Macmillan*, 2021.

LDCs (Least Developed Countries) by repeatedly fulfilling the necessary criteria (The Daily Star, 2021).[6] Provided the ongoing development spree goes according to plan, Bangladesh will be officially declared out of this LDC category by 2026.[7] Furthermore, Bangladesh now aims to become a developed state by 2041 and hopes to become a major player in the upcoming Fourth Industrial Revolution.[8] To achieve this goal and effectively utilise the fruits of LDC graduation, Bangladesh needs to build a massive workforce of highly skilled professionals. However, there are still some gaps in terms of properly utilising the assistance that Bangladesh receives from Japan. In order to maintain absolute progress, accountability and transparency must be ensured right from the planning stages to the root levels.[9] Ensuring the effectiveness of Japanese assistance is closely related to the mutual trust between Japan and Bangladesh.[10] This study discusses the existing HRD (human resource development) initiatives conducted by Japan in Bangladesh, the challenges that are being faced by these activities, possible future prospects that these initiatives offer, notable factors behind the sustainability of these programmes, and so on. On this backdrop, this study attempts to answer the following research questions:

1. What are the initiatives and strategies undertaken by Japan for human resource development in Bangladesh?
2. What are the challenges concerning Japan's efforts toward the development of human resources in Bangladesh?

2. Literature Review

Japanese initiatives for Bangladesh's human resource development have been crucially important for the developing country. Bangladesh now receives the highest amount of ODA contribution from the Japanese side. A significant portion of this ODA support is targeted toward Bangladesh's human resource development.[11] Japan

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6 'Bangladesh Qualifies for LDC Graduation: The Beginning of the End', *The Daily Star*, 26 Feb. 2021, https://www.thedailystar.net/business/news/bangladesh-qualifies-ldc-graduation- the-beginning-the-end-2051333

7 'Transition Strategy Crucial for LDC Graduation Without a Hitch', *Dhaka Tribune*, 1 March, 2021, https://archive.dhakatribune.com/business/economy/2021/03/01/transition-strategy-crucial -for-ldc-graduation-without-a-hitch; 'Booming Bangladesh Sets Off to Graduate Leaving the LDC Category', *The Business Standard*, 26 December, 2021, https://www.tbsnews.net/economy/ booming-bangladesh-sets-graduate-leaving-ldc-category-349024

8 M. A. R. Nile, 'Preparing Bangladesh for the Fourth Industrial Revolution (4IR)', *The Daily Star*, 15 February, 2022, https://tinyurl.com/296wv9kc

9 M. G. Quibria and A. Islam, 'The case study of aid effectiveness in Bangladesh: Development with governance challenges', *Social Science Research Network*, 2015, https://papers. ssrn.com/sol3/papers.cfm?abstract_id=2589930

10 S. Y. Saadat, 'Bangladesh-Japan Partnership for the Next Development Journey', *Centre for Policy Dialogue*, 2022, https://cpd.org.bd/resources/2022/03/Presentation-on-Bangladesh-Japan-Partnership-for-the-Next-Development-Journey.pdf

11 Ministry of Foreign Affairs of Japan, *Evaluation on Japan's education cooperation policy 2015-2020*, 2022, https://www.mofa.go.jp/policy/oda/evaluation/FY2021/pdfs/education_ cooperation_policy.pdf; H. Shazzad, '50 Years of Japan-Bangladesh Ties: From Economic to

has been working hand-in-hand with Bangladesh in graduating the LDC category without difficulty.[12] Both Japan and Bangladesh have massive demand for skilled human resources, but for different reasons. Japan is now facing unrecoverable population shrinkage, and for keeping its huge industries running, it's in need of a massive foreign workforce. On the other hand, Bangladesh is aiming to become a developed nation in the near future, and for this reason, Bangladesh has a huge demand for skilled workers.[13] Japan mostly seeks skilled workers for its blue-collar job positions. At present, generally three types of Bangladeshi people living in Japan are engaged in blue-collar jobs: technical interns, specialised skilled workers, and students.[14] Japan has been offering Bangladesh numerous scholarship opportunities for the scholars and students, training programmes for government officials and general citizens, collaboration in the field of human resource development, and so on. However, once Bangladesh officially graduates from the LDC (Least Developed Countries) category, the amount and nature of assistance coming from the Japanese side may be altered.[15]

2.1 The Necessity of HRD in Developing Countries

Without ensuring proper development and nurturing of human resources, a country can never progress in a true sense. A study shows that all the countries that have successfully become industrial powers were also successful in producing a skilled workforce first.[16] Human capital development is all about ensuring productivity and enhancing performance in a sustainable manner. HRD (human resource development) is a clear indicator of whether a country is effectively progressive or not.[17] A

Strategic Partnership', *The Diplomat*, 10 February, 2022, https://thediplomat.com/2022/02/50-years-of-japan-bangladesh-ties-from-economic-to-strategic-partnership/

12 R. Islam, 'Japan to Support Bangladesh's Smooth Graduation from LDC', *The Business Standard*, 26 April, 2023, https://www.tbsnews.net/bangladesh/japan-support-bangladeshs-smooth-graduation-ldc-622542

13 'Japan Provides $25 Million Grant Aid for Human Resources Development in Bangladesh', *Daily Sun*, 23 December, 2021, https://www.daily-sun.com/post/595346/Japan-provides-25-million-grant-aid-for-human-resources-development-in-Bangladesh

14 M. S. Akon *et al*., 'Japan's new immigration policy: Prospects and challenges for Bangladeshi workers', *Bangladesh Journal of Public Administration,* Vol. 20, No. 1, 2022, pp. 67-88. https://rb.gy/j2o02e

15 R. Islam, 'Japan to Support Bangladesh's Smooth Graduation from LDC', *The Business Standard*, 26 April, 2023, https://www.tbsnews.net/bangladesh/japan-support-bangladeshs-smooth-graduation-ldc-622542; A. M. Mazid, 'The Building Blocks of Bangladesh-Japan Diplomatic Relations', *The Business Standard*, 10 February, 2021, https://www.tbsnews.net/thoughts/building-blocks-bangladesh-japan-diplomatic-relations-199429

16 B. A. Mostafa, 'Human resource development within the sustainability science framework', *European Journal of Sustainable Development*, Vol. 12, No. 1, 2023, pp. 199-220. https://www.doi.org/10.14207/ejsd.2023.v12n1p199

17 K. Piwowar-Sulej, 'Human resources development as an element of sustainable HRM with the focus on production engineers', *Journal of Cleaner Production*, 2020

developing country needs effectively working manpower so that it can properly run its industries and other sectors. To ensure that the workforce is capable enough to handle the required tasks, it's mandatory that they are technically, technologically, and psychologically sound. Effective policymaking by the government is the key in this regard.[18] Academicians, skilled officials, technical professionals, IT experts, skilled workers—they are all considered as human capital. In this era, to properly ensure sustainable development in all aspects, a developing country has no alternative to nurturing these professionals.[19]

2.2 Educational Cooperation Concerning Bangladesh's Human Resource Development

Japan has been consistently assisting Bangladesh in its education sector. In 2021 alone, Japan contributed 500 million yen to the development of primary education programmes in Bangladesh. However, Japan's most notable contributions to Bangladesh's education sector are its generous scholarship programmes focused on the higher education segment. The MEXT programme and the JDS programme are two of these scholarship programmes. In the JDS programme alone, the Japanese government contributed around 460 million yen in the last few years.[20] Japan has been consistently cooperating with Bangladesh to increase the inclusion tendency of students at the primary education level. Consequently, in 2018, the inclusion rate at the primary education level has reached 98%. Practical subjects, such as science, English, and mathematics, are mainly the point of focus from the Japanese side. More than a hundred thousand primary school teachers have received training organised by the GoB and JICA up until now.[21] Each year, a significant number of Bangladeshi scholars go to Japan under several scholarship programmes and exchange programmes. Some of these programmes include the MEXT programme, JASSO programme, ADB-JSP programme, JENESYS programme, and so on. These talented scholars will most likely work as a bridge between Japan and Bangladesh through

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[18] E. Khan, A. Lashari and N. Iqbal, 'Stakeholders' development: A paradigm shift of human resource development (HRD)', *Global Management Journal for Academic & Corporate Studies*, Vol. 12, No. 2, 2022, pp. 123-137, https://www.researchgate.net/publication/367190175_Stakeholders%27_Development_A_Paradigm_Shift_of_Human_Resource_Development_HRD

[19] Y. Jia, 'Analysis of human resource development and management in regional economic development', *Proceedings of Business and Economic Studies*, Vol. 5, No. 5, 2022, https://ojs.bbwpublisher.com/index.php/PBES/article/view/4409

[20] M. J. Alam, 'Bangladesh-Japan Diplomatic Relations (1972-2022): A New Paradigm of Strategic Partnership', *MuktoBuddhi Publishers*, 2022a

[21] M. J. Alam, 'Japan's contribution to Bangladesh: Aspirations for inclusive development and regional cooperation', *Cogent Social Sciences*, Vol. 8, No. 1, 2022b, p. 150; Japan International Cooperation Agency, *JICA support program 3 for strengthening mathematics and science education in primary education project*, n.d., https://www.jica.go.jp/ Resource/ project/ english/bangladesh/008/outline/index.html

sharing culture, lifestyles, ethical values, customs, knowledge, and so on.[22] Findings show that the majority of the teachers in prominent Bangladeshi public universities, and even many of the private universities as well, are former scholarship grantees from Japan, and they are highly talented and well equipped with valuable skill sets. With the knowledge obtained in Japan, they are now making significant contributions to Bangladesh's higher education sector and research areas.[23]

Figure 1: Study Opportunities in Japan

Source: Created by the authors

2.3 Efforts Toward Capacity Enhancement of the Bangladeshi Professionals

Japan is working on capacity enhancement in various ways. Through JICA, Japan has been extending higher education opportunities to Bangladeshi government officials under the JDS (The Project for Human Resource Development Scholarship) scholarship. Selected prospective officials representing all ministries and government organisations get this lucrative opportunity. Some of these notable organisations are NBR (National Board of Revenue), BIDA (Bangladesh Investment Development

[22] Ministry of Foreign Affairs of Japan, *Evaluation of human resource development in the area of development and supporting development education*, 2014, https://www.mofa.go.jp/policy/oda/evaluation/FY2013/pdfs/hr.pdf

[23] Ministry of Foreign Affairs of Japan, *Evaluation on Japan's education cooperation policy 2015-2020*, 2022, https://www.mofa.go.jp/policy/oda/evaluation/FY2021/pdfs/ education_ cooperation_policy.pdf

Authority), BEZA (Bangladesh Economic Zone Authority), etc.[24] Apart from this initiative, many officials are also sent to Japan on intensive short-term training programmes. The KCCP (Knowledge Co-Creation Programme) initiative is among these, and it is contributing immensely to creating a bridge between Japan and Bangladesh.[25] Japan collaborates closely with some Bangladeshi institutions and organisations and provides support for their capacity enhancement as well. Renowned institutions like the DJS (Department of Japanese Studies) and IML (Institute of Modern Languages) of the University of Dhaka, Japanese communities and schools in Bangladesh, BIA (Bangladesh Ikebana Association), BAAS (Bangladesh AOTS Alumni Society), JUAAB (Japanese Universities Alumni Association in Bangladesh), etc., receive direct assistance from Japan.[26] Quite recently, Japan started receiving applications from Bangladeshi citizens for its JET Programme (the Japan Exchange and Teaching Programme). This initiative will ensure lucrative job opportunities in the education sector of Japan for those who have excellent proficiency in English. This offers great prospects to the Bangladeshi skilled professionals.[27]

Figure 2: JET Programme

Source: Created by the authors

2.4 Effectiveness of Japan's HRD Activities in Bangladesh

A study finds that Japan's assistance in developing Bangladesh's human capital has been significantly effective. For example, Japanese initiatives concerning the polytechnic education system had a big impact. The growth of human resources

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[24] Embassy of Japan in Bangladesh, *Bangladeshi officials will advance their ability through Japanese Development Scholarship*, 2022, https://www.bd.emb-japan.go.jp/ itpr_en/11_ 000001_00618.html

[25] Japan International Cooperation Agency, *Acceptance of technical training participants: The Knowledge Co-Creation Program (KCCP)*, n.d., https://www.jica.go.jp/Resource/ english/ our_work/types_of_assistance/tech/acceptance/training/index.html

[26] S. Chowdhury, 'A New Turning Point in Bangladesh-Japan Ties?', *The Daily Star*, 19 April, 2023, https://www.thedailystar.net/opinion/views/news/new-turning-point-bangladesh-japan-ties-3300876

[27] Embassy of Japan in Bangladesh, *Call for application: The 2023 Japan Exchange and Teaching (JET) program*, 2023, https://www.bd.emb-japan.go.jp/itpr_en/11_000001_00670.html

across a number of industries, including engineering, agriculture, and healthcare, has been facilitated by the technical education system, which has been instrumental in delivering technical education and training to students.[28] Furthermore, Japan's support for the creation of vocational training facilities in Bangladesh has been successful in raising young people's employability. A significant number of Bangladeshi workers are now working for various companies in Japan. Many Bangladeshi citizens are working on several big projects in Bangladesh as well.[29] Several of Japan's HRD support projects in Bangladesh have been successful, but there are still some issues that require to be resolved. The lack of coordination among the respective stakeholders is one of the biggest problems Japan is now facing. Inefficiency in the execution of development initiatives in Bangladesh is a result of a lack of coordination among the stakeholders. This is hampering the expected effectiveness of Japanese HRD initiatives in Bangladesh.[30] Japan also has to contend with Bangladeshi institutions' meagre capacity for absorption. Many Bangladeshi institutions have a constrained capacity for taking in new resources, leading to inefficient use of development aid and reduced the effectiveness of the nation's development projects.[31] Thus, to improve Bangladeshi institutions' ability to successfully absorb and use development aid, Japan needs to reevaluate these issues.

3. Methodology

This study seeks to provide an in-depth overview regarding the involvement of Japan in Bangladesh's human resource development throughout the years. Numerous literature and web materials had been assessed for this research, and after evaluating all the literature and relevant documents at hand, this research adopted a qualitative framework. This is because qualitative research places emphasis on linguistic expressions with a particular focus on human perspectives within a dynamic social environment.[32] The research philosophy that this study adopted was interpretivism. This is because interpretivism allows a study to uphold multiple points of view

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[28] A. M. Mazid, 'Japanese Participation in the Development of Bangladesh', *The Independent*, 13 February, 2018, https://m.theindependentbd.com/printversion/details/137022

[29] IM Japan, *IM Japan's technical intern training program: Agreements with governments of sending countries*, n.d., https://imm.or.jp/en/program/gov.html

[30] M. J. Alam, 'Japan's role in the socio-economic development of Bangladesh: A review', *Arts Faculty Journal*, Vol. 12, No. 17, 2023, pp. 51-71, https://rb.gy/lfiopc; M. G. Quibria and A. Islam, 'The case study of aid effectiveness in Bangladesh: Development with governance challenges', *Social Science Research Network*, 2015, https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2589930

[31] M. A. Khan, 'Situation Analysis of Bangladesh TVET Sector: A Background Work for a TVET Swap', *International Labour Organization*, 2019, https://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---ilo-dhaka/documents/publication/wcms_735704.pdf

[32] A. Bryman and E. Bell, 'Business Research Methods (4th ed.)', Oxford: Oxford University Press, 2015.

regarding one single event or topic, and this can be crucial for producing more elaborate ideas about what is actually going on. Moreover, this study adopted an inductive research approach to generate new speculations or to reinforce pre-existing ones.[33] As this research necessitated a thorough evaluation of Japan's role in the development of human resources in Bangladesh, it was imperative to pose enquiries pertaining to the mechanisms and motivations underlying them to gain a comprehensive understanding of the events. The presence of "how" or "why" enquiries suggested a limited ability to exert influence over the observed phenomena and a pragmatic comprehension of the existing circumstances. Therefore, a research approach utilising a case study methodology that was consistent with both interpretivism and inductive investigation was applied in this research. To attain a more fruitful outcome from this research, three techniques were utilised for the data collection process, which were interviews, documentation, and web surfing.

Figure 03: Methodology of this Research

Source: Created by the authors

3.1 *Research Procedures and Protocols*

a. The initial procedure entailed the conduction of an extensive literature review and the formulation of a semi-structured, open-ended questionnaire for the KIIs (Key Informant Interviews).

[33] A. Bryman and E. Bell, 'Business Research Methods (4th ed.)', Oxford: Oxford University Press, 2015.

b. Interviewees were carefully chosen through purposive sampling and were sent formal invitations for the interviews through email.
c. Participant information sheets along with informed consent forms were prepared and provided to each of the selected interviewees beforehand.
d. All the KIIs (Key Informant Interviews) were arranged strictly abiding by the interview protocols.
e. After conducting the interviews, all the accumulated interview data were carefully transcribed into a written format. All the transcribed contents were then further categorised and analysed accordingly.
f. All the documented primary data were further cross-checked to ensure absolute authenticity and credibility.
g. Both primary and secondary data were then carefully utilised in formulating the findings of the research as well as the policy recommendations.
h. Throughout the study, ethical considerations were strictly maintained to ensure the integrity of this research work.

3.2 *Sample Selection*

This research purposively interviewed scholars, government and non-government officials in Bangladesh, Japanese companies and business associates in Bangladesh, officials of JETRO (Dhaka), officials of JICA (Bangladesh), and experts who possessed extensive knowledge on Japan's involvement in Bangladesh's overall human resource development. The prime agenda was to thoroughly assess the current situation of Japan's engagement in HRD initiatives in Bangladesh as well as the key opportunities and challenges. After arranging 16 in-depth interviews (KIIs), the study reached its saturation point. The interviewees represented the Department of Japanese Studies (University of Dhaka), Japan International Cooperation Agency (JICA), Japan External Trade Organisation (JETRO), Embassy of Japan in Bangladesh, National Bureau of Revenue (NBR)-Bangladesh, NewVision Solutions Ltd., Bangladesh Ikebana Association (BIA), Bangladesh AOTS Alumni Society (BAAS), Japanese Universities Alumni Association in Bangladesh (JUAAB), Japan-Bangladesh Chamber of Commerce and Industry (JBCCI), Thengamara Mohila Sabuj Sangha (TMSS), Kokorozashi & Kazuko-Bhuiyan Japanese Cultural Centre, and Kaicom Solutions. A list of the interviewees is attached as an annex.

Table 1: Category of the Interviewees

Sl.	Category	Number of Interviewees
1	Scholars and Researchers	1
2	Government and Non-Government Officials in Bangladesh	5
3	Officials of the JETRO Dhaka Office	3
4	Officials of the JICA Bangladesh Office	2
5	Japanese Companies and Business Associates in Bangladesh	5
Total		16

Source: Created by the authors

3.3 *Data Collection Procedure*

This study implemented a series of semi-structured, open-ended interviews to collect primary data. A total of 16 thorough interviews (Key Informant Interviews: KIIs) were conducted in this regard. All the interviewees were selected through purposive sampling, and all of them possessed significant expertise in the relevant field. The interviews included both face-to-face and online ones, and all the interviews were arranged and conducted in a very formal manner. As for the document analysis and web surfing methods, numerous secondary sources of data had been studied and critically analysed by the authors. The sources of information documented encompassed a wide range of mediums, such as articles, chapter excerpts, books, reports, scholarly journals, newspaper clips, web pages, and so on.

3.4 *Attention to Ethics*

Abiding by the ethical rules is a key to producing valid and firm research work, and so the authors paid their utmost attention to them. As for web surfing and document analysis, proper ethical guidelines had been maintained by the authors. Proper citations had been used for all the data collected through these data collection methods. As for the interviews (KII), the utmost formality and ideal regulations had been maintained throughout the procedures. All the interviewees had been initially contacted through formal email invitations to the interview procedures. A participant information sheet containing all the details about the research work had been provided to all the interviewees. As there was some exchange of sensitive information during the interview sessions, it was carefully maintained that the interview environment was safe and comfortable enough for the participants. Furthermore, all the information received in these interview sessions was verified by checking relevant online databases in order to produce solid research work with the utmost commitment. Aside from these measures, the following protocols had been maintained during all the interviews:

a. The authors had made sure to keep every single piece of personal information confidential. The use of pseudonyms had ensured the masking of the interviewees' identities.
b. While conducting the interviews, the authors made sure to prevent all sorts of bias. The interviewees conveyed all the information according to their own free will.
c. The utmost sincerity and respect had been maintained toward the interviewees throughout the procedures.
d. No harm was caused by any of the procedures used in this research. All sorts of potential risks had been avoided by paying maximum attention to all the details.
e. The interviewees voluntarily participated in the interview sessions, and their informed consent to the matter was ensured by the authors. All the interviewees had been offered the right to withdraw at any moment.

4. Findings

4.1 Future Prospects of Japan's HRD Initiatives in Bangladesh

Considering the increasing number of development initiatives taken by the Japanese side in Bangladesh, it can be inarguably claimed that there are a lot of future prospects concerning Japan's human capital development initiatives in Bangladesh. After carefully analysing numerous secondary sources and the data retrieved from the interviews conducted, a number of prospects regarding Japanese HRD programmes in Bangladesh can be outlined as follows:

a. In the past, the number of students going to Japan with scholarships was quite limited. However, at present, around 200 Bangladeshi students go to Japan annually under several scholarship programmes.[34] The number of Japanese scholarship grantees from Bangladesh is increasing significantly. This indicates that Bangladeshi students may receive a larger number of scholarship opportunities in the near future.[35]
b. Quite recently, Japan has relaxed its visa policy in order to tackle its demographic crisis. Also, work permits in Japan are easier to obtain at present. This is a great opportunity for Bangladesh. Specifically, Japan needs a huge number of caregivers for its elderly population, and Bangladesh can be a major source of a workforce in this regard.[36]

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[34] Ministry of Foreign Affairs of Japan, *The white paper on development cooperation 2021: Japan's international cooperation*, 2021, https://www.mofa.go.jp/files/100497686.pdf
[35] KII (Key Informant Interview), No. 7, June 2023
[36] KII (Key Informant Interview), No. 15, September 2024; KII (Key Informant Interview), No. 9, October 2023

c. In recent years, the mutual collaboration between Japanese and Bangladeshi universities has increased significantly, and several exchange programmes are being conducted each year as well. This holds great prospects for academic cooperation and scholarly contributions to both countries' education and research sectors.[37]
d. For the first time ever, the JET programme is now open to Bangladeshi citizens. This is a golden opportunity for Bangladeshi people who have excellent proficiency in English and previous teaching experience. At present, only the ALT (Assistant Language Teacher) positions are being offered to Bangladeshi citizens, but there is a possibility that in the near future, other positions under the JET programme will also be offered to Bangladeshi applicants.[38]
e. After several years, the JOCV programme is in effect once again, and this holds great prospects for Bangladesh's rural human capital development.[39]
f. Recently, a big fund of approximately USD 3.5 million has been allocated by Japan for the human resource development of Bangladesh through JICA, and the utilisation and outcomes of this fund will be visible in the next five years. This investment, like many other investments being made by Japan in Bangladesh, will be crucial for the country's development measures.[40]

4.2 Possible Factors Behind the Sustainability of Japan's HRD Initiatives in Bangladesh

After evaluating and cross-examining the data collected from numerous secondary resources and interviews (KII), a number of probable factors can be outlined regarding the sustainability of Japanese human capital development efforts in Bangladesh. These factors are outlined as follows:

a. Educational cooperation is the key to sustaining Japanese HRD efforts in Bangladesh. Bangladeshi citizens have been receiving a good number of Japanese scholarships for several decades now, and at present, Bangladesh is also one of the major recipients of Japanese scholarships.[41] Continuing this trend

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37 KII (Key Informant Interview), No. 1, May 2023
38 KII, No. 2, May 2023: KII (Key Informant Interview), No. 3, May 2023
39 KII (Key Informant Interview), No. 8, October 2023; Japan International Cooperation Agency, *Activities in Bangladesh: JICA volunteers*, n.d., https://www.jica.go.jp/bangladesh/english/activities/activity05.html
40 KII (Key Informant Interview), No. 3, May 2023; 'Japan to Provide $3.41M to Bangladesh for Human Resource Development', *The Business Standard*, 26 October, 2022, https://www.tbsnews.net/bangladesh/japan-provide-341m-bangladesh-human-resource-development-520378
41 Ministry of Foreign Affairs of Japan, *The white paper on development cooperation 2020: Japan's international cooperation*, 2020, https://www.mofa.go.jp/mofaj/gaiko/oda/files/100343083.pdf

will be a highly important factor in sustaining Japanese HRD initiatives in the long run.[42]

b. Although Japan and Bangladesh share a strong mutual and strategic relationship, there are some cultural differences between the two countries. To mitigate this gap, maintaining consistency in cultural exchange programmes and establishing people-to-people connections will be crucial.[43]
c. Close collaborations between Japanese and Bangladeshi stakeholders can heavily influence the sustainability of Japanese HRD efforts in Bangladesh. Prominent organisations such as the DJS (Department of Japanese Studies) and IML (Institute of Modern Languages) of the University of Dhaka, AOTS (The Association for Overseas Technical Cooperation and Sustainable Partnerships), JBCCI (Japan-Bangladesh Chamber of Commerce and Industry), JBCCEC (Japan-Bangladesh Committee for Commercial and Economic Cooperation), etc., need to perform a highly proactive role in this regard.[44]
d. Introducing some necessary policy reforms on the Bangladeshi side can further facilitate Japan's initiatives in this country. Ensuring a systematic work culture, abolishing corruption at the grass-roots level, ensuring absolute transparency and accountability, relaxing tax and customs duties for Japanese companies, mitigating the issue of frequent transfers of Bangladeshi government officials, etc., can be quite effective in this regard.[45]
e. Putting more emphasis on technical training by the Bangladeshi government will enhance the TVET-based HRD programmes conducted by Japan. Japan can be a major destination for Bangladesh's labour force if Bangladesh can equip its young workers with the necessary skill sets.[46]
f. Maintaining political stability is highly important for Bangladesh. Japan is a peace-loving nation, and it only engages in business and investments when there's a sense of security in the destination country. Therefore, it is in Bangladesh's best interests to ensure political stability and national integrity at all times.[47]

4.3 Key Challenges Facing Japan's HRD Initiatives in Bangladesh

In spite of mutual collaboration from both the Bangladeshi and Japanese sides, it is often seen that Japan's HRD initiatives are faced with several unexpected challenges. Almost all these challenges arise from Bangladeshi stakeholders, and to ensure the

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42 KII (Key Informant Interview), No. 1, May 2023
43 KII (Key Informant Interview), No. 10, August 2024
44 KII (Key Informant Interview), No. 9, October 2023
45 KII (Key Informant Interview), No. 16, September 2024
46 KII (Key Informant Interview), No. 5, June 2023
47 KII, No. 14, September 2024; KII (Key Informant Interview), No. 6, June 2023

maximum effectiveness of such important projects, it is highly necessary that all obstacles and challenges are mitigated at all costs. While conducting interviews and analysing numerous sources, a number of challenges have been discovered in this study. These challenges are discussed as follows:

a. Regarding technical education, there are still some issues with the Bangladeshi people's mindsets. Many people are still not interested in technical and vocational training. This mentality toward vocational training is a major obstacle to the proper utilization of Japan's TITP (Technical Intern Training Programme) and other TVET-related programmes.[48]
b. The existing education system in Bangladesh is much outdated in comparison to that of developed nations. Consequently, a considerable number of young Bangladeshi citizens have grown up with inadequate digital literacy and pitiful industry-centric knowledge. Without bringing in some significant reforms in the overall education system, Bangladesh won't be able to fully realise the effectiveness of Japanese HRD initiatives.[49]
c. There is a dilemma regarding government jobs in Bangladesh. Most of the youth are more interested in such jobs, especially the administrative ones, as there's better job security for them with less work experience or skill sets. Consequently, a significant portion of the young population is depriving themselves of lucrative private job opportunities, and this is creating a loophole in the job sector. This trend is a major obstacle for Japanese initiatives regarding human resource development in Bangladesh.[50]
d. The trend of frequent transfers of Bangladeshi government officials is another challenge for Japanese HRD initiatives. When government officials return to Bangladesh after completing their training programmes in Japan, it's often observed that a significant number of these officials are transferred to different departments or ministries. This frequent act of transferring trained officials actually hampers the proper implementation of their attained knowledge and experience.[51]
e. Sometimes, it's observed that some Bangladeshi government officials consider the exclusive training programmes some sort of pleasure trip, and they don't focus on learning proactively. This mentality negatively affects the prime objectives of the overall initiative. This is also a crucial challenge, and the government of Bangladesh needs to work boldly on this matter.[52]

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48 KII, No. 1, May 2023; KII (Key Informant Interview), No. 8, October 2023
49 KII, No. 1, May 2023; KII (Key Informant Interview), No. 6, June 2023
50 KII (Key Informant Interview), No. 13, August 2024
51 KII, No. 2, May 2023; KII (Key Informant Interview), No. 4, June 2023
52 KII (Key Informant Interview), No. 15, September 2024; KII, , No. 4, June 2023

f. Brain drain is a major challenge for the Bangladeshi government. A considerable number of students who pursue higher studies in Japan don't return to Bangladesh once they complete their degrees. As a result, Bangladesh loses a considerable portion of its skilled and talented workforce. This scenario can be quite problematic for the country's development goals.[53]
g. Due to policy differences in various fields on both sides, effective utilisation of Japanese HRD initiatives cannot always be realised. Because of heavy taxes and customs duties, Japanese investment in Bangladesh is often faced with difficulties. Ensuring flexibility in necessary areas is a big challenge for Bangladesh.[54]
h. In Bangladesh, there is a lack of work opportunities that are suitable for the technical interns once they complete their training programmes. Japan basically provides training opportunities to Bangladeshi citizens voluntarily. It is for the government of Bangladesh to ensure relevant work opportunities and job placements for the trained human resources so that these bilateral initiatives can be better utilised and effectively realised.[55]
i. Corruption and the trend of speed money in Bangladesh pose considerable difficulties for the Japanese side. The Japanese people believe in a systematic work culture and absolute honesty. Corruption in the administrative and other functional bodies of the authority in Bangladesh only sends a bad image to Japanese stakeholders.[56]
j. In Bangladesh, there is still a serious lack of proper work environments and adequate facilitation in many sectors. Among many of the Bangladeshi stakeholders (government officials, technical trainees, etc.), a lack of a systematic and professional approach toward work, a lack of sincerity and ethical norms, and a lack of discipline still exist, unfortunately. These issues hamper the process of effective knowledge implementation.[57]

5. Discussion

Japan has been providing HRD support to Bangladesh in a number of important areas. These include training programmes for government officials, several prestigious scholarship programmes for scholars pursuing higher education in Japan, technical training initiatives for young Bangladeshi citizens, training programmes for

[53] KII, No. 16, September 2024; KII (Key Informant Interview), No. 6, June 2023
[54] KII, No. 11, August 2024; KII (Key Informant Interview), No. 4, June 2023
[55] KII (Key Informant Interview), No. 2, May 2023
[56] KII (Key Informant Interview), No. 12, August 2024
[57] KII, No. 14, September 2024; KII (Key Informant Interview), No. 7, June 2023

IT experts, and so on. Each year, the number of people obtaining these opportunities is increasing in Bangladesh, and Japan is also showing great interest in Bangladeshi working people for several reasons. At present, Japan and Bangladesh are enjoying the peak of their mutual relationship as strategic partners. Due to Japan's demographic crisis, there is a massive demand for working-age people, most importantly blue-collar workers. To fill up this demand, Japan now sees Bangladesh as a potential supply-side destination for skilled workers. Aside from this, Japan also wants to develop the domestic human resources of Bangladesh, as Japan considers this country a trusted and ideological partner. Therefore, Japan is extending its hand to Bangladesh through efforts dedicated to strong mutual cooperation. Among government officials who are going to Japan on various programmes, around 20% go for higher education (master's or PhD) under the JDS Programme, and almost 80% go there on several short-term training programmes. These are organised mainly by JICA and the government of Bangladesh.[58]

As for the general Bangladeshi citizens opting for technical training, BITAC (Bangladesh Industrial and Technical Assistance Centre) and JICA have been working hand-in-hand to prepare them as skilled labour forces. Many TTCs are providing vocational training services to these people.[59] At present, there are many private organisations in Bangladesh as well that are providing language training and some necessary skill development courses. After that, they're sending the trainees to Japan as skilled and semi-skilled labourers. Moreover, the B-JET Programme (Bangladesh-Japan ICT Engineers' Training Programme) provides exclusive ICT-based training to prospective Bangladeshi IT engineers.[60] Furthermore, Japan is now offering permanent residency facilities, relaxed visa policies, and a wide range of job opportunities to foreigners. This is a great opportunity for any developing nation, and Bangladesh can and should effectively utilise this opportunity by equipping its young citizens with proper language skills, communication skills, and other practical skill sets that are necessary for the industry. Several joint mega initiatives, such as the MIDI (Moheshkhali-Matarbari Integrated Development Initiative) and BIG-B (The Bay of Bengal Industrial Growth Belt), will connect Bangladesh with the global

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[58] Japan International Cooperation Agency, *Acceptance of technical training participants: The Knowledge Co-Creation Program (KCCP)*, n.d., https://www.jica.go.jp/Resource/english/our_work/types_of_assistance/tech/acceptance/training/index.html

[59] 'Next 5Yrs' Relationship with Bangladesh Crucial: JICA', *The Daily Star*, 21 September, 2019, https://www.thedailystar.net/bangladesh/bangladesh-japan-relations-jica-sees-next-5-yrs-1803154

[60] 'Japanese IT Companies Urged to Explore Business Opportunities in Bangladesh', *The Financial Express*, 2022, https://thefinancialexpress.com.bd/economy/bangladesh/japanese-it-companies-urged-to-explore-business-opportunities-in-bangladesh-1655209757

supply chain, thus creating a lot of employment and investment opportunities.[61] Also, the SEZ (Special Economic Zone) in Araihazar will work as a hub for Japanese companies to establish and expand their businesses in this region, ensuring more job opportunities and human capital development for Bangladeshi citizens.[62]

5.1 Present Scenario of Japan's HRD Initiatives in Bangladesh

Bangladesh is now considered an emerging power in the region. Many major companies from abroad are now considering Bangladesh as the next big business hub in Asia, and they are already investing huge chunks of money and setting up manufacturing facilities in the country. Also, several megaprojects are being realised at the moment, and to fuel these megaprojects, a large pool of skilled workers is in demand. Japanese HRD initiatives have been performing decisive roles in this regard. Till now, these efforts have been welcomed warmly by both the government and the people in general of Bangladesh. At present, several HRD initiatives performed by Japan are effective in Bangladesh, and through these efforts, Bangladesh is moving forward to becoming a developed nation. In terms of human resource development, Japan prioritises some key areas, such as higher education, vocational training, language training, ICT training, etc. Japan believes that consistent progress in these areas will bring about sustainable progress in the long run. At present, Japan is actively engaged in several HRD-based programmes in Bangladesh, which are contributing to this developing country's overall progress to a great extent. Japan is effectively assisting Bangladesh in building a strong and sustainable workforce with the necessary skill sets.

5.2 Key Japanese Initiatives for Bangladesh's Human Resource Development

Japan conducts a wide range of HRD programmes in Bangladesh, which encompass many areas. However, for an easier understanding, Japanese HRD initiatives in Bangladesh can broadly be dissected into four categories, which are as follows:

a. Study programmes and educational exchange programmes for scholars
b. Training programmes and higher education programmes for government officials
c. IT training programmes with job placement opportunities
d. Technical training initiatives

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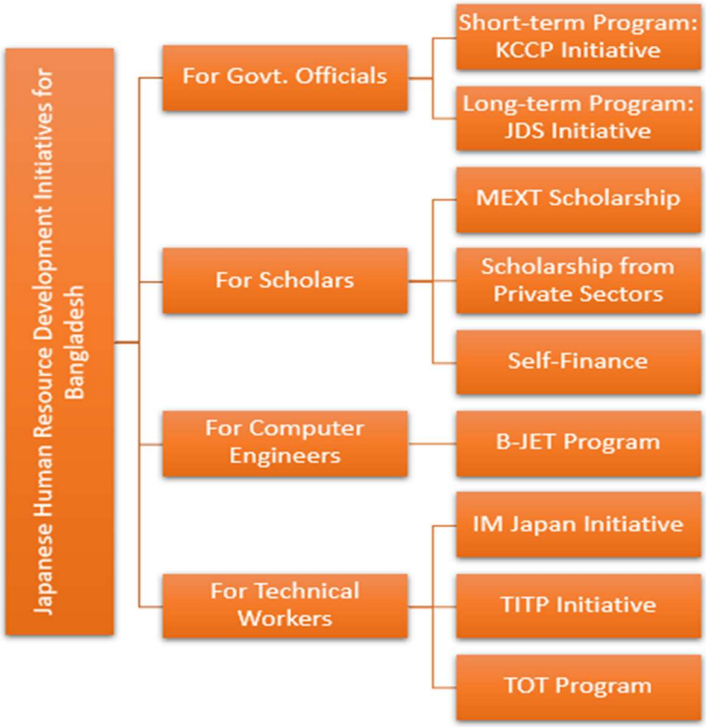
[61] 'The Japan-Bangladesh Partnership for Development', *The Japan Times*, 27 May, 2019, https://www.japantimes.co.jp/opinion/2019/05/27/commentary/japan-commentary/japan-bangladesh-partnership-development/

[62] Japan External Trade Organization, *How BEZA is poised to facilitate synergy between Bangladesh and Japan in industrial development*, n.d., https://www.jetro.go.jp/ext_images/world/asia/bd/seminar_reports/20160413/k2.pdf

Each of these categories is comprised of several HRD programmes targeted toward people from distinct professions. From all retrospectives, these initiatives have been performing a decisive role in shaping Bangladesh's future.

Figure 4: Japanese Human Resource Development Initiatives for Bangladesh



Source: Created by the authors

5.3 Japan's Initiatives Concerning Higher Education of Bangladeshi Scholars

Japan aims strongly at the development of higher education in Bangladesh, and for this reason, Japan offers a wide range of scholarship opportunities to Bangladeshi scholars. In fact, these scholarship programmes are among the most successful and effective HRD initiatives of Japan in Bangladesh. Japan offers Bangladeshi students and scholars several generous scholarships, such as MEXT (Monbukagakusho), JASSO (Japan Student Services Organisation) scholarships, several exchange programmes, and so on. Most of these programmes are fully funded and facilitate a wide range of students, starting from undergraduate level to doctoral and postdoctoral levels. Back in the day, only a small number of Bangladeshi students were able to

pursue higher education in Japan through such scholarship programmes. However, this trend has changed markedly in recent years, with approximately 200 students now going to Japan each year under various scholarship programmes.[63] The steady rise in the number of Bangladeshi recipients of Japanese scholarships reflects a positive trajectory, suggesting the likelihood of even greater access to such opportunities in the foreseeable future.

Table 2: Total Number of International Students in Japanese Higher Education Institutes*

Country/region	Number of students	% of total	Country/region	Number of students	% of total
China	94,635 (87,789)	41.2% (46.6)	India	1,445 (1,255)	0.6% (0.7)
Nepal	37,203 (14,437)	16.2% (7.7)	Germany	1,056 (1,122)	0.5% (0.6)
Viet Nam	22,633 (22,353)	9.9% (11.9)	Russian Federation	874 (803)	0.4% (0.4)
Republic of Korea	13,566 (13,919)	5.9% (7.4)	Pakistan	796 (526)	0.3% (0.3)
Myanmar	6,996 (3,600)	3.0% (1.9)	United Kingdom	769 (921)	0.3% (0.5)
Sri Lanka	5,860 (2,532)	2.6% (1.3)	Brazil	610 (595)	0.3% (0.3)
Taiwan	5,839 (5,475)	2.5% (2.9)	Cambodia	560 (535)	0.2% (0.3)
Indonesia	5,397 (4,892)	2.4% (2.6)	Italy	548 (566)	0.2% (0.3)
Bangladesh	5,157 (2,907)	2.2% (1.5)	Canada	482 (493)	0.2% (0.3)
United States of America	3,032 (3,299)	1.3% (1.7)	Singapore	398 (351)	0.2% (0.2)
Thailand	2,779 (2,788)	1.2% (1.5)	Australia	383 (458)	0.2% (0.2)
Malaysia	2,451 (2,288)	1.1% (1.2)	Mexico	382 (364)	0.2% (0.2)
Mongolia	2,323 (1,922)	1.0% (1.0)	Spain	317 (381)	0.1% (0.2)
Uzbekistan	1,652 (1,021)	0.7% (0.5)	Egypt	307 (314)	0.1% (0.2)
France	1,627 (1,619)	0.7% (0.9)	Other countries	7,833 (7,718)	3.4% (4.1)
Philippines	1,557 (1,312)	0.7% (0.7)	Total	229,467 (188,555)	100.0% (100.0)

( ) indicates figures as of May 1, 2023

Source: Retrieved from Japan Student Services Organization, 2025[64]

* Here, higher education institutions are referring to graduate schools, universities (undergraduate), junior colleges, colleges of technology, professional training colleges, and university preparatory courses.

[63] Ministry of Foreign Affairs of Japan, *The white paper on development cooperation 2021: Japan's international cooperation*, 2021, https://www.mofa.go.jp/files/100497686.pdf

[64] Japan Student Services Organization, *Result of international student survey in Japan, 2024*, 2025, https://www.studyinjapan.go.jp/en/_mt/2025/04/data2024z_e.pdf

Higher education opportunities offered by Japan to Bangladesh can be outlined as follows:

a. **MEXT Scholarships:**

The MEXT (Ministry of Education, Culture, Sports, Science and Technology: *Monbukagakusho*) programme is undoubtedly the most notable and most generous scholarship opportunity provided by the Japanese government.[65] This scholarship initiative covers several different programmes, which include:

1. Undergraduate programme
2. Research programme comprising master's and doctorate degrees
3. Fellowship programme
4. YLP (Young Leaders' Programme)
5. Training programme

As reported by the Embassy of Japan in Bangladesh, approximately 4,653 Bangladeshi scholars have pursued studies in Japan through this scholarship programme between 1988 and 2024.

Table 3: MEXT Scholarship Recipients from Bangladesh (2020~2024)

Year	Number of Recipients
2020	120
2021	140
2022	163
2023	164
2024	136

Source: Compiled from data provided by the Embassy of Japan in Bangladesh, 2025[66]

Table 4: Cumulative Number of MEXT Scholarship Recipients from Bangladesh (1955~2018)

Course	Period	No. of Grantees
Research Students (Master's and PhD)	1955-2018	3753
Young Leaders' Programme	2008-2018	23
Asian Youth Fellowship	1997-2011	33
Teacher Training Programme	2004-2018	11
Undergraduate Programme	1988-2018	51
College of Technology	1988-2018	97
Special/Professional Training Course students	1998-2011	23
Total		3991

Source: Compiled from data provided by the Embassy of Japan in Bangladesh, 2021[67]

[65] M. Hasan, 'Scholarship in Japan for Bangladeshi Students: Requirements and Opportunities', *Best In Bangla*, 25 May, 2023, https://rb.gy/3gke18

[66] Embassy of Japan in Bangladesh, 2025.

b. **JASSO Scholarships:**

Almost similar to the MEXT programme, the JASSO scholarship programme offers higher education opportunities to foreign students with the required qualifications. This scholarship programme facilitates a broad range of students, comprising undergraduates, graduates, language students, academic professionals, and so on.[68] Every year, a good number of students go to Japan under this scholarship programme.

c. **ADB-JSP Programme:**

This scholarship programme is jointly funded by the ADB (Asian Development Bank) and the government of Japan. This programme facilitates a large number of foreign students every year by providing them with fully funded scholarship opportunities. This programme is basically aimed at those talented students and professionals who haven't been able to complete their master's degree due to any sort of difficulties. Along with all the other requirements, previous job experience of the candidates is required in this programme.

d. **Private Scholarships:**

Besides government scholarships, several private organisations in Japan also provide scholarship opportunities to foreign students. Big business groups, such as the Toyota Foundation and the Toshiba Foundation, provide generous scholarship grants to talented foreign students. Some of these scholarships are fully funded, while others are partially funded.

e. **Exchange Programmes:**

Several Japanese universities offer lucrative exchange programmes to foreign students. These exchange programmes can be both short-term and long-term programmes. Such programmes add great value to the participants' knowledge of Japanese culture, norms and ethics, society, and so on.

f. **JENESYS Programme:**

The JENESYS programme is a short-term programme, and it is exclusive for Japan and the Asia-Pacific only. The purpose of this programme is to draw the attention of young scholars to Japan and its aesthetic culture and also to create a bridge between Japan and its friendly nations through education and policy exchange.[69]

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[67] Embassy of Japan in Bangladesh, *Statistical information on Bangladeshi students*, 2021, https://www.bd.emb-japan.go.jp/itpr_en/statisticalinfo.html

[68] Japan Student Services Organization, *Scholarships for study in Japan*, n.d., https://www.jasso.go.jp/en/ryugaku/scholarship_j/index.html

[69] Japan-ASEAN Cooperation, *JENESYS program*, 2023, https://rb.gy/fjmpci; Ministry of Foreign Affairs of Japan, *People-to-people exchange: Japan friendship ties programs 'JENESYS' (Japan-East Asia Network of Exchange for Students and Youths)*, 31 March, 2023, https://www.mofa.go.jp/a_o/rp/page24e_000354.html

5.4 Japan's Initiatives Concerning GoB Officials

Japan puts a great deal of effort toward preparing Bangladeshi government officials as per global standards. Capacity enhancement programmes of Bangladeshi government officials have been the major and most successful initiative of Japan concerning Bangladesh's human resource development. These training programmes help fill up the knowledge gaps and prepare the participants as competent officials, especially the BCS (Bangladesh Civil Service) cadres.[70] Through JICA, Japan operates several HRD programmes for Bangladeshi government officials, and after completing these training programmes, these officials contribute to Bangladesh's government bodies to a great extent. These Japanese initiatives can broadly be dissected into two categories:

(a) Short-term programmes, and

(b) Long-term programmes

The short-term training programmes are usually 7 days to 1 month long. The KCCP (Knowledge Co-Creation Programme) initiative is one of the most successful among these short-term programmes. This programme requires the officials to go to Japan and go through intensive training within a limited timeframe. Through this programme, the participants get to learn the Japanese way of doing things, Japanese culture, and values, as well as other countries' values and norms.[71] This training programme is a subject-based training initiative. A long list of modules is usually offered from the Japanese side, and the government of Bangladesh chooses its preferred training modules for its officials. Besides this, there are country-specific training programmes carried out by the Japanese side as well. Long-term programmes usually comprise the master's programmes offered by the Japanese government. The JDS programme (the Project for Human Resource Development Scholarship), offered only to government officials, plays a substantial role in developing the human resource sector of Bangladesh. In this JDS programme, the Japanese government selectively offers subjects that are highly necessary in Bangladesh's context. Since 2002, more than 500 Bangladeshi government officials have taken part in this programme in Japan, and they have been implementing their attained knowledge in the country in various fields.[72]

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[70] 'Japan Inks Deal with Government to Provide HRD Scholarship', *New Age Bangladesh*, 27 October, 2022, https://www.newagebd.net/article/184783/japan-inks-deal-with-govt-to-provide-hrd-scholarship

[71] Japan International Cooperation Agency, *Acceptance of technical training participants: The Knowledge Co-Creation Program (KCCP)*, n.d., https://www.jica.go.jp/Resource/english/our_work/types_of_assistance/tech/acceptance/training/index.html

[72] Japan International Cooperation Agency, n.d.

Table 5: Distribution of JDS Scholarship Recipients by Country (2001-2019)

Country	Number of JDS Recipients
Vietnam	639
Myanmar	557
Cambodia	444
China	430
Laos	420
Bangladesh	394
Philippines	361
Mongolia	346
Uzbekistan	345
Kyrgyzstan	210
Sri Lanka	154
Indonesia	120
Nepal	80
Ghana	65
Tajikistan	62
Pakistan	17
Bhutan	10
East Timor	8
Total	**4662**

Source: Data compiled from JICA survey findings[73]

5.5 Japan's Initiatives Concerning Bangladeshi Engineers and IT Experts

Japan has been exhibiting great efforts in developing Bangladesh's IT sector as per global standards. Bangladesh has a massive working-age population, and at present, there are so many young and talented people who possess sound knowledge of computer science and IT-related work. Japan seeks to properly utilise this population segment and prepare these young people as valuable human resources.[74] In this regard, the B-JET Programme is contributing to a great extent. Under the B-JET Programme (Bangladesh Japan ICT Engineers' Training Programme), many Bangladeshi computer engineers are taking part in the exclusive training programmes in Japan and then securing lucrative job positions abroad.[75] They have to attend ITEE (IT Engineer Examination) exams in Japan, which are arranged by JICA, to prove

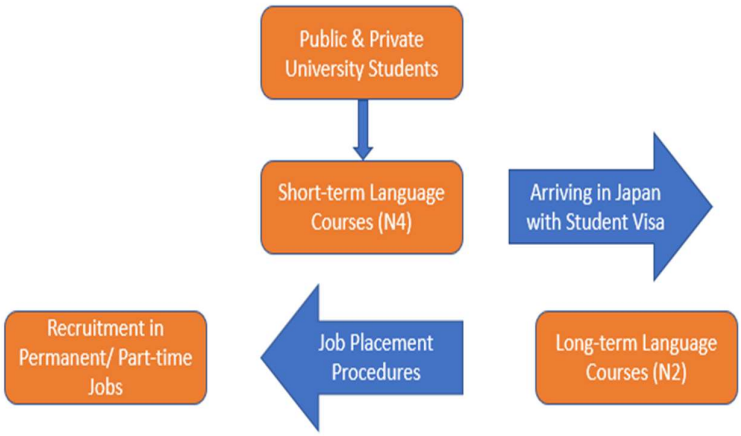
[73] Japan International Cooperation Agency, n.d.

[74] Japan International Cooperation Agency, *Bangladeshi IT engineers in regional Japan: International cooperation that fills needs in both countries*, 22 February, 2023, https://www.jica.go.jp/Resource/english/news/field/2022/20230222_11.html

[75] 'Further Boost in Bangladesh-Japan ICT Training Program', *Bangladesh Post*, 2 March, 2021, https://www.bangladeshpost.net/posts/further-boost-in-bangladesh-japan-ict-training-program-55003

their merit. In 2021, an MOU was signed between respective authorities to further strengthen this initiative.[76] Since then, a total of 265 individuals have successfully completed the B-JET training programme. Among them, more than 200 have secured employment opportunities across various regions in Japan. Additionally, 60 trainees with ties to Japan have been employed within Bangladesh's ICT sector. These outcomes collectively reflect an impressive job placement rate of 98%.[77]

Figure 5: Procedures for Bangladeshi IT Professionals Recruitment in Japanese Companies



Source: Created by the authors

5.6 Japan's Initiatives Concerning Bangladeshi Professionals and Technical Trainees

Apart from all the other initiatives, Japan also arranges mutual cooperation programmes between the Bangladeshi polytechnic institutes and the technical colleges of Japan ('Kosen'). The TOT Programme (Training of Trainers) enables the trainers and teachers at the polytechnic institutes to further sharpen their knowledge base and teaching methods. Moreover, in terms of these TVET projects, Japan actually proceeds with its initiatives in accordance with the Bangladeshi government's requests. The polytechnic institutes of Bangladesh and the technical

[76] Japan International Cooperation Agency, *Bangladesh IT engineer training program for B-JET Japan market*, 2021, https://www.jica.go.jp/bangladesh/bangland/b-jet.html
[77] BD-ITEC, *Press release*, 2021, https://rb.gy/noljs5

colleges of Japan ('Kosen') are practically similar institutions, and these institutions do have mutual cooperation on vocational and technical training programmes. The TITP (Technical Intern Training Programme) is also contributing to the development of young human resources in the country.[78] As Bangladesh is an emerging developing state and it needs a lot of skilled technicians and mid-level skilled workers, such initiatives have been a blessing for the country's human resource development goals.[79] In recent years, there's been a huge demand for caregivers in Japan, as the percentage of the elderly population has been on the rise significantly. Being a highly populated country, Bangladesh can utilise this opportunity by sending trained caregivers to Japan. At present, Japan is also showing great interest in this regard, and their relaxed visa policies can be a boon for Bangladeshi workers. Both male and female caregivers are in high demand in Japan, and the job requirements aren't that difficult for properly trained caregivers and health specialists. The governments from both countries have been discussing the matter, showing great interest, and possible progress is expected to come to light very soon. Moreover, very recently, Japan introduced its prestigious JET Programme (the Japan Exchange and Teaching Programme) for Bangladeshi citizens for the very first time. For those who have a very good command of English along with previous English teaching experience, this can be a great opportunity for having a wonderful career in the Japanese education sector. Initially, Japan is offering only the ALT (Assistant Language Teacher) positions to Bangladeshi educators.[80] However, in the coming days, there's a good possibility that other job positions under this JET programme will be available for Bangladeshi academic professionals as well.

6. Concluding Statement and Policy Recommendations

Bangladesh has long been on the receiving end of Japan's HRD programmes, and the country has benefitted a lot from these initiatives. Since the country's inception, a large number of Bangladeshi government officials have been receiving exclusive training opportunities in Japan every year. Moreover, a large number of scholars and students pursuing higher degrees also go to Japan every year through several scholarship programmes, such as the MEXT Programme, the ADB-JSP Scholarship, the JASSO Scholarship, and so on. As for computer engineers and IT professionals, the B-JET Programme is a golden opportunity for attaining world-class training

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78 IM Japan, *IM Japan's technical intern training program: Agreements with governments of sending countries*, n.d., https://imm.or.jp/en/program/gov.html

79 World Bank, *Bangladesh brief: Safe migration for Bangladeshi workers*, 2022, https://thedocs.worldbank.org/en/doc/9d8c9473e92defce23438bcf3d6a45d6-0060052022/original/BangladeshBrief-Safe-Migration-for-Bangladeshi-Workers.pdf

80 Embassy of Japan in Bangladesh, *Call for application: The 2023 Japan Exchange and Teaching (JET) program*, 2023, https://www.bd.emb-japan.go.jp/itpr_en/11_000001_00670.html

opportunities and permanent job placement facilities in Japan. Also, many Bangladeshi citizens are going to work in the technical sectors and blue-collar job market in Japan through the technical training programmes, such as the IM Japan initiative, the TITP (Technical Intern Training Programme) initiative, the SSW (Specified Skilled Workers) initiative, and the TOT (Training of Trainers) programme.[81] These initiatives are contributing immensely to the overall human resource development of Bangladesh. However, these initiatives are often faced with a number of challenges in Bangladesh. Major cultural differences between the two nations, the brain drain scenario in Bangladesh, gaps in policymaking areas, outdated education curriculum, etc., are some of the major obstacles here. It is expected that these shortcomings can be overcome by maintaining continuous efforts toward making those initiatives successful, especially from the Bangladeshi side. Japan and Bangladesh now share a strategic partnership, which is a major shift from the comprehensive partnership that these two nations used to maintain up until now.[82] This is a golden opportunity for Bangladesh to make the best use of Japan's expertise in the HRD sector and to properly utilise Japan's HRD initiatives in the country. Proper policy measures and effective planning can be the keys to sustaining the effectiveness of HRD projects and initiatives in the long run. Taking this into account, this study proposes the following policy recommendations:

a. Due to the lack of adequate facilities, most of the Bangladeshi youths are not showing interest in joining the TTCs or TVET programmes. Therefore, facilities should be increased, and more engagement should be ensured.
b. Proper implementation of the initiatives is a must. As for the training programmes, a thorough assessment of the participants is highly necessary after the successful completion of such programmes.
c. To ensure the sustainability of these initiatives, Bangladeshi stakeholders need to bring about a substantial change in their work culture and mindset. Emphasis should be given to adopting a systematic approach, time management, high ethical standards, and so on.
d. Bangladesh, as a recipient country, needs to establish a well-integrated platform where all the knowledge attained in such programmes will be accumulated. A well-organised website, permanent training venues, etc., can be established to further enhance the process of knowledge exchange.
e. Arranging joint seminars, symposiums, and relevant programmes more frequently can be vital for increasing people-to-people communication on both sides.

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[81] S. Noman and A. Billah, 'The golden jubilee of bilateral relations: Japanese contribution in achieving development goals in Bangladesh', *BIISS Journal*, Vol. 44, No. 1, 2023, pp. 65-85. https://www.doi.org/10.56888/BIISSj2022v44n1a4

[82] S. Chowdhury, 'A New Turning Point in Bangladesh-Japan Ties?', *The Daily Star*, 19 April, 2023, https://www.thedailystar.net/opinion/views/news/new-turning-point-bangladesh-japan-ties-3300876; Ministry of Foreign Affairs of Japan, *Japan-Bangladesh joint statement on strategic partnership*, 26 April, 2023, https://www.mofa.go.jp/files/100496992.pdf

f. As Japan is now relaxing its visa policies to attract foreign labour, Bangladesh needs to formulate and execute effective plans for exporting skilled human resources to Japan as permanent workers.
g. Establishing the industry-academia connection and introducing an industry-orientated education system is highly necessary for Bangladesh.
h. A real sense of democracy should be upheld by all the political parties in Bangladesh so that political stability is ensured and national interests are maintained.
i. Instead of producing an excess workforce at the administrative level, Bangladesh needs to focus on producing more corporate executives, entrepreneurs, and technical experts.
j. In terms of migrating labour resources to Japan, all sorts of middlemanship and fraudulent activities should be strongly dealt with by the Bangladeshi government.

Annex 1
List of Interviewees

No.	Coded Name	Organisation	Designation	Interview Date
1	Interviewee 1	Department of Japanese Studies, Dhaka University	Assistant Professor	29-05-2023
2	Interviewee 2	JETRO Dhaka	Senior Director	31-05-2023
3	Interviewee 3	JETRO Dhaka	Assistant Manager	31-05-2023
4	Interviewee 4	JICA Bangladesh Office	Programme Officer	04-06-2023
5	Interviewee 5	Retired Secretary to the Govt. of Bangladesh; Former Chairman of NBR	-	24-06-2023
6	Interviewee 6	NewVision Solutions Ltd.	Chairman	25-06-2023
7	Interviewee 7	BAAS, JUAAB, JBCCI, BIA	Founding member	27-06-2023
8	Interviewee 8	TMSS	Executive Consultant	29-10-2023
9	Interviewee 9	TMSS	Sector Head (ICT and Environment)	29-10-2023
10	Interviewee 10	Kokorozashi and Kazuko-Bhuiyan Japanese Cultural Centre	Managing Director	29-08-2024
11	Interviewee 11	Kokorozashi and Kazuko-Bhuiyan Japanese Cultural Centre	Principal	29-08-2024
12	Interviewee 12	NewVision Solutions Ltd.	Managing Director	30-08-2024
13	Interviewee 13	Kaicom Solutions	Founder and CEO	31-08-2024
14	Interviewee 14	JETRO Dhaka	Country Representative, Bangladesh	01-09-2024
15	Interviewee 15	Embassy of Japan in Bangladesh	PR and Cultural Specialist	01-09-2024
16	Interviewee 16	JICA Bangladesh Office	Chief Representative	04-09-2024

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Understanding the Qawmi Madrasah System in Bangladesh and Its Educational Framework

Abdul Momen*

Abstract

This study investigates the Qawmi madrasah system in Bangladesh, a crucial component of the nation's traditional Muslim educational structure. The system functions autonomously, without government supervision, and is strongly supported by the local population. The study focuses on comprehending the historical development, educational framework, and societal function of Qawmi madrasahs, which have undergone substantial changes and challenges due to colonial and modern influences. The main goals are to investigate the origins and evolution of Qawmi madrasah education, analyze the historical background and growth of these institutions in Bangladesh, and assess the impact of government policies on them. The study utilized a qualitative methodology, which included analyzing texts, reviewing literature, and gathering observational information. This approach was used to understand the Qawmi madrasah system thoroughly. The analysis revealed that Qawmi madrasahs have successfully preserved their conventional Islamic educational emphasis while adjusting to societal shifts. These institutions play a vital role in safeguarding the Islamic identity, advancing religious education. Qawmi madrasahs persist in offering complimentary education, sustenance, and accommodation, sustained by contributions from the public and philanthropic resources. The recent acknowledgement by the government that the Dawrah degree is comparable to a master's degree has improved graduates' educational and professional opportunities. The study emphasizes the necessity for Qawmi madrasahs to include contemporary educational techniques and curricula to provide students with the skills to face current issues while maintaining their fundamental principles. In order to guarantee the long-term development and advancement of these institutions, it is imperative to engage in discussions with policymakers and educators.

Key words: Qawmi madrasah, Bangladesh, Curriculum, Educational Framework.

Introduction

The Qawmi madrasah is firmly grounded in community backing and functions under private governing bodies. This institution is integral to Bangladesh's conventional Muslim educational system, deriving from procedures established during the British colonial era when these madrasahs were known as “Khariji” or operating independently from government oversight. The term “designation” emerged because

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Qawmi madrasahs have traditionally declined financial support from the government, opting instead for funding through public donations, Zakat (charitable giving), philanthropy, and endowment funds. As a result, these institutions offer tuition-free education, along with provisions for food and lodging, to their students. Madrasahs, also known as Islamic educational institutions, have a rich and significant history that can be traced back to the revered Prophet Muhammad (S.AW). He founded the initial madrasahs, including Darul Arqam, Suffa Residential Madrasah, and Darul Qurrah Madrasah.[1] These centres functioned as educational institutions and facilitators of disseminating Islamic culture and knowledge. Notable individuals such as Ubada ibn as-Samit (R.) played crucial roles as instructors.[2] In the Umayyad and Abbasid eras, expansive mosques and distinct madrasahs were constructed, which led to the establishment of mandatory primary education and played a crucial role in the notable increase in literacy rates during the Islamic Golden Age.[3] The madrasahs throughout this period were not solely focused on religious education; they achieved significant advancements in philosophy, theology, fine arts, mathematics, architecture, astronomy, and medicine.

The advent of Islam on the Indian subcontinent around the eighth century resulted in significant transformations, such as establishing novel traditions and educational establishments. During the Muslim rule in India, which lasted for almost 650 years, there was substantial growth in religious education, arts, and architecture. This period witnessed the construction of magnificent masterpieces such as the Taj Mahal and Qutab Minar. Before British colonial authority, maktabs (elementary schools), mosques, khanqahs (spiritual retreats), and madrasahs served as the leading institutions for Muslim education in India. Islamic education encountered substantial obstacles due to the down fall of the Mughal rule and the ascent of the British East India Company. The policies implemented by the British administration, along with the endeavors of Christian missionaries, posed a threat to Islamic education and culture. The revolt of 1857 was a pivotal moment that resulted in eliminating Muslim institutions and establishing a Western education system. But in 1866, the first Qawmi Madrasah, Darul Uloom Deoband, was founded by influential Islamic scholars such as Maulana

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[1] M. S. Anjum, "Establishment of Schools in Period of the Holy Prophet (Peace be upon him)", *Pakistan Journal of Islamic Research,* 2017, Vol. 18, No. 1, pp. 73-80.

[2] Lamis Ahmad Esmat, "Early Islamic Educational Institutions in Islamic Educational Science", *Journal of Educational Analytics*, 2024, Vol. 3, No. 1, pp. 95-106.

[3] Ahmed Renima et al., "The Islamic golden age: A story of the triumph of the Islamic civilization", *The state of social progress of Islamic societies: Social, economic, political, and ideological challenges*, 2016, pp. 25-52.

Muhammad Qasim Nanotvi (1832-1880) and Haji Muhammad Hussain Abid (1834-1912). Its main objective was to safeguard the Muslim identity, culture, and traditional education from the impact of colonial forces. The Qawmi madrasahs in Bangladesh, who are the successors of Darul Uloom Deoband, have upheld and carried forward this historical tradition. These institutions are based on the ideas of traditional Islamic education and use Arabic, Urdu, Farsi, and Bengali as the languages of instruction.

The founding of Madrasah Darul Uloom Moinul Islam Hathazari in Chittagong in 1901 was a notable advancement in this practice. After it, many more madrasahs emerged, each playing a role in safeguarding and disseminating Islamic knowledge. An independent organization supervises the administration of Qawmi madrasahs in Bangladesh, the Bangladesh Qawmi Madrasah Education Organization (Befaqul Madaris of Bangladesh). Recently, the government officially acknowledged that the Dawra degree obtained from Qawmi madrasahs has the same value as a master's degree in Islamic Studies or Arabic. As a result, graduates with this degree are now eligible to apply for more advanced positions. Although there are ongoing discussions regarding Qawmi education, its influence on Bangladesh's political, social, and cultural domains remains substantial. Qawmi madrasahs fulfill the societal demand for religious instruction by cultivating scholars who defend and promote Islamic principles and customs. The present study aims to investigate the origins and development of Qawmi madrasah education, analyze the historical backdrop of Qawmi madrasahs, their proliferation in Bangladesh, and the governmental policies regarding Qawmi madrasahs and the educational framework.

As Defined by Qawmi Madrasah

A Qawmi Madrasah is an educational institution focusing on religious teachings and Islamic studies. The word "Qawmi" is derived from the Arabic words "*Qawm*" or "*Qom,*" which means "public" or "community."[4] The private management body has complete control over this madrasah's activities. Qawmi educational techniques have their roots in Bangladesh's conventional Muslim educational system. In the era of British colonialism, these academic institutions were referred to as "*Khariji*," meaning they operated independently from the government. This is because Qawmi madrasahs refuse government support and instead depend on public donations. This Madrasah is formed and financed through contributions, Zakat monies, charitable funds, and endowment funds provided by the public. The learners of this Madrasah receive complimentary education, including food and lodging provisions.[5]

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[4] Jane Dammen McAuliffe, *Encyclopaedia of the Qur'ān*, Vol. 6. (Leiden: Brill, 2001).

[5] Masooda Bano, *Allowing for diversity: State- Madrasa relations in Bangladesh*, Working Paper 13, Religions & Development Research Programme, (University of Oxford, 2008), p. 11.

Background of Establishment "First Qawmi Madrasah" in the Indian Subcontinent

The British colonial authority in India had a significant and harmful effect on the Muslim minority, characterized by prejudicial legislation, religious intervention, and the deliberate demolition of Islamic institutions. After the demise of the Mughal power, the British intentionally tried to convert India to Christianity.[6] Prominent individuals like Mangles aimed to spread Christianity as a divine mission. Christian missionaries constituted a substantial menace to Islamic traditions due to their vigorous proselytizing endeavors.[7]

Following the 1857 Revolt, there were significant retaliatory actions by the British against Muslims, which involved large-scale deaths, confiscation of property, and widespread persecution. The British perception of Muslims as the main catalysts of the uprising intensified this harsh reaction, leading to an urgent necessity for Muslims to safeguard their religious and cultural identity.[8] The British specifically focused on and decimated Muslim educational and religious establishments, notably in prominent locations such as Delhi. This devastation further underscored the necessity for establishing novel institutions to safeguard Islamic teachings and maintain the structure of the society. The takeover of lands and resources from Muslim landowners by the British resulted in the impoverishment of numerous Muslim households and further alienated them from their customary support systems.[9] The economic relocation weakened the long-term viability of established educational institutions that had depended on philanthropic assistance.[10] The compelled conversion of orphans during famines in 1837, as observed in locations such as Sikandara, and the overall intervention in religious affairs by colonial authorities motivated Muslims to establish educational institutions where their faith could be imparted without foreign interference.[11] The Muslim community in India was significantly affected by the

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6 S. R. Wasti, "British Policy towards the Indian Muslims Immediately after 1857", *Muslim Struggle for Freedom in India*, (Delhi, Renaissance Publishing House, 1993), pp. 1-24.

7 M. A. Laird, *Missionaries and education in Bengal: 1793-1837,* (Clarendon Press, 1972), p. 4.

8 T. R. Metcalf, *Aftermath of Revolt: India 1857-1970,* (Princeton University Press, 2015), p. 291.

9 Mufti Muhammad Zafiruddin Miftahi, *Dar al-'Ulum Deoband: A Brief Account of its Establishment and Background*, (Johannesburg, South Africa: Imam Gangohi Academy of Research Friends of Deoband). Retrieved from: http://www. darululoom-deoband. com/urdu/books/tmp [accessed in Bandung, West Java, Indonesia: October 24, 2018] (2012).

10 T. R. Metcalf, *Op. cit*.

11 M. A. Laird, *Op. cit.*, p. 10.

British colonial rule, which led to the need for a response to safeguard their religious and cultural identity in light of discrimination, oppression, and the dismantling of their institutions.[12]

Darul Uloom Deoband was founded on May 30, 1866, in response to the precarious state of Muslim identity in India due to British colonial domination.[13] The objective was establishing an educational institution to safeguard Islamic knowledge and culture while opposing British attempts to culturally dominate India. This esteemed Islamic institution was established at the Chatta Mosque in Deoband, in the Saharanpur District of the United Provinces of India.[14] The principal initiator of the organisation, Maulana Muhammad Qasim Nanautavi, articulated the essentiality of establishing such an organisation. He stressed that the British had oppressed Muslims since the insurrection of 1857, explicitly attacking their cultural and educational establishments. Given the closure of state-funded Muslim schools, it was imperative to identify alternate approaches to maintaining Islamic education.[15] The inauguration of Darul Uloom Deoband was humble. It began beneath a pomegranate tree with the initial instruction delivered by Mulla Mahmud to the first pupil, Mahmud Hasan (1851-1920), who would subsequently emerge as a prominent figure recognised as Shaikh-ul-Hind.[16]

The first founders comprised notable individuals such as Haji Abid Husain, Maulana Qasim Nanautavi, and several more who established the consultative council known as the Majlis-e-Shura. Haji Abid Husain was the inaugural Vice-Chancellor.[17] The madrasah rapidly garnered prominence and extended its operations, requiring relocations to more extensive premises before finally establishing its primary site. Deobandi scholars actively sought to interact with India's religious plurality by conversing with Christian and Hindu experts. They also took part in non-violent resistance actions against colonial control. Maulana Nanautavi's vision for the madrasah encompassed promoting tolerance, open-mindedness, and the repudiation of inflexible perspectives.[18] Darul Uloom Deoband stood apart due to its reliance on

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12 Sayyid Mahboob Rizvi, *The History of the Dar al-Ulum Deoband*, (Idarah-i Adabiyat-i Delli, 1980).

13 M. Burhanuddin Qasmi, *Darul uloom Deoband: A Heroic Struggle Against the British Tyranny*, (Mumbai: Markazul Ma'arif, 2001), p. 7.

14 *Ibid*

15 Ẓiaulḥasan Faruqi, *The Deoband school and the demand for Pakistan,* (Asia Publishing House, 1963), p. 634.

16 Sayyid Mahboob Rizvi, *Op. cit*., p. 117.

17 *Ibid*

18 Molana Mohammad Qasmi, *Qasim Nanautvi's Contribution to Islamic Thought with Special Reference to Al-Kalam,* (Aligarh Muslim University, Aligarh, India, 1988), pp.80-85.

financial contributions from regular Muslims, as opposed to affluent benefactors or government funding, thereby establishing itself as a community-backed establishment. Maulana Nanautavi formulated eight fundamental principles for the institution, emphasising autonomy, solidarity among educators, and prioritising the well-being of students.[19]

The madrasah's curriculum and culture were explicitly crafted to rejuvenate conventional Islamic sciences and guarantee Muslims' religious instruction.[20] Darul Uloom Deoband gradually became an influential example for numerous other madrasahs in the Indian subcontinent, exerting a substantial influence on the Islamic educational sphere and the Indian independence movement.[21] The organisation aimed to impart knowledge of the Qur'an, Hadith, Islamic doctrines, and jurisprudence, as well as to foster Islamic ethics and preserve autonomy from governmental interference. The objective of Darul Uloom Deoband was to develop Arabic educational institutions throughout India and connect them with the central institution.[22]

The movement's origins were rooted in spirituality and reform. Its founders drew inspiration from older scholars such as Shah Waliullah Dehlwi (1703-1762), who criticised British colonialism and advocated for justice and equality. They believed that a robust educational and spiritual groundwork was crucial for withstanding colonial subjugation and safeguarding Islamic identity.[23] Ultimately, Darul Uloom Deoband was founded in response to the oppressive actions of British colonial rule, with the primary objective of safeguarding and promoting Islamic knowledge and culture.[24] The community-supported methodology, emphasis on traditional Islamic sciences, and refusal to succumb to colonial influence established it as a fundamental institution for Islamic education in India and other regions.

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19 Barbara D. Metcalf, *Islamic Revival in British India: Deoband, 1860-1900*, Vol. 778, (Princeton University Press, 2014), pp. 20-24.

20 Shahabuddin Ansari, "Darul Uloom Deoband," *Islamic Quarterly*, Vol. 24, No. 3, 1980, p. 111.

21 Sajjad Hussain *et al*., "Socio Religious Impact and Brief History of Dār ul ʿUloom Karāchī," *Al-Qamar*, 2021, pp. 91-108.

22 Shazia Ramzan, and Ainee Rabab, "Darul uloom Deoband: Its evolution in 19th century British India and impact on the system of education in Pakistan", *FWU: Journal of Social Sciences,* Vol. 7, No. 2, 2013, pp. 157-164.

23 Shafique Ali Khan, "Nationalist 'Ulama's Interpretation of Shah Wali Allah's Thought and Movement. (Some Ideological and Intellectual Deviations of the Scholars of Deoband Darul Uloom from the Fundamentals of Wali Allahi Philosophy)", *Journal of the Pakistan Historical Society*, Vol. 38, No. 3, 1990, pp. 192-219.

24 Ali Ahmad, "The Dar al-ulum of Deoband: A religio-political movement for the Indian Muslims", *Islamic Quarterly,* Vol. 40, No. 1, 1996, p. 23.

During the period of British colonial rule, the entire Muslim culture and heritage were on the brink of extinction. During this challenging period, it became necessary to establish an autonomous educational institution specifically dedicated to preserving and protecting the religious beliefs, customs, and education of Muslims.[25] A group of Ulamas wants to develop a groundbreaking institution to disseminate knowledge and inspire students to resist tyrannical rulers and the British intention to exert intellectual control over India. Darul Uloom Deoband, established on May 30, 1866, is the inaugural Qawmi Madrasah, pivotal in shaping India's Muslim community's history. As Deoband's reputation increased, many students from local and distant countries arrived.[26] The Muslims were swiftly enlightened by the radiant beams of knowledge and wisdom, illuminating their minds and hearts with the brilliance of Islam and its rituals. They acquired their religious education from Darul Uloom Deoband.

The institution's objective was to mitigate the perceived deterioration in moral and intellectual standards among India's Muslims by offering them traditional Islamic education.[27] The establishment of this organisation was a direct reaction to the British colonial regime's oppression of Muslims after 1857, resulting in the killing of many Muslims and scholars.[28] The madrasah rapidly acquired renown and became a paradigm for other Islamic educational institutions. Deoband graduates established institutions throughout India and other regions, forming an extensive network of madrasahs with a standardised curriculum. Some early prominent institutions were Madrasah Mazahir Uloom in Saharanpur and Jamia Qasmia Shahi in Muradabad. The network extends over numerous madrasahs worldwide, encompassing Pakistan, Bangladesh, Afghanistan, South Africa, the United Kingdom, and even Arab nations like Saudi Arabia.[29] Darul Uloom Deoband's influence stretches beyond its original location.[30] Islamic education globally has been dramatically influenced by it, leading to current Islamic discussions on standard piety and permissible religious customs. Esteemed intellectuals like Maulana Rahmatullah Kairanwi (1818-1891) and Maulana

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[25] Abdul Momen *et al.*, "Identifying the Role of the First 'Qawmi Madrasah' Darul Uloom Deoband in the Indian Subcontinent", *Environment-Behaviour Proceedings Journal,* Vol. 8, No. SI14, 2023, pp. 65-71.

[26] *Ibid*

[27] Nathan Spannaus, "Darul Uloom Deoband and South Asian Islam", *Modern Islamic Authority and Social Change,* Vol. 1, 2018, pp. 217-43.

[28] Aizan Hj Ali and Mat Zin, "Islamic Institution of Education in British India: A Study on Deoband Madrasah", *Jurnal Usuluddin*, Vol. 9, 1999, pp. 113-132.

[29] Abdul Momen, *Op. cit.*

[30] A. N. Khan, "Mawlana Mahmud Al-Hasan (1851-to 1920): His Contribution to Dar-Ul-Uloom Deoband", *Journal of the Pakistan Historical Society*, Vol. 33, No. 2, 1985, p. 123.

Sayyid Ahmad founded significant madrasahs in Makkah and Medina, expanding the Deobandi movement's influence.[31]

The educational philosophy and curriculum at Deoband focus on the learning of Quranic interpretation, Hadith, and Islamic jurisprudence (Fiqh). This educational model prioritises preserving traditional Islamic knowledge while cultivating a strong sense of religious and moral purity. This strategy has garnered students' attention from Afghanistan, Central Asia, and several African countries.[32] These students then return to their native countries to create educational institutions that follow a similar model. The founders of Darul Uloom Deoband traced their intellectual and spiritual heritage back to Shah Wali Allah Dehlavi, a renowned Islamic scholar who emphasised the significance of traditional Islamic education. The academics of Deoband were affiliated with many Sufi groups, including Chishtiya and Naqshbandiya, advocating for both spiritual purity and intellectual education.[33] The graduates of this institution played an important role in opposing British colonial rule and promoting the political liberation of the Indian subcontinent.[34] The institution's leaders were vital in bringing Muslims and other communities together to pursue independence, contributing to the giant fight for India's freedom.[35] Deoband is regarded as one of the foremost Islamic educational establishments, ranking second to Al-Azhar University in Cairo regarding significance and recognition.[36] This institution's stringent academic standards and influential network have played a vital role in maintaining the Islamic identity of Muslims in the subcontinent and other regions.[37] The institution's alumni are renowned for their academic prowess, ethical behaviour, and dedication to Islamic values. To summarise, Darul Uloom Deoband has had a significant and enduring influence on

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31 Abdul Momen, *Op. cit.*

32 Mohammad Asjad Ansari, "Modern education in madrasas: A perspective study of Dar al-Uloom Deoband", *Asia Pacific Journal of Research,* ISSN (Print) 2320, 2016, p. 504.

33 Abdul Momen, *Op. cit.*

34 Syafiq A. Mughni *et al*., "Dar al-Ulum of Deoband: An education, propagation, and Islamic political movement in India", *Tawarikh*, Vol. 10, No. 2, 2019, pp. 87-102.

35 Khalil Ahmed and Shahid Hassan Rizvi, "The Role of Deobandi Ulema in Strengthening the Foundations of Indian Freedom Movement (1857-1924)", *Pakistan Journal of Islamic Research*, Vol. 15, No. 1, 2015.

36 Wilfred Cantwell Smith, *Modern Islam in India,* (Harvard University, Read Books, 2006), pp. 10-15.

37 Myra Hamid, *The political struggles of the ulama of Dar-ul-Uloom Deoband: Identifying and operationalizing the traditionalist approach to politics,* (University of Maryland, College Park, 2005), pp. 21-25.

Islamic education and intellectual discourse. The network of madrasahs remains essential in influencing Muslim communities' religious and social fabric globally.[38]

The Qawmi Madrasah in Bangladesh

In Bangladesh, there are primarily two categories of Madrasahs: government-established and funded madrasahs and non-government-aided and privately managed madrasahs.[39] One is the Alia madrasahs, which operate alongside the secular, modern-style mainstream education system and offer subjects with an Islamic focus. The second category of madrasahs is referred to as Qawmi madrasahs. The Islamic seminaries in Bangladesh have a historical connection to the broader Islamic revivalist-reformist movement in South Asia due to the specialised religious education they provide. Qawmi madrasahs operate autonomously from the state's education system, and their caretakers are ulema who have received training in either local Qawmi madrasahs or the Darul Uloom Deoband.[40] Deoband Madrasah is the primary institution that follows and carries on the traditions of all Qawmi madrasahs in Bangladesh. Numerous Qawmi madrasahs in Bangladesh are purportedly operated under the Deobandi ideology. Most madrasahs in Bangladesh share the same intellectual lineage. These madrasahs have long run on the generosity of their patrons and the resources they possess. This is because financial autonomy is included in five of the eight guiding principles laid out by Maulana Muhammad Qasim in 1866 when the Deoband madrasah was founded.[41]

The Qawmi madrasah of Bangladesh is a direct descendant of the Madrasah Darul Uloom Deoband in India.[42] Qawmi, one of Bangladesh's essential branches of the Madrasah system, emphasises traditional Islamic education. The primary languages used for education are Arabic, Urdu, Farsi, and, to a lesser extent, Bengali.[43] During

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38 Brannon D. Ingram, *Revival from below: The Deoband movement and global Islam,* (University of California Press, 2018), pp. 30-35.

39 Humayun Kabir, "Diversity and Homogeneity of Islamic Education: Colonial Legacy and State Policy towards Madrasas in Bangladesh", *The Journal of Social Studies*, No. 120, (October-December) 2008, Centre for Social Studies, Dhaka, pp. 1-24.

40 Humayun Kabir, "Replicating the Deobandi model of Islamic schooling: the case of a Quomi madrasa in a district town of Bangladesh", *Journal Contemporary South Asia,* Vol. 17, Issue 4, 2009, pp. 415–28.

41 Maulana Nadeem-ul-Wajidi, *Sir Syed and Maulana Qasim Nanotvi*, 18 February 2012, Retrieved: 16 August 2018. https://twocircles.net/2012feb18/sir_syed_and_maulana-qasim_nanotvi.html

42 Abdul Momen, *Op. cit.*

43 Tiffany Ellis, Madrasas in Bangladesh, IPCS Special Report, No. 47, August 2007, Intern, *Institute of Peace and Conflict Studies*, (New Delhi, India), p. 3.

the British period, most Muslim intellectuals in the East Bengal region (now Bangladesh) observed similar challenges in education, culture, philosophy, and Muslim social customs as their counterparts in India around the mid-18th century.[44] After carefully considering these issues, Sheikhul Islam Maulana Habibullah and Bengali academics and Ulamah from Deoband founded Madrasah Darul Uloom Moinul Islam Hathazari in Chittagong, Bangladesh in 1901. The principles of Darul Uloom Deoband inspired the establishment of the madrasah.[45] Subsequently, diverse Muslim academics founded other renowned madrasahs in Bangladesh. Some of the most renowned madrasahs in Bangladesh are the Madrasah of Potia, Mekhol in Chittagong, Lalbagh and Malibagh Madrasah in Dhaka, Darul Uloom Datta Para (Datta Para Madrasah) in Narsingdi District, Balia Madrasah in Mymenshing, and Jmiah Emdadiah in Kishorgong.[46] All of them are private institutions affiliated with the Deobandi movement, which implement the traditional Dars-i-Nizami curriculum in their instruction.[47]

A privately autonomous organisation upholds the rules and regulations of the Qawmi Madrasah called the 'Bangladesh Qawmi Madrasah Education Organisation' (Befaqul Madaris of Bangladesh). Nevertheless, in 2006, the Bangladesh government acknowledged this Madrasah but stipulated that the education system be reformed. Qawmi madrasahs are not only unacknowledged, but they and their pupils are also absent from official government paperwork and other records.[48] Accurate data regarding the quantity of Qawmi madrasahs and the number of students enrolled is currently unavailable. Traditionally, Qawmi madrasahs have refrained from engaging with the government.[49] Consequently, the precise quantity of them remains undisclosed. There are multiple estimations regarding the amount of Qawmi madrasah and their number of pupils. Research indicates that 19 distinct private autonomous boards oversee Qawmi madrasah, with Befaqul Madarisil Arabia Bangladesh (Befaq)

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44 Ghazanfar Ali Khan, *History of Islamic education in India and Nadvatul-Ulama,* (Kitab Bhavan, 1784, Kalan Mahal, Darya Ganj, New Delhi, 110002, 2004), p. 112.

45 Masooda Bano, *Op. cit.*

46 M. A. Rahman, 'Alia Madrasah: Etihash O Oitijjo', *Mashik Shikha Dorshon*, 1st year, 2nd series, publication Nakib Al Mahbub Memorial Trust, 2011, (Bengali)p. 133.

47 Mujib Mehdi, *Madrassa Education: An Observation*, Editor: Rokeya Kabir, (Bangladesh Nari Progati Sangha, Dhaka, 2003), pp. 34-75.

48 M. Niaz Asadullah and Nazmul Chaudhury, "To madrasahs or not to madrasahs: The question and correlates of enrolment in Islamic schools in Bangladesh", *International Journal of Educational Development*, 49, 2016, pp. 55-69.

49 *Ibid*

being the largest among them.[50] In 2006, Befaq presented a report to the Prime Minister, stating that approximately 1.9 million pupils were enrolled in around 15,000 Qawmi madrasahs.[51] However, the integrity of this number was doubted due to the presence of other similar madrasah boards in Bangladesh. The study by Barkat et al. (2011) estimates 5.2 million pupils enrolled in Qawmi madrasah.[52] Alternative calculations indicate that there are between 4000 and around 60,000 Qawmi madrasahs in the country, with an estimated student population of around 1.4 million.[53] Despite the most cautious calculations indicating that the student population exceeds one million, the government documentation hardly acknowledges the existence of the Qawmi madrasah. However, despite the low economic benefits and lack of official recognition, surveys indicate that the enrolment rate in these madrasahs is rising, especially for girls.[54] Following 1971, certain Qawmi madrasahs initiated the process of modernising their educational approach. This involved transitioning from Urdu to Bengali as the language of instruction and incorporating English language and mathematics lessons into their curriculum.[55] The "Non-government Education Board" was formed in 1978 to facilitate the coordination of madrasahs. By 1998, a total of 2,043 madrasahs had registered with this board.[56] During the latter half of the 20th century, there was a significant and primarily uncontrolled expansion in the madrasah sector. The numbers increased from approximately 4,100 in 1986 to as many as 64,000 by 2005.[57]

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50 *Ibid*

51 A. Barkar *et al.*, *Political Economy of Madrassa Education in Bangladesh: Genesis, Growth and Impact,* (Ramon Publishers, Dhaka, 2011), p. 36.

52 *Ibid*

53 M. Niaz Asadullah *et al., Op. cit.*

54 UNICEF Bangladesh, United Nations Children's Fund (UNICEF), *Situation assessment and analysis of children and women in Bangladesh*, (UNICEF, 2009), pp. 45-52. Retrieved rrom: https://www.childrenontheedge.org/uploads/8/2/9/7/8297605/womenandchildrenbangladesh.pdf

55 Zeeshan Hasan, "Market solutions for Qawmi madrasas", *Daily Star*, September, 16, 2020. Retrieved from: https://www.thedailystar.net/news-detail-72723

56 A. B. M. Saiful Islam Siddiqi, "Madrasah", *Banglapedia- The National Encyclopedia of Bangladesh,* Retrieved from: http://en.banglapedia.org/index.php?title=Madrasah, In: Sirajul Islam and Ahmed A. Jamal (eds.), Banglapedia: National Encyclopedia of Bangladesh, Second edition, 2012, Asiatic Society of Bangladesh, Dhaka.

57 *Testimony of Dr. Samina Ahmed*, South Asia Project Director, International Crisis Group, to the House of Representatives Subcommittee on National Security and Foreign Affairs, Committee on Oversight and Government Reform Hearing on "U.S. Archived 3 March 2011, Wayback Machine, 19 April 2005.

In 2004, the Befaqul Madaris of Bangladesh was established. Shortly after, starting in August 2006, the Bangladesh government officially acknowledged and endorsed the Qawmi system. They did this by recognising the 'Dawra degree' offered by the Qawmi madrasah as equivalent to a master's degree in Islamic Studies or Arabic literature.[58] By this time, approximately 15,000 madrasahs had officially enrolled with the Befaqul Mudarressin.[59] In April 2017, Prime Minister Sheikh Hasina reaffirmed her dedication to the previous acknowledgement of the diplomas of Dawrae Hadith under Qawmi madrasah Education Boards as equal to a master's degree in Islamic Studies and Arabic.[60] In 2006, around 15,000 Qawmi madrasahs were registered in Bangladesh, and 200,000 teachers instructed 4 million pupils.[61] The exact figures are uncertain because Qawmi Madrasah does not maintain student enrolment records.[62] Furthermore, there has been a contention that including unregistered Qawmi madrasahs might increase the overall figure of Bangladeshi madrasahs to as many as 64,000.[63]

The Structure of Qawmi Madrasah Education

The Qawmi madrasah system in Bangladesh is a prominent and essential part of the country's educational framework, with a primary emphasis on Islamic education. This traditional system has strong cultural and religious foundations and is an alternative to the government-regulated Alia Madrasah system.[64]

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https://web.archive.org/web/20110303083724/http://www.crisisgroup.org/en/publication-type/speeches/2005/testimony-of-samina-ahmed-to-us-senate-foreign-relations-committee.aspx

58 Supriya Singh, "Recognizing Qaumi Madrasas in Bangladesh: Boon or a Bane?" *The Institute of Peace and Conflict Studies (IPCS),* 17 April 2017. Retrieved from: https://www.ipcs.org/comm_select.php?articleNo=2114#

59 Wasi Ahmed, "Integrating madrasha education system", *The Financial Express*, Jul 14, 2021. Retrieved from: https://thefinancialexpress.com.bd/views/columns/integrating-madrasha-education-system-1626191723

60 By this time, approximately 15,000 madrasahs had registered with the Befaqul Mudarressin.

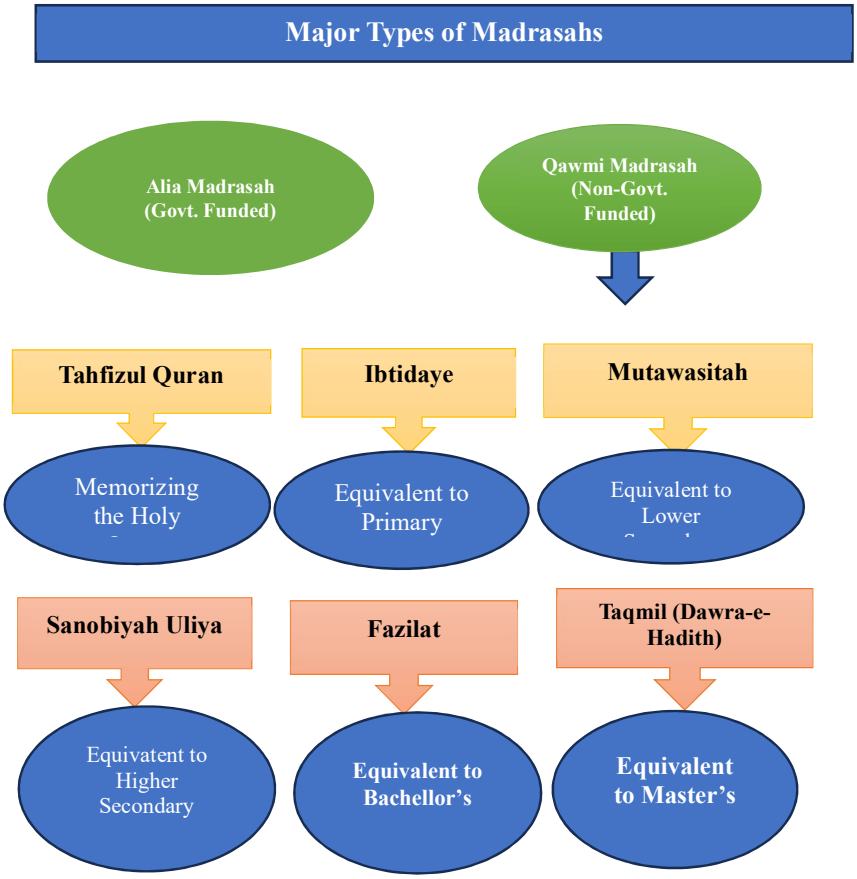
61 Masooda Bano, *Op. cit.*

62 Mohammad Niaz Asadullah *et al.*, *Secondary School Madrasas in Bangladesh*, (The World Bank, Draft: 15 March 2009), p. 21.

63 Testimony of Samina Ahmed, *Op. cit.*

64 *Modernization of Madrassa Education in Bangladesh: A Strategy Paper*, Bangladesh Enterprise Institute (BEI), (Dhaka, 2011). Retrieved from: https://bei-bd.org/grid/publications/?page=5

Qawmi Madrasah Educational Structure



The Qawmi madrasahs have a well-defined educational progression consisting of five primary levels of study: Ibtidaye (Primary Level), Mutawasitah (Secondary Level), Sanobiyah Uliya (Higher Secondary Level), Fazilat (Graduate Level), and Taqmil or Daurah (Postgraduate Level).[65] At the elementary Ibtidaye level, children are introduced to fundamental education, which integrates fundamental religious teachings with general knowledge. This stage establishes the foundation for later stages, where

[65] Syed Al-Hasani *et al.,* "Creating a practicing Muslim: A study of Qawmi Madrasah in Bangladesh", *British Journal of Education, Society & Behavioural Science,* Vol. 20, No. 3, 2017, pp. 1-9.

the curriculum progressively becomes more sophisticated and specialised. As students advance to the Mutawasitah and Sanobiyah Uliya levels, they engage in increasingly extensive Islamic studies alongside their ongoing general topics, equipping them for the more demanding Fazilat level. The Fazilat level corresponds to a college education involving in-depth study of Islamic theology, jurisprudence, and other advanced religious disciplines.[66]

The pinnacle of Qawmi madrasah education is the Taqmil or Dawrah level, which emphasises comprehensive studies and specialisation comparable to postgraduate education.[67] This level focuses on rigorous academic research and an in-depth understanding of Islamic concepts. Aside from the fundamental levels, the Qawmi madrasah system has specialised elements such as the Qur'an and Tazwid, which emphasises Qur'anic grammar and recitation, and the Hifzul Quran, which is dedicated to memorising the Quran.[68] These components are crucial to the conventional Islamic educational structure, guaranteeing that students master fundamental religious practices. After successfully finishing the Dawrah level, students are awarded certification, which allows them to pursue advanced academic and professional prospects.

Further years of study can be pursued to specialise in specific disciplines such as Ifta, which focuses on Islamic law and jurisprudence. Upon graduation, individuals can acquire prestigious intellectual designations such as Muhaddith, Mufti, and Maulana.[69] These titles signify their advanced knowledge and preparedness to contribute to religious, educational, and judicial roles in Bangladesh and internationally. This project aims to investigate the academic framework of Qawmi madrasahs in Bangladesh, analysing the functioning of this system, its syllabus, and its influence on the broader educational and socioeconomic environments. This study aims to provide insight into the Qawmi Madrasah system by examining its intricacies. It strives to explore how this system has shaped Islamic scholarship and influenced Bangladesh's cultural and intellectual environment.

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66 Salma Akter, "Teaching Learning Process and Management System of Primary Grade in Qawmi Madrasa in Bangladesh", *International Journal of Advance Research and Innovative Ideas in Education,* Vol. 6, Issue 6, 2020, pp. 91-95.

67 Syed Mahbubul Alam Al-Hasani, "Madrasah Education in Bangladesh: A Comparative Study Between Aliya and Qawmi", *Journal Of Creative Writing*, (ISSN-2410-6259) 4.2, 2020, pp. 111-132.

68 "*Education systems of Qawmi Madrasah: An investigation*", BANBEIS, Ministry of Education, Dhaka, 2008.

69 "*Education System of Bangladesh: Certificates, diplomas and degrees awarded at all levels, types and disciplines",* BANBEIS, Ministry of Education, Dhaka, 1987.

The Curriculum of the Qawmi Madrasah

The Qawmi Madrasah system in Bangladesh is a prominent and long-lasting aspect of Islamic education in South Asia. The educational system, Dars-i-Nizami, was established by Mullah Nizamuddin Sihalvi in the early 18th century.[70] Its purpose was to cultivate academics with extensive rational and transmitted scientific knowledge.[71] The Dars-i-Nizami curriculum initially prioritised *'ma'qulat'* (rational sciences) above *'manqulat'* (transmitted sciences), reflecting the intellectual environment of Mughal India, where it originated.[72] The selection of Urdu and Farsi as teaching languages was based on their alignment with the administrative requirements of the Mughal Empire.[73] This ensured that graduates could smoothly assimilate into the socio-political structure of their era. Since its founding in 1866, Darul Uloom Deoband has relied on the Dars-i-Nizami curriculum as a fundamental component of Qawmi madrasah education.[74] These institutions strive to nurture faithful Muslim scholars with Islamic jurisprudence and theology expertise and the ability to fulfil their roles as community leaders, imams, and educators.[75] The curriculum covers a wide range of disciplines, such as Tafsir (interpretation of the Qur'an), Hadith (sayings and actions of the Prophet), Shari'ah (Islamic law), and many branches of Arabic and Farsi language studies.[76] Qawmi madrasahs in Bangladesh have been under attention in recent years due to their orthodox approach, which places greater emphasis on religious studies than modern disciplines. Although English and Mathematics have been introduced at the primary level, their integration into the curriculum is still limited. As a result, there have been

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70 Abdul Momen, "The 'Firangi Mahal': Family of the Learned and Their Contribution to the Development of Islamic Educational Curriculum", *Journal of the Asiatic Society of Bangladesh (Humanities)*, Vol. 68, No. 2, December 2023, pp. 219-240

71 M. M. Ali, "An overview on Madarsa education in India", *International Journal of Development Research*, Vol. 5, No. 3, 2015, pp. 3714-3716.

72 Muhammad Anwar Farooq and Mazher Hussain, "A brief survey of Muslim education in pre-colonial India (1206-1857)", *Journal of Social Sciences and Humanities Research*, Vol. 5, No. 2, 2017, pp. 12-15.

73 Abdul Momen and Mobarak Hossain, "Features of Medieval Muslim Education System under the Mughals: An Analysis", *Jagannath University Journal of Arts*, Vol. 12, No. 1, January-June 2022, pp. 241-257. Retrieved from: https://jnu.ac.bd/journal/portal/archives/arts/12/1.jsp

74 Abdul Momen, *Op. cit.*

75 Md Nurul Momen Bhuiyan, *Creating 'Good Muslims': Qawmi Madrasa schooling in a rural town of Bangladesh*, (Diss. School of Social Sciences Theses, 2010).

76 Mohammed Raihanul Hoque *et al.*, "Curriculum Development in Madrasah Education: A Comparative Study with Mainstream Education in Bangladesh", *Journal of Socio-Educational Dynamics – JSED*, 2023, pp. 1-13. Retrieved from: https://jsedresearch.com//papers/volume_1/vol_1_paper_4.pdf

concerns that those who graduate from Qawmi institutions lack the necessary skills and knowledge to effectively engage in the contemporary labour market, whether in the private or public sectors.[77] As a result, there have been demands for educational reforms to better align the Qawmi curriculum with international educational norms. Although facing difficulties, Qawmi Madrasahs continue to be an essential component of the educational system in Bangladesh. They maintain their autonomy from government oversight and continue to benefit from the extensive intellectual legacy of the Dars-i-Nizami curriculum.[78] This dissertation examines the historical evolution, present methodologies, and possible future trajectories of the Qawmi madrasah curriculum in Bangladesh. It thoroughly studies its advantages and areas that could be enhanced.

Incorporating teaching and learning into regular ritual activities is the primary factor contributing to the profound esteem and deep relationship between teachers and pupils. This strategy is exclusive and exceptional for acquiring knowledge from teachers.[79] The primary objective of the Nizami Curriculum of Qawmi madrasah was to cultivate a devout Muslim who possesses a deep understanding of Islamic teachings and engages in religious practices with that knowledge. They will have the capability to safeguard Islam, shield Islam from Western threats, and actively participate in spreading the teachings of Islam to others. Teachers prioritise pupils' moral, spiritual, and character development while teaching knowledge from the Qur'an and Sunnah.

Mumtaz Ahmad has highlighted the significant modifications implemented in Qawmi madrasahs during the past thirty years.[80] Such as:

- Bangla has replaced Urdu as the language used for teaching. This stage is crucial for the process of "indigenisation" of Islam and Islamic scholarship, as well as for separating them from their origins in North Indian Islamic traditions.
- Bangla has been mandated as a required topic up to the secondary level (Marhala-i-Sanvia). Qawmi madrasahs did not include Bangla in their curriculum before 1972.

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77 Tiffany Ellis, *Op. cit.*

78 Md. Abdul Karim Ruman and Md Abdullah Bhuiyan, "Ebtedayee English syllabus under BEFAQ: An evaluation", *Bangladesh Research Foundation Journal*, Vol. 4, No. 1, 2015, pp. 14-30.

79 Keith Trigwell *et al.*, "Relations between teachers' approaches to teaching and students' approaches to learning", *Higher education*, Vol. 37, No. 1, 1999, pp. 57-70.

80 Mumtaz Ahmad, *Madrassa Education in Pakistan and Bangladesh*, (Religious Radicalism Security in South Asia, 2004), p. 103. Retrieved: January 20, 2007. https://dkiapcss.edu/Publications/Edited%20Volumes/ReligiousRadicalism/ReligiousRadicalismandSecurityinSouthAsia.pdf

- Topics like politics, economy, and the historical development of Islam in the Indian subcontinent until the formation of Bangladesh have been included.
- English has been mandated as a required subject in the primary portion, and numerous madrasahs now offer resources for English education at advanced levels.
- Elementary school instruction has been incorporated into Qawmi madrasahs, encompassing general courses and Islamic education.
- The curriculum now includes the study of comparative religion.
- Implementing bureaucratic systems for admission and administrative procedures and adopting professional management techniques are currently being carried out, particularly in larger madrasahs. Personal computers will significantly impact this process; shortly, multiple large madrasahs will establish their websites.
- The user's text is a bullet point. A significant advancement has been the implementation of a centralised system for evaluating academic performance in Qawmi madrasahs. This system includes the standardisation of curriculum, syllabi, and examinations, which are overseen by two major federations: Wafaqul Madaaris, with 1,500 affiliated madrasahs, and Anjumun Ittehadul Madaaris, with over 500 affiliated madrasahs.
- The sources of funding have been expanded and varied. While zakat and sadakas collected from local communities and donations from local and Pakistani business communities remain significant, the expatriate Bangladeshi workers in the Gulf States, Western Europe, and North America have emerged as a substantial funding source for Qawmi madrasahs. In addition, Muslim non-governmental organisations (NGOs) located in Europe and North America and specific individual Muslim donors in the Gulf and South Africa contribute financial resources for primary religious education. The Saudi-based World Muslim League (Rabita Alim Al Islami) has substantially donated to a few Ahl-I-Hadith madrasahs, with the largest in Rajshahi.

One of the hundred crucial functions of these madrasahs is to offer fatwas (explanations of religious literature about contemporary concerns) to Muslims free of charge, based on the Quran, Sunnah, Ijma, and Qias. To carry out this task, it keeps a roster of knowledgeable muftis (ulema qualified to issue fatwas). The institution instructs and motivates students to engage in Tableeg (the dissemination of Islamic teachings) within the Muslim community, emphasises the importance of leading a frugal lifestyle by Islamic principles, and enhances their proficiency in composing

kutabs (sermons delivered during Friday prayers).[81] A particular focus is given to instructing pupils in debate and discussion, enabling them to engage in cross-religious debates. The library possesses an extensive assortment. Upon finishing their education, the students of these madrasahs are expected to instruct in religious establishments domestically and pursue employment opportunities in the Middle East.

The level of instruction provided is contingent upon the teaching competence of the Qawmi madrasah. Additionally, the bulk of them provide shelter and education to orphaned individuals. Alia madrasah is influenced by the Calcutta Alia madrasah founded by Warren Hastings in 1780, whereas Qawmi madrasah derives its inspiration from the Darul Uloom Deoband.[82] They are dispersed around the entire nation and collaborate with assistance from community donations. Chittagong is the primary centre for Qawmi madrasah, home to the most esteemed Deobandi madrasah. An elucidation of prominent Qawmi madrasahs shows their inception and functioning. Darul Uloom Moniul Islam Hathazari, the preeminent Jamia among the Qawmi madrasah in Bangladesh, was founded in 1901 via the collaborative endeavours of prominent academics such as Muhammad Habubullah, Maulana Abdul Waheed, Maulana Azizur Rehman, and Maulana Jamiruddin.[83] The students originate from various regions of the country and are exempt from any charges.[84] Chittagong became the centre of Islamic education in Bangladesh, and the bastion of Qawmi madrasah can be attributed to its status as a port city, as stated by the ulema and supported by historical texts. Arab traders frequently made a halt on the Bengal coast along the eastern trade routes.[85] It has been suggested that these traders formed a small Muslim community in the Chittagong area. There is evidence that Arabs had contact with this region as early as the eighth century, as documented by Arab geographers who mentioned the names of ports and cities.[86] Several Sufi saints and academics are thought to have existed before the Muslim invasion, such as Baba Adam Shahid of

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81 Syed Al-Hasani *et al*., *Op. cit.*

82 Abdul Momen, *Op. cit.*

83 Humayun Kabir, "Replicating the Deobandi model of Islamic schooling: the case of a Quomi madrasa in a district town of Bangladesh", *Contemporary South Asia*, Vol. 17, No. 4, 2009, pp. 415-428.

84 Masooda Bano, *Op. cit.*

85 Richard M. Eaton, *The rise of Islam and the Bengal frontier, 1204-1760*, (Delhi: Oxford University Press, 1994).

86 Britannica, The Editors of Encyclopaedia, "Chittagong", *Encyclopedia Britannica*, 9 March 2024, Accessed 16 May 2024. Retrieved from: https://www.britannica.com/place/Chittagong.

Rampal, Shah Sultan Rumi, and others. Saint veneration, often known as prism, is prominent in famous Islam in Bengal.[87]

Government Policy and Qawmi Madrasah

The educational environment in Bangladesh has been historically influenced by a wide range of academic institutions, such as the Qawmi Madrasahs, which have been traditionally run by private management groups and funded by community donations. In recent decades, Madrasahs have become a prominent topic of discussion in society due to their substantial presence, with millions of students enrolled and a widespread growth of Qawmi Madrasahs throughout the country. The socio-cultural and political impacts exerted by these institutions have emphasised the necessity of a thorough analysis of their function in the educational environment of Bangladesh. Under the rule of the BNP-Jamaat regime, acknowledging Qawmi Madrasah education became prominent.[88] The government's first actions in acknowledging Dawra's credentials, as declared by the former prime minister in August 2006, were a crucial turning point in the discussion on Qawmi Madrasahs. Prime Minister Sheikh Hasina reiterated the acceptance of Dawra-e-Hadith from Qawmi Madrasahs as a post-graduate degree in April 2017, notwithstanding the difficulties in implementing it.[89] The passage of a measure recognising the Dawrae Hadith (Takmil) Certificate as a post-graduate degree in Islamic Studies and Arabic, along with other following developments, indicates a notable change in government policy aimed at incorporating Qawmi Madrasah students into the wider society.[90] Creating a consolidated governing body to supervise Qawmi Madrasah education and harmonising Qawmi educational benchmarks with mainstream academic standards are essential to closing the divide between traditional religious instruction and official academic acknowledgement.[91] The evolving

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87 Masooda Bano, *Op. cit.*

88 Staff Correspondent, "Master's Status for Top Qawmi Degree: Towards legal recognition", *The Daily Star*, August 14, 2018. Retrieved from: https://www.thedailystar.net/news/country/bangladesh-cabinet-approves-bill-recognising-qawmi-madrasahs-dawrae-hadith-1620178

89 *Asian Bangla*, "Master's Status for Top Qawmi Degree: Towards legal recognition," August 14, 2018, Dhaka, Retrieved from: https://asianbangla.com/2018/08/14/masters-status-for-top-qawmi-degree-towards-legal-recognition/

90 *The Daily Observer*, "Qawmi Madrasa's Dawrae Hadith gets recognition, Cabinet approves draft bill", Published: Tuesday, 14 August, 2018. Retrieved from: https://www.observerbd.com/news.php?id=153457

91 "Draft for law related to 'Dawra-e-Hadith' finalized", *Dhaka Tribune*, June 30, 2018. Retrieved from: https://archive.dhakatribune.com/bangladesh/education/2018/06/30/draft-for-law-related-to-dawra-e-hadith-finalized.

educational landscape in Bangladesh highlights the significance of inclusivity and diversity in establishing a comprehensive academic framework. This is seen in the acceptance of Qawmi Madrasahs and their students as vital components of the national education system.

Al-Haiatul Ulya Lil-Jamiatil Qawmia Bangladesh is the governing body overseeing the government-recognized unified Qawmi Madrasah Education Board of Bangladesh and the Qawmi Institutions inside the country.[92] This institution possesses the jurisdiction to administer nationwide examinations and grant degrees, serving as a crucial entity in the educational framework of Bangladesh. The unified system, consisting of six Qawmi Madrasah Education Boards - Tanjeemul Madarisid Diniya Bangladesh, Azad Deeni Edaraye Talim Bangladesh, Anjumane Ittehadul Madaris Bangladesh, Befaqul Madarisil Arabia Bangladesh, Jatiya Deeni Madrasa Shikkha Board Bangladesh, and Befaqul Madarisil Qawmia Gauhordanga Bangladesh, was officially acknowledged by the government on April 11, 2017.[93] The government's decision to consider a Dawra-e-Hadith certificate from a Qawmi Madrasah equivalent to a master's degree in Islamic studies and Arabic, based on the ideas of Darul Uloom Deoband, has generated discussions among education experts. Although this action aimed to simplify and establish a uniform Qawmi education system, concerns were voiced about the differences between Qawmi education and the education followed by the majority. Prominent scholars stressed the importance of revising the curricula of Qawmi Madrasahs to conform to contemporary educational trends before considering their certificates equivalent to advanced academic degrees.[94]

Critics contended that the unique characteristics of Qawmi education, which places significant emphasis on religious studies, presented difficulties in aligning their credentials with conventional academic degrees. The discussion on acknowledging Qawmi certificates as equal to traditional degrees has emphasised the necessity for educational restructuring and amalgamation between the Qawmi and general education

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92 "First Dawra-e-Hadith exams May 15", *The Independent*, Dhaka. 17 April 2017. Access: 27 February 2020. Retrieved from: https://www.theindependentbd.com/post/90454.

93 "Qawmi Madrasa Dawrae Hadith gets recognition", *The Daily Star*, BSS. 11 April 2017. Retrieved from: https://www.thedailystar.net/country/qawmi-madrasa-dawrae-hadith-gets-recognition-1389823.

94 *Dhaka Tribune*, "Experts: Modernizing Qawmi education more important than upgrading certificates," published on October 7, 2018. Retrieved from: https://archive.dhakatribune.com/bangladesh/education/2018/10/07/experts-modernizing-qawmi-education-more-important-than-upgrading-certificates.

systems.[95] Proposals were put forward to form an education committee of Islamic scholars and researchers to modernise the Qawmi education system by integrating science, English, and Arabic disciplines.[96] As the discussion continues over recognising and incorporating Qawmi education into Bangladesh's more comprehensive educational system, pursuing high-quality education and inclusiveness remains a key focus. Ensuring a harmonious blend of traditional values and technological advancements, bridging gaps in the curriculum, and expanding opportunities for students in Qawmi Madrasahs are crucial factors to consider when determining the trajectory of education in the nation.

Conclusion and Recommendations

The Qawmi madrasah system in Bangladesh embodies a diverse and intricate blend of historical, traditional, and community-oriented education. These institutions, which have a strong foundation in the Islamic academic tradition, have undergone adaptation and evolution over centuries to address the evolving demands of Bangladeshi society. As we wrap up this dissertation, Qawmi madrasahs will undoubtedly persist in playing a crucial role in creating the educational and cultural scenery of the country. Qawmi madrasahs function as strongholds of Islamic identity, safeguarding and spreading the teachings of the Quran, Hadith, and Islamic jurisprudence. These institutions offer a dedicated environment for exploring and examining traditional Islamic disciplines, aiming to preserve and transmit the extensive intellectual legacy of the Muslim world to succeeding cohorts. These institutions play a role in the spiritual and moral growth of Bangladeshi Muslims by creating scholars and religious leaders. With the growing globalization and interconnection of the globe, Qawmi madrasahs are confronted with the task of modifying their curricula and teaching methods to equip students for the requirements of the 21st century adequately. While upholding their primary emphasis on Islamic education, these institutions must devise strategies to integrate contemporary courses and competencies without compromising their fundamental values and beliefs. Continuing changes and discussions over the future of Qawmi education will be essential in achieving this delicate equilibrium.

A notable characteristic of Qawmi madrasahs is their profound affiliation with nearby communities. These organizations generally fund their operations through public

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[95] *Asian bangla*, Dhaka, "Master's Status for Top Qawmi Degree: Towards legal recognition," August 14, 2018. Retrieved from: https://asianbangla.com/2018/08/14/masters-status-for-top-qawmi-degree-towards-legal-recognition/

[96] *Dhaka Tribune*, *Op. cit.*

donations, Zakat, and endowments. They function as central locations for social and religious activities. They offer students complimentary instruction, sustenance, and accommodation, guaranteeing universal access to information. Qawmi madrasahs enhance social cohesiveness and well-being in Bangladeshi society by promoting community and shared purposes. As Bangladesh progresses, the significance of Qawmi madrasahs in influencing the trajectory of Islamic education will grow in importance. These institutions must devise strategies to adjust to emerging problems while upholding their fundamental beliefs and principles. Qawmi madrasahs can strive for a future in which Islamic education is smoothly incorporated into Bangladeshi society by actively participating in productive discussions with policymakers, educators, and the general public. Despite the existence of problems and controversies, it is evident that these institutions will persist in safeguarding Islamic identity, promoting community involvement, and influencing the trajectory of Islamic education in the nation. The contributions of Qawmi madrasahs will play a crucial role in securing a future for Bangladesh that upholds and celebrates Islamic values and beliefs.

Although there are significant differences in many elements of contemporary living, the globe is undergoing rapid transformation due to scientific and technological progress. It is imperative to enhance the curriculum of the Qawmi madrasahs to guarantee their pertinence and efficacy. The subsequent suggestions are formulated based on the discoveries, deliberation, and deductions:

- The curriculum of Qawmi madrasahs should be updated to include contemporary disciplines such as science, mathematics, and technology in addition to traditional religious instruction. This will empower students to make meaningful contributions to religious and economic progress by the demands of contemporary society.
- During the curriculum reform process, it is essential to maintain the integrity of the key subjects of Dars-e-Nizami without making any alterations. Introducing vocational subjects and current skills can improve the chances of finding employment, particularly in Arabic-speaking countries where students are highly skilled in Arabic.
- Qawmi madrasahs, at a more advanced level, should strive to achieve a harmonious blend of religious topics and technological and vocational education. Subjects like Tafsir, Hadith, Adab (Arabic Literature), and Fiqh can be enhanced by using current technological instruction.

- A career-oriented curriculum can be established by incorporating disciplines that align with general education. This would enable Qawmi madrasah students to compete with mainstream students in diverse professional domains effectively.
- Teacher training and curriculum development should be prioritized. Use the current commercial and public sector infrastructure to deliver thorough training for madrasah instructors, ensuring they possess the necessary skills to teach religious and modern subjects properly.

By implementing these recommendations, Qawmi madrasahs can ensure that their graduates possess a deep understanding of religious studies and modern skills, enabling them to be more competitive and proficient in different professional fields.

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Civil Resistance and Student Activism in the Political Struggles of Bangladesh (1947-1971)

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Abstract

The political history of Bangladesh has been significantly shaped by student-led campaigns of civil resistance, understood as political action relying on nonviolent methods and tactics. In the long struggle for independent Bangladesh, civilians from diverse sections of the society embraced nonviolence as a strategy to challenge oppression and injustice. Yet, the account of nonviolent struggles has received less treatment in the literature. This paper is an attempt to analyze students' nonviolent movement activism in Bangladesh from historical perspectives. In the events of civilian struggle in pre-independence Bangladesh (1947-1971), student activism became catalytic in forwarding popular demands, including establishing Bangla as the mother language, autonomy and self-rule, and independence. This paper investigates to what extent students as social actors could help mobilize broad-based civil resistance in the context of contention between power holders and civilian protesters. The analysis is informed by theoretical insights from resistance and protest movement studies. In this vein, this paper engages the political process approach to examine student-led civil resistance in the political history of Bangladesh. The data source includes published articles and books. Based on an extensive review of the secondary sources, the findings suggest that students' strategic choice of nonviolent political action generated great appeal among ordinary civilians. It helped transform ordinary people's power into social power which ultimately formed a base of mass resistance and helped to bring about significant socio-political changes in the political landscape of pre-independence Bangladesh.

Key words: Bangladesh, Civil resistance, Student, Struggle, Protest movement, nonviolent

Introduction

Political struggles have been a fundamental and persistent characteristic of the society and politics in most colonial countries of the South Asian region. Bangladesh is known for its civilian's passion and sacrifice for important socio-cultural and political agenda.[1]The pre-independence political history of Bangladesh has conjured

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[1] Sumanta Banarjee, "Radical and violent political movements", Paul R. Brass, (ed.). *Routledge handbook of South Asian Politics India, Pakistan, Bangladesh, Sri Lanka, and Nepal*, (Routledge New York, 2010).

up waves of the active struggle of different groups who often treated them as marginalized in many directions i.e., cultural, economic, and political. They constituted peasants, students, teachers, lawyers, politicians, and wider sections of people, together representing vocals on behalf of ordinary civilians. Ever since the partition of the Indian subcontinent in 1947 to the period before Bangladesh wins freedom in 1971, the political landscape of undivided Pakistan saw a flurry of political protest, contestation, and defiance against the political authority or power holders to raise voice for great causes: establishing language rights, self-rule, autonomy, and independence. On many occasions, such resistance movements typically followed nonviolent methods, including protest and persuasion, noncooperation, and nonviolent intervention.[2] The strategy of nonviolent collective action became a reliable mode of people's political struggle in the then eastern wing of Pakistan (present Bangladesh).[3]

Students, particularly public university students, are considered as a significant political force.[4] Lipset argues that students are the emerging elites—the status which they acquire by virtue of their higher academic training at the university level.[5] Student activism has significantly impacted the political arena in many countries in the past century. To mention, Turkey, Korea, Japan, and Thailand in which student demonstrations brought down the dictatorial regime and change in governments, to indicate student power.[6] Nowadays, student activism has been diverse and robust. Their spontaneous responses to different political crises and events have prompted them to involve in more and more protest movement activities, instead of being mere participants.[7]

Student movement serves as a powerful unit in the struggle for political transformation. There were a remarkable number of such events in the twentieth century in many Asian countries and across the globe: in India, Gandhi led the nonviolent movement that played a crucial role in ending British colonial rule; in the

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[2] Kurt Schock, *Unarmed insurrections. People power movements in non-democracies*. (University of Minnesota Press, 2005).

[3] Ishtiaq Hossain, "Bangladesh civil resistance in the struggle for independence," Maciej J. Bartkowski (ed.), *Recovering nonviolent history: civil resistance in liberation struggles*. February, (Boulder CO: Lynne Rienner Publishers, 2013).

[4] Jungyun Gill and James DeFronzo, "A comparative framework for the analysis of international student movements", *Social Movement Studies*, Vol. 8, No. 3, 2009, pp. 203-224.

[5] S. M. Lipset, "The possible effects of student activism on international politics," Lipset S.M. and P.G. Altbach, (eds.), *Students in Revolt*, (Boston: Houghton Mifflin, 1969).

[6] Philip. G. Altbach, "The transformation of the Indian student movement", *Asian Survey*, Vol. 6, No. 8, (August 1966), pp. 448-460.

[7] M. L. Weiss, E. Aspinall and M. Thompson, "Introduction: Understanding student activism in Asia, M. L. Weiss and E. Aspinall (eds.). *Student activism in Asia: Between protest and powerlessness, (*Minneapolis: University of Minnesota Press, 2012), pp. 1–32.

Philippines the two-decades-long dictatorship of Marcos was ousted in just four days of active resistance involving students; in Ukraine the Orange Revolution brought an end to the corrupt regime in less than two months; and student and youth-led nonviolent civil resistance led to the removal of long term dictatorships in Tunisia and Egypt in a matter of weeks.[8]

The early scholarship on student politics in developing countries tended to view student protest activism in relation to nationalist and independence struggles.[9] Students protest activism remained integral to every transformative moment of political life in Bangladesh.[10] This has been evidenced in the country's political history by the events related to people's struggle for language (1948-1952), the massive upsurge against the martial regime of Ayub Khan in 1969, and the formative phase of liberation war of 1971.[11]Nearly in every protest mobilization, the student community, particularly the university students, have been appeared as a leading actor to run protest activity very spontaneously and effectively than any other social group does. Thus, student force has occupied an important place in the academic and public discussion.

The literature on civil resistance studies has concentrated on the practice of resistance by different groups. For example, recently, a handful of literature demonstrates women's power, explaining women's action of civil resistance and unpacking the important intersection between gender inclusion and nonviolent social movement.[12] [13][14]Schock identifies that labor movements, indigenous people's movements, and the movements of the environment and peace activists have been broadly presented in the literature.[15] Yet, protest activism by students has remained underrepresented in

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8 Erica Chenoweth and Maria J. Stephan, "Understanding nonviolent resistance: An introduction" *Journal of Peace Research*, Vol. 50, No. 3, 2013, pp. 271–276.

9 Seymour Martin Lipset and Philip G. Altbach (eds.), *Students in revolt*. Vol. 14. (Boston: Houghton Mifflin, 1969).

10 Bert Suykens, "What do we know about student politics in Bangladesh?, *Resistance, Accomodation, Cooptation and Sacrifice (1947-2019)," Conflict Research Group,*(Ghent University, 2019).

11 Md. Moynul Haque, *Civil resistance in Bangladesh: A study on students' participation and activism in the Shahbag Movement*. PhD Dissertation, (Germany: Bielefeld University, 2023).

12 Erica Chenoweth, "Women's participation and the fate of nonviolent campaigns: A report on the women in resistance (WiRE) data set," *One Earth Future Foundation*, (Broomfield Colorado, 2019), pp. 1-37.

13 A. M. Codur and M. E. King, "Women in civil resistance", M. M. Kurtz and L. R. Kurtz (eds.), *Women, war and violence: Typography, resistance and hope*, (Santa Barbara, CA: Praeger, 2015), pp. 401-446.

14 A. N. Costain "Women's movements and nonviolence", *PS: Political Science and Politics,* Vol. 33, No. 2, 2000, pp. 175–180.

15 Kurt Schock, "The practice and study of civil resistance," *Journal of Peace Research*, Vol. 50, No. 3, 2013, pp. 277-290.

civil resistance literature. We know very little about whether and how students are involved in civil resistance and act out a form of claim-making activism.

Student-led resistance struggles are clearly a manifestation of collective action that follows a process of frame alignment. There are also resources and opportunities around which an active protest mobilization takes place. The Bangladesh case is no exception to this spectrum. Against this backdrop, this paper takes the task to explain historically significant resistance struggles through a political sociology framework. In doing so, it will examine the contention between power holders and student protesters considering two components of social conflict theory. Firstly, the injustice model explains the asymmetry of power relations with respect to the economic, moral, political, or social order and provides a broad banner for framing civil resistance activism. Secondly, the mode of authority's response that provides an opportunity of the likelihood of resistance intensity.

This article brings to light the existence and trajectory of nonviolent organizing and defiance where popular demand has not commonly been addressed, with student's high concentration in it. It also tries to explicate diverse issues that brought students into claim-making politics. This paper will take a historical tour to underscore the inception of student political prominence in the protest landscape in erstwhile East Pakistan. The article investigates to what account student as a social actor could help to alter power relations as well as mobilizing broad-based civilian resistance in the context of contention between power holders and civilian protesters.

The paper is organized as follows. The next section briefly discusses the key concepts such as civil resistance, and student activism. It then analyses student-led civil resistance struggles in the East Pakistan during the period between 1947 and 1971, informed by theoretical insights from political sociology. The final section summarizes the author's key arguments.

Conceptual Discussion

The concept of civil resistance

Civil resistance is a significant type of political action that represents the active struggles of ordinary people.[16] It is understood as a collective action undertaken by people to prosecute conflict by nonviolent means. Over the past hundred years, the tactics used in civil resistance, including mass rallies, strikes, human chains, boycotts, political non-cooperation, sit-ins, and other forms of civil disobedience,

[16] Adam Roberts and Timothy Garton Ash (eds.), *Civil resistance and power politics: The experience of non-violent action from Gandhi to the present*, (Oxford University Press, 2009).

have proven to be successful weapon in the hand of marginalized communities, the governed, powerless, and plebeians.[17]

The concept of civil resistance is a composite of two words: 'Civil' refers to ordinary people or unarmed citizens. A civilian is also an individual who chose to act, intentionally or motivated by others, in a situation of injustice or in extreme threatening circumstances, such as police crackdown and ruthless repression by the powerful. The term 'resistance' suggests struggle through the non-institutional channel, disobedience, non-cooperation, and refusal; although resistance may be a form of self-activity, or it can also be a brave response to ordinary people.[18]

Civil resistance refers to non-routine political acts of civilians engaged in asymmetric conflicts with opponents that rely on the use of nonviolent methods.[19]It entails an active fight against situations of injustice, oppression, discrimination, and tyranny. It is a political action that operates within the bounds of non-routine and non-institutional channels– that is, an act that operates outside of channels controlled by authorities. It is nonviolent in that the primary challenge to the target opponents does not involve physical violence or threat of violence.[20]

The concept of civil resistance started to develop from the past hundred and fifty years. The remarkable upsurge of nonviolent resistance significantly took place in Asian countries in 1980s and 1990s. Zunes[21]argues that it is in the third world where nonviolent insurrection or the people power "have overthrown authoritarian regimes, forced substantial reforms." In South Asia, the term civil resistance is popular for its moral (principled) dimension, which is built upon Gandhi's pacifist philosophy of *Satyagraha*– translated as truth force or soul force.[22] Gandhian approach to nonviolence received much academic merit due to its success in the revolutionary protest to end the British colonization. It left far-reaching consequences, for that in the subsequent time of Gandhi, South Asian countries have followed his philosophy as basic tenets to practice nonviolent action. The same is true in the context of many

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17 Asef Bayat, "Plebeians of the Arab spring." *Current Anthropology*, Vol. 56, No. 11, 2015, pp. 33-S43.

18 Erica Chenoweth, *Civil resistance: What everyone needs to know,* (Oxford University Press, 2021).

19 Kurt Schock, *Civil resistance today*, (John Wiley & Sons, 2015).

20 Sharon Erickson Nepstad and Lester R. Kurtz, (eds.), *Nonviolent conflict and civil resistance*, (Emerald Group Publishing Limited, 2012).

21 Stephen Zunes, "Unarmed insurrections against authoritarian governments in the third world: A new kind of revolution," *Third World Quarterly*, Vol. 15, No. 3, 1994, pp. 403-426.

22 Sharon Erickson Nepstad and Lester R. Kurtz, (eds.), *ibid*.

countries of this region, where the transmission of nonviolent ideas and tactics brought impetus to advance great causes–freedom, democratization, and justice. For Bangladesh, it is reasonable to believe that Gandhian approach remained the sources of motivation for nonviolent action due to the country's geographical proximity and previous affiliation with the Indian subcontinent.

Student activism

The concept of 'activism' refers to a contentious and non-conventional form of claim-making politics in which protest, demonstration, and boycott campaigns are commonly used tools. The notion of activism emanates from the broader concept of political participation, understood as the set of actions that are directed to modify or change the current state of affairs.[23] This research understands activism as the act of protest by people to influence the authority and or government decisions exclusively through non-institutional channels.

The starting point for defining student activism is Altbach's framework. Following Altbach's conceptual toolkit, Luescher-Mamashela[24] understand this way: "Student activism is the collective public expression of ideas by students aimed at creating politically public debate on a topic and seeing to bring about significant (moderate, radical or even revolutionary) socio-cultural and political change." The space of activism among students is no longer limited to the institutional and educational boundaries. Student protest behavior is widely observed on political streets. Viewing in this line, student activism in Bangladesh is mainly understood as some form of protest which is related to extra-university factors and broadly includes local, national, social, and political concerns.

Weiss Aspinall and Thompson's[25] definition of student activism is helpful for this study. They define student activism as "collective action by university students directed toward (and often) against the ruling regime." Following Corning and Myers[26] this research tends to understand student activism as one kind of protest behavior of advocating and forwarding a political cause, mobilized on the street via a

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[23] M. Quaranta, "Protest and contentious action," M. Wagner, D. Morisi, W. R. Thompson, and R. Dalton, *Oxford research encyclopedia of politics*. (Oxford University Press, 2017), pp. 353-358.

[24] T. M. Luescher-Mamashela, "Altbach's Theory of Student Activism in the Twentieth Century: Ten Propositions that Matter," Burkett, Jodi, (ed.), *Students in Twentieth-Century Britain and Ireland*, (Palgrave Macmillan Cham, 2018).

[25] M. L. Weiss, E. Aspinall and M. Thompson, *ibid*.

[26] Alexandra F. Corning and Daniel J. Myers, "Individual orientation toward engagement in social action", *Political Psychology*, Vol. 23, No. 4, 2002, pp. 703-729.

large array of tools and resources including technology and cultural motivation. More precisely, student activism denotes students' efforts to advance, obstruct, or direct social and political change or to make improvements in society and change society. Forms of student activism are diverse, ranging from, but not limited to, public speeches, boycotts, strikes, rallies, street marches, sit-ins, slogans, banners, posters, and displayed communication.

Literature Review and Rationale for Research

Protest activisms have long been the key subjects of social movement research. The literature in civil resistance studies–e.g. Chenoweth and Stephan [27], Nepstad[28] and Schock[29]– mainly concentrates on (a) success and failure at the country level, looking into why civil resistance campaigns become successful in bringing major political reforms e.g., regime change in some countries while failure in other countries; and (b) effects on democratic quality: democratic stability of post-transition regime and society i.e. countries that experienced transition through nonviolent resistance, there was a relatively higher level of democracy and chances of reversal is less likely.[30] While the extant literature deal with the macro-level output of movement activism, the outcome resulting from student-related activism in civil resistance is no less important subject to inquiry.

Civil resistance scholars argue that people from different sections of society are likely to participate in the campaigns of nonviolent protest.[31] Research highlighting students' participation in civil resistance is a recent enterprise, although it has not grown enormously. Very few scholars have explored student's link to civil resistance movements explicitly. Dahlum's [32] study claims that students show intrinsic preference to participate in nonviolent protest. It further argues that all over the world civil resistance protests have been largely organized and effectively operated by the educated young group, mostly university students. This argument can be a departure point to study student-civil resistance connection. Yet we know very little about the

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[27] Erica Chenoweth and Maria J. Stephan. *Why civil resistance works: The strategic logic of nonviolent conflict*, (Columbia University Press, 2011).

[28] Sharon Erickson Nepstad, *Nonviolent revolutions: Civil resistance in the late 20th century*, (Oxford University Press, 2011).

[29] Kurt Schock, *Civil resistance: Comparative perspective on nonviolent struggle*. *Social Movements, protest, and contention*, (University of Minnesota Press, 2015).

[30] Felix S. Bethke and Jonathan Pinckney, "Non-violent resistance and the quality of democracy," *Conflict Management and Peace Science*, Vol. 38, No. 5, 2021, pp. 503-523.

[31] Erica Chenoweth and M. J. Stephan, *ibid*.

[32] S. Dahlum, "Students in the street: Education and nonviolent protest", *Comparative Political Studies,* Sage Publications, 2018, pp.1-33.

student dimension of civil resistance in specific country context: whether and how student involve in civil resistance campaigns.

Scholarship of both student movement and sociology of higher education have noted a considerable degree of involvement by students in protest movements about both education-specific concern, e.g., tuition fees increase; wider political issues such as regime transformation, democratic reform, and the conservatism of the ruling party; global concern such as austerity policy, climate issue; and concern about social justice, gender rights, and corruption.[33] Scholars have expounded on the spontaneous protest by students erupted in many new democracies, particularly located in the third world countries.[34] While early scholarship on student politics in developing countries tended to view student protest activism in relation to nationalist and independence struggle,[35] the recent scholars on student activism broadly explained student's large-scale protest movements linked to claim-making politics.[36]

The impressive growth of higher education level students' protest action seems to reflect a new type of student citizens[37], who are highly conducive to acting collectively to express voices, ideas, make demands on authority or hold authority accountable; who remains interested in socio-political affairs, and strongly favors basic democratic and egalitarian values, but is critical of conventional systems of representation and mediation, and prefers to participate in more horizontal ways.[38] Such phenomenon has presented clear evidence that students prefer to take part in politics in a more informal pattern rather than being completely alienated from it.[39]

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[33] Raluca Abăseacă, and Geoffrey Pleyers, "The reconfiguration of social movements in post-2011 Romania", *Social Movement Studies*, Vol. 18, No. 2, 2019, pp. 154-170.

[34] David A. Snow and Dana M. Moss, "Protest on the fly: Toward a theory of spontaneity in the dynamics of protest and social movements", *American Sociological Review*, Vol. 79, No. 6, 2014, pp. 1122-1143.

[35] P. G. Altbach and S. M Lipset, *ibid.*

[36] Lorenzo Cini and César Guzmán-Concha, "Student movements in the age of austerity, The cases of Chile and England," *Social Movement Studies*, Vol. 16, No. 5, 2017, pp. 623-628.

[37] Manja Klemencic, "What is student agency? An ontological exploration in the context of research on student engagement", M. Klemencic, S. Bergan, R. Primožic (eds.), *Student engagement in Europe: Society, higher education and student governance*, Council of Europe Higher Education Series, 20, (Strasbourg: Council of Europe Publishing, 2015), pp. 11-29.

[38] L. Hustinx *et al*., "Monitorial citizens or civic omnivores? Repertoires of civic participation among university students," *Youth & Society*, Vol. 44, No. 1, 2012, pp. 95–117.

[39] R. Brooks, "Student politics and protest: An introduction," R. Brooks (ed.), *Student politics and protest: International perspectives*. First edition, Research into Higher Education (Abingdon: Routledge, 2017).

Scholars of student movements have paid much attention to covering narratives of worldwide moderate and revolutionary student movements.[40] But the theoretical insights from civil resistance literature to student movement are still limited in numbers. Moreover, the previous works on popular uprisings concentrated on the role of indigenous groups, the middle class, and above all, the role of subaltern classes are mainly focused. However, the role of students in civil resistance movements has remained understudied.

The Asymmetric Situation Leading to Civil Resistance in the Pre-Independence Period

The resistance and injustice model developed by David V. J. Bell back in 1973 in his seminal book *Resistance and Revolution* helps to explain why people resist in certain social circumstances. The central argument of this theory according to Bell,[41] "all instances of resistance behavior are rooted in and rationalized in accordance with a sense of "injustice", with respect to the economic, moral, political or social order, for which the government is assumed to be at least partially responsible." The main concern of this theory is to find the unjust situation that drives people to react and engage in resistance. This injustice argument can be further expanded by relating it with people's perception of deprivation thesis. People tend to resist when a gap opened, between the material conditions they expected and the material conditions that actually prevailed in the society they live.[42] This perception of deprivation serves as a motive to call a situation unjust.

To understand conditions that contribute to framing a large-scale civil resistance, it is important to understand the dynamics of contention and the process through which people's demands are channeled and the responses are addressed. The pre-independence political landscape of Bangladesh was overshadowed by asymmetric conflict between the west Pakistani power holders and ordinary civilians of East Pakistan. Asymmetry is conceptualized as a diverse political, economic and socio-cultural situation which would present in the state of Pakistan. Three key asymmetric issues which led to firmly belief that people are subjugated, and injustice is entangled

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[40] Jungyun Gill and James DeFronzo, "A comparative framework for the analysis of international student movements," *Social Movement Studies*, Vol. 8, No. 3, 2009, pp. 203-224.

[41] D. V. J. Bell, *Resistance and revolution*, Boston, (USA: Houghton Mifflin Company, 1973).

[42] Marnie L Sayles, "Relative deprivation and collective protest: An impoverished theory?", *Sociological Inquiry*, Vol. 54, No. 4, 1984, pp. 449-465.

everyday life, were i) power asymmetry, ii) asymmetry in economic situation, and iii) asymmetry in socio-cultural practices.

Centralization of power of the ruling elites of West Pakistan set the background of unusual political turmoil which continued until Bangladesh freed from second colonial aggression. Political power by the meaning of Bengali people's accession in important government decision was hardly ensured. Absence of Bengali representation in governmental structure designed by central leadership made governance more autocratic which ultimately gave rise to a coterie of bureaucrats and ignored popular East Bengal politicians from the institutional politics practice. Examples of political power asymmetry were at the administrative level, the provincial government of East Bengal remained under the subjugation of West Pakistani power elites. Due to overwhelming majority in civil service, there emerged a sense of paternalistic guardianship among Pakistan bureaucrats which engendered the relationship between two regions.[43]

Bangladesh has been economically exploited to the utmost by the West Pakistan. It was a land of abundance wealth including sand, sugar, and stock of medium and large-scale manufacturing industry. But the profits generated from this part were brought to the West Pakistan. Bangladesh was treated by the West Pakistan as a milch-cow and milked her until it becomes dry. Moreover, the foreign aid received to alleviate poor situations of millions was distributed inappropriately. Infrastructure facilities were underdeveloped in East Pakistan compared to its west counterpart. Capital accumulation and the growth of money market in the Bengali inhabited wing of Pakistan were purposively constrained, leading to asymmetric situation in the economy.[44]

There was an effort to cultural regimentation of Bengali people. The process started with imposing dominant society's value and culture in dominated society in the purpose of creating a subject political culture. An attempt to make Urdu language as *lingua franca* of Pakistan attests to this fact. Even, asymmetry in the issue of choosing one common state language appeared due to significant linguistic difference of the two wings. Bengali, the majority (56 percent) spoken language is virtually unknown in West Pakistan, whereas Urdu is similarly unfamiliar in East Pakistan. Moreover, the common perception underlying in the minds of West Pakistanis is that the people of East Bengal are inferior and bad Muslims who are

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[43] A.M.A Muhith, *Bangladesh. Emergence of a nation*, (The University Press Limited, 1992).

[44] Ghulam Mustafa and Adil Nawaz, "The separation of East Pakistan: Socio-economic factors," *Asian Journal of Multidisciplinary Studies,* Vol. 2, No. 1, 2014, pp. 45-51.

closely allied with Hindu culture. These narrow views of cultural treatment broadened the gap and were ultimately responsible for the emergence of tumultuous episodes of social conflict.[45]

The division of power, economy and culture that characterized the confrontational politics of pre-independence Bangladesh was outlined in the Election Manifesto of Pakistan People's Party 1970 which read as follows:

> Pakistan is geographically separated into two parts, of which the Eastern was a major producer of exportable wealth at the time of partition. The Central Government's expenditure, however, was mainly in the western part. Political power also lay in the west on that account and because of the presence of an opulent feudal class. The development schemes were so made or implemented by the Central Government that the private sector under these schemes fell into the hands of a small number of businessmen, who neither had their original homes in West Pakistan or had chosen to settle ther ...The result was that East Pakistan was submitted to the ruthless exploitation. ...We must frankly recognize that the unity of the nation has been gravely imperiled. It is no remedy to brand the victims of exploitation as traitors because they are driven to protest against the treatment they receive. Nor does it help to improve matters by insulting them as bad Muslim.[46]

The routine treatment of injustice and subjugation by the West Pakistan intensified sense of grievances among the people of East Pakistan. The notion repertoire of collective action was in the making because of street protest politics of East region. Moreover, regular pretest movement had been the pattern of collective claim making and the strategic means through which aggrieved people's demand is heard. As such, East Pakistan became traditionally known as political and East Bengal people, in the political scene, have been known as the active political people.

The Political Process of Students' Resistance Activism

Protest movement analysis drawn from different geographical locations suggest that students protest occurring in peripheral countries of the global south has specific socio-political context; the same context does not necessarily explain the protest mobilization in the countries of the global north. Examining third world countries student protest mobilizations, Kapstein and Converse [47] find a link between institutional weakness and student protest mobilization. Most third-wave democracies are characterized by weak institutions, including inefficient state

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[45] Rounaq Jahan. *Pakistan. Failure in national Integration*, (The University Press Limited, 2001).

[46] Talukder Moniruzzaman, *The Bangladesh revolution and its aftermath* (The University Press Limited, 2009), p. 14.

[47] E Kapstein, N. Converse, *The fate of young democracies*, (Cambridge: Cambridge University Press, 2008).

apparatus and ineffectual political parties. The institutional incapability to respond social needs of its citizen breeds social discontent, resulted in protest and resistance mainly called by students. In such institutional weakness context, students are seen by the society as legitimate political actors as well as change agents, mandating them to participate directly in politics. Luescher [48] also uses this perspective while theorizing contemporary student activism. He contends that student mobilization arising in specific socio-political context indicates the vitality and representativeness of student body as effective social and political force. The rise of student movement activism and students as leading actors in the protest politics of the pre-independence era fits this argument.

In late 1947, surprisingly, students came to the spotlight with the language issue.[49] They brought up the language question to the political debate. Meanwhile, student politics was influenced by a common issue that dominated the pre-partition political landscape. In December 1947 Fazlur Rahman, the Central Education Minister of Pakistan, presided at an education conference in the capital city of Karachi. This conference aimed to create an elite class that would determine the quality of the new state. An all-agreed proposal was passed stating Urdu would be the state language of Pakistan. No sooner had the news published on 6 December in a local newspaper called Morning News, than students from different educational institutions of Dhaka city sharply reacted with discontent to this announcement.

Generally, a student movement arises in a situation when there is a strong feeling of frustration concerning institutional structure, government's policies or programs which directly affects them. The hegemonic attempt to impose Urdu as state language sparked resentment among Bengali speaking people in East Pakistan. Students at Dacca University were beginning to form an All Party State Language Committee of Action.[50]The public anger got so intense that students organized a series of protests between 1947 and 1948 at the Dhaka University campus in response to demand their language rights. The Bengali students of East Pakistan (present Bangladesh) had a legitimate reason to expose in protest struggles. Out of sixty-nine million people in Pakistan, forty-four million people speak Bengali languages who were the inhabitants of East Pakistan. So, establishing Bangla as a

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48 T M Luescher, *ibid*.

49 Badruddin Umar, "Language movement", Sirajul Islam (ed.), *History of Bangladesh 1704-1791*, Vol. 1, Political History, Third Edition, (Dhaka: Asiatic Society of Bangladesh, 2007), pp. 352-382.

50 S M S Alam, "Language as political articulation: East Bengal in 1952", *Journal of Contemporary Asia*, Vol. 21, No. 4, 1991, pp. 469-487.

state language was justified on the ground that the majority of the people of the state speak this particular language.

Unfortunately, the central government of Pakistan failed to discern the Bengali people's spirit of linguistic nationalism, the language feelings embedded in the greater community, and to recognize the Bangali language in state affairs.[51]However, Pakistani ruling elites took this sporadic protest event very lightly. The language question was neither purely academic nor simply a cultural issue; students' initial protest made it highly political.[52] To quote Rashid (2021: 167)[53] "In Pakistan the question of state language was not just a matter of customary political discourse…the Bengalis' demand for making their mother tongue Bangla as one of the state languages of Pakistan turned into a movement." Less than 7 months, the language issue became the principal agenda with which students were largely mobilized for the first time with greater spontaneity and with shared emotion.[54] Few political actions in the second half of the twentieth century in erstwhile East Pakistan have laid a solid foundation of students claim-making politics than the *Bhasha Andolon* (language movement) of 1952.

Civil resistance grows out of a systematic way which sociologist Kurt Schock called it 'political process'. The political process approach has three essential components. The first element is collective action frames. The argument suggests that group action is the *sine qua non* for resistance to occur. For the people to engage in collective action there must be cognitive liberation, that is, people must perceive a situation which is unjust to them and subject to change through collective action. Successful collective action frames are conditioned with frame alignment—the process through which movements link individuals in the oppressed population with their interests, goals, activities and even ideologies.[55]

Bengali people felt that the language with which they were intricately connected by their social habitus and upbringing no longer was appropriate to the arbitrary decision of West Pakistan ruling elites. It thus provided a sense of purpose for

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[51] Rafiqul Islam, *The Bengali language movement and the emergence of Bangladesh*, *Contributions to Asian Studies*, Vol. 11, 1978, pp. 142-152.

[52] Mohammad Hannan, *Bangladesher chatro andoloner itihash 1830-1971*, Fourth edition, (Dhaka: Agami Prokashoni, 2013).

[53] Harun-or-Rashid, 2021, *ibid*.

[54] Samantha Christiansen, *Beyond liberation: Students, space, and the state in east Pakistan/Bangladesh1952-1990*, Ph.D. Dissertation, (Massachusetts: Northeastern University, Boston, 2012).

[55] Kurt Schock, *Unarmed insurrections, People power movements in non-democracies*, University of Minnesota Press, 2005).

engaging in the movement decisively.[56] Undoubtedly, the language movement was broadly shaped by students' active involvement. The previous history of the organization-based student activism provided much dynamism for the movement.[57] Moreover, a sense of injustice caused by the deliberate denial of the mother language status prompted students to become more vocal. Students had projected their role in different categories: conscious section, intelligentsia, civil society, and powerful activist force.[58] Dhaka University students were predominantly recruited to steer the movement activism.

The growing student activism had evoked awareness among other educational institutions across the capital and the Eastern part at large. Many students from different schools, colleges, and universities were engaged in sympathy protest demonstrations and related activities. Students were mobilized around the premise of the Prime Minister's residence at *Bardhaman House* (currently Bangla Academy, which is situated at the close proximity of Dhaka University campus) demanding Bengali to be given the status of the state language of Pakistan immediately. Christiansen[59] argues that the "first real physical test of the political identity of the students" was observed on 26 February 1948. Many students from different academic institutions including Dhaka University, Dhaka Intermediate College, Dhaka Medical College, Jagannath Intermediate College, and many other institutions came to form a mass mobilization at the Dhaka University premise to support the language cause. A State Language Action Committee was formed on the presence of students.

One of the important elements of the political process is political opportunities and constraints. The theory implies that the intensity of civil resistance is largely shaped by both political opportunities and constraints. Two types of opportunities and constraints can be identified: responses by authorities to political action, and relations to elites and third parties. Authority's response can be diverse: they can ignore the civilian dissents, conciliate, reform, or suppress. Each of these response influences mobilization. Elite divisions can create political opportunities for disruption. Moreover, segments of the elite that are inferior relative to the power of other dominating elites may be likely to support the challengers if doing so increase their position. In addition, support from third parties substantially increases the opportunity for groups to resist the authority.[60]

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56 William van Schendel, *ibid*.
57 Talukder Maniruzzaman, *ibid*.
58 S. M. Khasru and M. T. Zami, "Student politics in Bangladesh: A historical overview," Imtiaz Ahmed and I. Iqbal (eds.), *University of Dhaka: Making, unmaking, remaking*, (Prothoma Prokashan, 2017), pp. 49-69.
59 Samantha Christiansen, *ibid*.
60 Kurt Schock, 2005, *ibid*.

The authority's response in the context of the language movement (1947 to 1952) is characterized by repression operationalized through institutional and legal measures. Student's agitation reached a new height following the statement of Governor-General Mohammad Ali Jinnah on 21 March 1948. Jinnah made it very explicit that Urdu shall be the state language of Pakistan. Many students stood up against this proposal shouting No, No. This event was a valiant exposure to defy supreme political authority which subsequently motivated many other students to become united on the language question. In a meeting arranged on the evening of 24 March with students of the Language Action Committee, Jinnah remained assertive on his side, reiterated the same decision that there can be one state language, and that language can only be Urdu. Mr. Jinnah's emphatic support for Urdu was greeted with bold protest from students.[61] The language controversy reached a new phase in 1952. There had been an intense argument and counterargument presented by students in favor of language and defense of their political stand until Jinnah become convinced. Either way, that assertive behavior of students baffled Mr. Jinnah.

Yet, student resistance was remarkably constant even though the ruling regime imposed an embargo on people mobilizing outside in large numbers. This period witnessed a series of movement campaigns including protests, strikes, boycotts, slogans, and other forms of civil disobedience under the auspices of student organizations against language injustice.[62] In an attempt to foil the student movement, the regime's security forces ruthlessly crushed the protesters. The police and para-military forces shot tear gas, bullet, and baton-charged. The police also attacked student hostels. Several gunshot innings were resorted to undermining the student's counterattack. As a result, hundreds were injured, thousands were arrested, and few students were killed namely Salam, Barkat, Rafiq, and Jabbar.[63] Nonetheless, students' collective action translated into a force more powerful during the event. The mounting pressure generated by the movement forced the regime to pass a motion to recognize the Bengali language as the official language of East Pakistan. This moment came in 1954 when Bengali people achieved their language status. The language right was officially ratified in Pakistan's 1956 constitution.[64]

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[61] S M S Alam, "Language as political articulation: East Bengal in 1952", *Journal of Contemporary Asia*, Vol. 21, No. 4, 1991, pp. 469-487.

[62] Mohammad Hannan, *Bangladesher chatro andoloner itihash 1830-1971*, Fourth edition, (Dhaka: Agami Prokashoni, 2013).

[63] Mahmudur Rahman Manna, *Bangladesher chattro rajnity otit, bortoman abong vobissot*. Third edition, (Dhaka: Rukkushah creative publishers, 2015).

[64] Afroza Anwary, "Frame alignment and the dynamics of the national language movement of East Pakistan: 1947-1956", *Journal of Asian History,* Vol. 45. No. 1 and 2, 2011, pp. 163-191.

This success was brought about by the intense pressure of the language movement and the nonviolent defiance and mobilization of students and the public alike.

Following the language movement, students developed a strong structure of agitation capacity against West Pakistani regime. One example of student defiant behavior was the protest Ayub Khan's insertion of some undemocratic provision. On 7 August 1959, he promulgated Election Bodies Disqualification Order (EBDO) which imposed serious restrictions on political leaders and tried to regulate student campus activism. The student community sharply defied the order. In 1962, Ayub Khan declared an education policy based on the recommendation of the Shariff Commission. The policy attempted to reinstated English as compulsory medium of instruction and Urdu to be the state language. Students of East Pakistan denounced the education policy and launched a movement what we now know as the 1962 Education Movement.[65] Several student organizations including Bangladesh Chatro Union, Bangladesh Chatra League, Chatra Shakti, Students Federations observed hartal and picketing. They adopted nonviolent protest strategies, including peaceful demonstrations, writing petitions, and organizing campaigns to solicit support from the wider public. Although there were moments of tension and some confrontations with the police, the students remained committed to nonviolent methods of action. They believed in the power of collective action to bring about change without resorting to violence. Students' contentious protest the Ayub regime resulted in killing and arrest.[66] Yet, the student education movement was successful to put pressure on the government to pause on the implementation of the educating policy of the Shariff Commission.

Bengali students rose against the autocratic regime of Ayub Khan in 1969. This upsurge was aimed at self-autonomy of Bengali people in East Pakistan. Despite the sudden close of political activity at the national level during the military regime, however, the Dhaka University campus itself provided an arena where students could mobilize and operate. By the 1960s, students at Dhaka University already developed as an active resistance force to state policies. Christiansen[67] aptly referred to this period of activism as 'Golden Years' of student power as they successfully ousted the military regime of Ayub khan through the 1968-69 mass upsurge campaign. This

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65 Badruddin Umar, "Language movement", Sirajul Islam (ed.), *History of Bangladesh 1704-1791*, Vol. 1, Political History, Third Edition, (Dhaka: Asiatic Society of Bangladesh, 2007), pp. 352-382.

66 Lelin Azad. *Unasatturer ganaabhyuthan: Rastra Samaj Rajniti*. (Dhaka: Jatiya Sahitto Prakash, 2019).

67 Samantha, *ibid*.

episode of student protest was marked an important moment of flourishing students as a critical political voice and cemented the place of Dhaka University as the heart of resistance as well as a definitive political arena. While the language movement was a clear manifestation of popular drive to influence the state power, the 1969 mass upsurge had a particularly substantive effect on solidifying East Pakistan's position in terms of bearers of political expressions and representation.[68]

The anti-Ayub movement was strengthened by the participation of many more people from different occupations. A combination of student protests, worker strikes, and mobilizations by teachers and lawyers turned out to be an increasingly powerful display of mass movement.[69] General strikes, meetings, and street demonstrations were filled with constant agitation in Dhaka. The number of people joining the protest against the Ayub regime increased day by day; from forty thousand to fifty thousand participants were counted in a day. On 20 January, the military authorities planned to crack down on the resistance with open fire. A well-known student political activist on campus named Asaduzzaman alias Asad was at the forefront of the procession which had started to march from the *Amtolla* to the General Secretariat. The police firing caused the immature death of Asad. His breathless body fell on the street. As police retreated, his body was brought to campus. Asad's death touched so deeply on other students and the wider public alike, had a profound impact on the movement mobilization. In a mass gathering the next morning, protestors declared deceased Asad as martyrs, holding Asad's bloodied shirt, and took an oath that his life sacrifice would not go in vain. East Pakistan was completely occupied with student protests which collapsed the normal fabric of civic life. Moreover, the government had virtually lost control overruling the Eastern province.

Ayub Khan had to retreat from his position as the month of chaos and disorder were going spiral. He was forced to free all detainees of the Agartala Conspiracy Case. Ayub chooses a safe passage to exit from power. And finally, in March 1969 he conceded defeat and ousted from power. Maniruzzaman[70] put the phenomena in this way "The fury of the Bengalis finally brought about–the fall of the Bastille." Thus, a long student resistance fomented locally saw the victory of student power over military dictatorship. The 1969 mass upsurge event demonstrates the nature of students' political activism and the varying scale of mobilization. The campaign directed to step down the Ayub government had strengthened student political

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68 William van Schendel, *op. cit.*

69 Tareq Ali, *Can Pakistan survive? The death of a state*, (England, 1983).

70 Talukder Maniruzzaman, *ibid*.

identity, particularly Dhaka University students. Notwithstanding the victory, the aftermath was unpleasant. There was still cold tension because the person had just altered through the mass uprising; the power structure remained the same. Another General Yaha Khan inherited the previous regime. He started to act like his predecessors, blowing bubbles of promises of general elections so that a civilian government could be installed and a new constitution of Pakistan could be framed.

The recurrence of civilian-based political struggle in the pre-independence era was followed by another campaign in 1971 to attain a maximalist political goal—the independence. This time, Bengali people were organized on the principle of nonviolence–civil disobedience and non-cooperation. The non-cooperation movement was enforced by student leaders from *Swadhin Bangla Chatro Sangram Parishad* (Independent Bangladesh Students Movement Action Council) which was formed on 1 March with a determination to establish an independent Bangladesh. On 2 March in a mammoth gathering of students at *Amtolla*, they hoisted a national flag of Bangladesh, showing strong determination to fight for independence. The resistance mood of ordinary people was subsequently reflected through the parade on the streets resounded with slogans like *Joi Bangla*! (Glory to Bengal), *Jago Bangali Jago*! (Wake up Bengali, Wake up), No compromise, Action Action!, Assembly or Street? Street, Street!, and so on.

In response to Bangabandhu Sheikh Mujibur Rahman's call for the non-cooperation movement, people from a different section of the society took up stern protest activism. The civic life in Dhaka city came to stand still: public transport stopped their daily route operation, Business and offices were shut down, bank and other financial institutions were walkouts from credit operation, Bengali officers working in the secretariat refused to cooperate with their Pakistani superiors, the Bengali cabin crews in Pakistani Airlines at Dhaka airport refused to operate flights from Karachi transporting Pakistani military soldiers to East Pakistan. The Bengali employees at the radio and television station took up a protest by broadcasting patriotic songs and poems.[71]

The middle-class people spontaneously put up resistance to the Pakistan army by stopping food supplies to their barracks; peasants blocked roads and placed barricades on the rail lines to prevent military vehicles from invading the villages and towns. There was a call for boycotting of all economic goods manufactured by West Pakistani-owned factories in East Pakistan. Making this economic non-cooperation effective, people started to use indigenously woven clothes called *khaddar*, the strategy which Gandhi adopted during the civil disobedience movement in India. On

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[71] Ishtiaq Hussain, *ibid*.

the political activist's side, maximum efforts were taken to stay nonviolent throughout the movement campaigns. The party activists were strictly ordered not to be influenced by any provocation or greed. As such, the month of March 1971 saw the spectacular events of nonviolent resistance.

The collective form of nonviolent action was a signifier for Bengalis' emancipation and their independence. However, subscribing to the nonviolent methods of protest did not bring destiny alone. The West Pakistani elites including Bhutto's noninterest in conceding towards power transfer failed. Mounted political polarization between Bengali demands and Pakistani leaders led to a cruel military attack on the Bengali people.[72] Unarmed civilians including students were forged to go to armed struggle as a response to a violent attack by the Pakistani army on 25 March.[73] Ordinary people fought with all their possible strength and finally won over the opponent forces. A new nation state Bangladesh was born on 16 December 1971.

The student movements in the period between 1947 and 1971 in East Pakistan was marked by a wave of nonviolent student-led movements that played a key role in shaping the erstwhile political landscape of East Pakistan and ultimately contributed to the emergence of Bangladesh. The nonviolent protests, despite being suppressed by regime violence, demonstrated the power and efficacy of civil resistance and student power of mass mobilization. The student-led movements showed that even in the face of brutal force, nonviolent mode of action could challenge the legitimacy of an authoritarian government and inspire larger societal movements for rights and freedom.

Conclusion

The student version of civil resistance has represented the Bangladeshi mode of struggle against entrenched power several times in the country's recent political history. This has been evidenced by the events of the 1952 language movement, the education movement 1962, the Six-Point movement in 1966, the mass upsurge movement 1969, and the liberation struggle of 1971. The foregoing analysis shows that the pre-independence political landscape was marked by student activism that emerged because of people's rising against diverse issues including bad regime experiences, discriminatory attitudes to Bengali language and culture, colonial education policy, entrenched military rule, and recognition for majority's electoral opinion.

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[72] M. Rashiduzzaman, "The political evolution of Bangladesh**",** *Current History*, Vol. 76, No. 446, April 1979, pp. 164-167.

[73] Caf Dowlah, *The Bangladesh liberation war, the Sheikh Mujib regime, and contemporary controversies*, (USA: Lexington Books, 2016).

This research suggests that historical events of student mobilization took place following a political process framework. The student protestors successfully drew attention to the wider public and link individuals in the oppressed population with their interests, goals, activities, and even ideologies. They created an injustice frame and value clusters that were frequently amplified by the activists. The collective frame was utilized to arouse cognitive liberation, that is, people must perceive a situation that is ill-fated to them and subject to change through collective action. Bangladesh has thus experienced a strong history of civil resistance which was led by students. The analysis explored that students as potential political forces transformed the political history of Bangladesh by embracing a series of unarmed protest strategies, including mass rallies, boycotts, strikes, slogans, sit-ins, long marches, and political noncooperation in the public spaces of the city. Student-led civil resistance activism centered to campus or square represents the communicative platform of public interest and association of social power critical to fighting against an adversary.

There is commonality across various uprisings between 1947 and 1971 in the erstwhile East Pakistan. Nearly all these events successfully engaged broad-based civilian participation which was made possible due to students' support; they share a common dimension of student power; and students stood against the entrenched power relations, institutional structures or government policies. Therefore, it is vital that student activism during mass movement in Bangladesh is not overlooked.

The strategic logic of why civil resistance works is grounded on the argument that broad-based people's participation matters for effective resistance struggles. Yet, scholars have not clearly identified which actor is counted as instrumental to movement participation. The key assumption this paper offers is that students can spearhead the act of civil resistance more systematically than other groups can do by virtue of their disposition toward politics, which they develop from their experiences while confronting the socio-political reality around which they live. This research attempted to develop a relational theory of civil resistance that advocates student involvement and as triggering dimensions of participation in civil resistance context. It answered how and to what extent civilian mass movements recorded in the political history in Bangladesh, are linked to students' political activism.

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Environmental Mayhem in Bibhutibhushan Bandyopadhyay's *Aranyak*: An Ecocritical Study

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Abstract

Ecocriticism is an emerging arena of literary criticism that questions humans' anthropocentric tendency to dominate nature. This study scrutinizes Bangla writer Bibhutibhushan Bandyopadhyay's novel *Aranyak* (1939) from the ecocritical perspective. The Bangla novel *Aranyak* was translated into English by Rimli Bhattacharya in 2002, and she titled the translated novel *Aranyak: Of the Forest*. A qualitative textual analysis approach is adopted to conduct this study. Primary data is collected from the translated version of the novel. This study also gathers required information from several authentic sources, such as journals, newspapers, websites, and books. The novel revolves around the central character Satyacharan, who works as an estate manager. Satyacharan's anthropocentric tendency is expressed throughout the novel since his only task is to lease the forests among the tenants. In an exceptional way, Satyacharan's biocentric feeling also develops with time when he feels that he is accountable for the ecological apocalypse. At the end of the novel, Bibhutibhushan emphasizes a biocentric view as all forms of things (living and nonliving) possess intrinsic value. *Aranyak* is a narrative of giving up contemporary urban life in an effort to return to nature and rejuvenate oneself. Overall, *Aranyak* is about a city man falling in love with the forests. A melancholic tone of reminiscence and repentance focusing on environmental destruction adds a profound depth to *Aranyak*'s plot.

Key words: Ecocritical Study, Textual Analysis, Environmentalism of the Poor, Anthropocentric and Biocentric Approach, Shallow and Deep Ecology

Introduction

The crux of the study is to evaluate the novel *Aranyak*[1] by Bibhutibhushan Bandyopadhyay from the perspective of ecocriticism. Even over 80 years after its publication, this novel still enthralls the readers. Bandyopadhyay is closely associated with rural Bengal and those who live there. The present researcher scrutinizes how Bandyopadhyay promotes environmental issues in his novel *Aranyak*. *Aranyak* is a novel originally written in the Bangla language. The novel was later translated into English by Rimli Bhattacharya in 2002. Rimli Bhattacharya titled the translated novel *Aranyak*: *Of the Forest*.[2] *Aranyak* was composed between 1937 and 1939 and was

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[1] B. Bandopadhyay, *Aranyak*, Kolkata: Kattayani Book Stall, 1939.

[2] R. Bhattacharya, translator, *Aranyak: of the Forest*, Calcutta: Seagull Books, 2002.

published in 1939. Since its premiere, scholars have commended Bandyopadhyay's *Aranyak* for its antique, social, and ecological significance. It is not an exaggerated statement to opine that there is no protagonist in the novel *Aranyak*. Instead, it could be argued that the forest itself is the vital character of the novel *Aranyak* since the forest drives the action of the plot. This study reveals how the tenants are dependent on the forest for their livelihood. All the characters in the novel are intimately connected to the forest. Moreover, this novel vividly depicts the struggles of outcast life. Ecocriticism examines how natural resources and lands are used and abused,[3] an argument central to *Aranyak*. There is a notable instance of land abuse in *Aranyak*. This paper seeks to illustrate the extent of environmental mayhem caused by cultivation and highlight Bibhutibhushan's eco-consciousness regarding Bengali nature and culture.

Ghosal and Modak unearth ecological identities by exploring place/self in Bandyopadhyay's *Aranyak.* They have explored how an individual like Satyacharan manifests a profound sense of place attachment.[4] Moreover, Fakrul Alam, a renowned Bengali professor and writer, scrutinizes Chinua Achebe's *Things Fall Apart* ecocritically. Alam opines that Chinua Achebe discloses through his writings how the advent of colonization instigates a sense of tension in the native Africans' linking to nature. Several inherent things of the Africans fall apart, such as the oneness between African nature and culture and their closeness to the environment. Alam argues that Africans must be reconnected with the environment to make themselves 'complete' again.[5] Likewise, in *Aranyak*, the Bhagalpur estate falls apart due to environmental mayhem. Satyacharan, the crucial character of the novel *Aranyak*, falls apart emotionally when he finds himself liable for the destruction of the Bhagalpur estate. As an estate manager, Satyacharan's task is to lease the land. So, he is bound to abolish the creation of the forest-goddess though he is reluctant to lease the land among the tenants. Finally, the biocentric notion arises in him. Satyacharan and his partner Jugalprasad, two nature-loving souls, embellish the forest by planting many rare species of basils and plantlets. So, it could be said that *Aranyak* is a mix of diligence as well as repentance, as Satyacharan points out: "By my hands was destroyed an unfettered playground of nature. I know too, that for this act the forest gods will never forgive me".[6]

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[3] C. Glotfelty and H. Fromm, (eds.), *The Ecocriticism Reader: Landmarks in Literary Ecology*. Athens: University of Georgia Press, 1996, p. 81.

[4] A. Ghosal and A. Modak, 'Unearthing Ecological Identities: An Exploration of Place/Self in Bibhutibhushan Bandyopadhyay's Aranyak', *ASIATIC*, Vol. 17, No. 2, December, 2023.

[5] F. Alam, "Reading *Things Fall Apart* Ecocritically", *Metropolitan University Journal*, Vol. 3, 2022.

[6] Bhattacharya, Op. cit., 2002, p. ix.

In *Aranyak*, poor tenants suffer greatly due to a lack of environmental justice. Joan Martinez-Alier's concept of 'the Environmentalism of the Poor' aligns deeply with 'environmental justice' approaches. Environmental justice is a US-based social movement that began in the 1980s in response to environmental injustice.[7] Environmental injustice happens when contradictory environmental policy, resource extraction, hazardous production, and the use of other natural resources such as air, land and water negatively impact impoverished or marginalized communities.[8] The environmentalism of the poor declares 'social justice'[9] and promises that the battle for human rights and environment is unavoidable.[10] It is obvious that environmental justice challenges man's insatiable desire to dominate nature. It is a myth that human beings are superior to other nonhumans. We ought to modify our self-destructive intentions because nature is not a subordinate but a co-inhabitant of the ecosystem. Human beings are just a minor part of the ecosystem. Our attitude to nature must be ethical and sensible to avoid ecological disasters. In *Aranyak*, the poor tenants and tribal communities of the estate are the victims of environmental injustice.

Broadly speaking, this study endeavors to explain how marginalized people depend on the environment, scrutinize how environmental change destroys human comforts, and inquire how deforestation causes ecological degradation, focusing on *Aranyak*. It is a qualitative study. The researcher has adopted a textual analysis method to analyze the novel critically. Textual analysis is the "process of decoding messages for overt and covert meanings",[11] and this method implicates "understanding language, symbols, and/or pictures present in texts to gain information regarding how people make sense of and communicate life and life experiences".[12] Primary data has been collected from the novel's English-translated edition by Rimli Bhattacharya who titled the translated novel as *Aranyak: Of the Forest* (2002). The secondary data for this study is also collected from several reliable sources, including books, journals, newspapers, websites, and other publications. The use of imagery, written words, symbols, similes, metaphors, and the allegorical elements of *Aranyak: Of the Forest* has been textually analyzed from the perspective of the ecocritical canon. The literal and figurative meanings derived from textual analysis have been strongly bound up

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7 J. Sze and J. K. London, "Environmental Justice at the Crossroads", *Sociology Compass*, Vol. (2/4), 2008, p. 1331.

8 Ibid., pp.1335-1337.

9 D. Schlosberg, *Defining Environmental Justice: Theories, Movements and Nature*, Oxford University Press, New York, 2007, p. 4.

10 J. Martínez-Alier, "The environmentalism of the poor", *Geoforum*, 2014, p. 240.

11 M. Allen (Ed.), *The SAGE Encyclopedia of Communication Research Methods*, Sage Publications, 2017, p. 970.

12 Ibid, p.1753.

with different notions of ecocriticism, such as anthropocentric and biocentric approach, shallow and deep ecology to perceive the representation of environmental mayhem in *Aranyak*. Additionally, many critics argue that *Aranyak* can be interpreted through the lens of sustainable development because it challenges the typical idea of 'development'. Ecocriticism also intends to promote the notion of 'sustainable development'.

Satyacharan's New Home: Transition from Metropolitan to Aranya (Forest)

Aranyak is not only the story of Satyacharan, a metropolitan man forced to live in a remote area due to poverty; it is also the story of the "Aranya" (Aranya means forest) on which he and other outcasts depend for their sustenance. A typical unemployed boy, Satyacharan, searches for a job in Kolkata city. Abinash, Satyacharan's college friend, offers him a job as an estate manager. Satyacharan gets the responsibility of taking care of "thirty thousand bighas of Jungleland"[13] as an estate supervisor. The estate is located in Bhagalpur, Labtulia and Purnia in India. Initially, he struggles to cope with the jungle life due to his upbringing in Kolkata city. At the very beginning of his journey toward the estate, he feels a sense of loneliness and he utters: "The life I was about to begin was going to be very lonely—as lonely as the winter evening, the melancholy spaces before me and the bluish line of the distant forests".[14]

In the opening scene of the novel, Satyacharan encounters an unpleasant atmosphere in his new home, referred to as a katcheri, made of wood, straw, and bamboo. He works in a place devoid of friends, theatres, films, and music. Moreover, his stay in the jungle incurs traumatic experiences. He describes his sufferings by stating that "those first ten days were excruciating… it was far better to stay on half-starving in Calcutta than stifle to death here".[15] It seems that Satyacharan's destiny takes him to a place where life and death instinctively coexist since he finds the forest stifling. He is unable to perceive the local language. Moreover, there is also the fear of robbery. His heart reverberates with dreadful loneliness since he is entirely friendless in the deep jungle. He shivers with the cold and has no idea how to handle the savage winter. Ghosts and uncanny sounds haunt him constantly. He realizes he has trespassed into an unknown fairy kingdom devoid of human beings. Furthermore, Ramchandra Singh, one of the amins (surveyors) of the estate, has gone mad because a white dog disturbs him every night. It is a nightmare for Ramchandra. In addition, Satyacharan discovers a strand of a woman's black hair under Ramchandra's bed, though a woman is not supposed to enter Ramchandra's tent. Likewise, Satyacharan handles the weird

[13] Bhattacharya, Op. cit., 2002, p.8.
[14] Ibid, p.9.
[15] Ibid, p.10.

incidents in the Bomaiburu jungle. Ramchandra and his son rent out a stretch of char in the jungle. The older man, Ramchandra, notices that a woman often sneaks out of their house at night. He suspects that his son has an illicit relationship with the woman despite not knowing her. Surprisingly, his son replies that he often sees a dog and a woman slowly moving out of the room in the blink of an eye. This eerie incident ends unexpectedly when the old tenant's son dies in the Bomaiburu jungle. Ashrafi Tindale, Ramchandra's peada (a peon assigned for postal duties), also witnesses the uncanny phenomenon. In addition, Tindale hears disturbing rumors about the Bomaiburu jungle. So, he reminisces about his surrealistic experiences by telling strange stories: "I'd heard my grandfather..... found a group of beautiful young girls holding hands and dancing away in the moonlight..... If they chance upon a human…, they kill him too".[16] Moreover, Satyacharan's katcheri walls are so thin that even a dog pushing against them from the outside can make the walls collapse. During the dry season, he faces wildfires burning through the woodland or grassland of the forestscape. Severe droughts and heat waves make their life miserable. For instance, one afternoon in Baisakh (first month of Bangla Calendar), Satyacharan hears the crunching sound of the fire killing several wild animals.

The Emergence of the Biocentric Approaches of Satyacharan and Others

However, as the narrative progresses, Satyacharan gets overwhelmed with the beauty of the Lobtulia-baihar or Ajmabad. He deeply feels the late-night moon and celebrates the exquisiteness of nature by saying: "this was the first time I experienced the overwhelming beauty of a moonlit night in Phulkia-baihar…… that was frightening even to look at".[17] Likewise, one quiescent afternoon, Satyacharan savors the splendor of the setting sun on the western skyline. In the prologue of the novel, the ecstatic beauty of nature is also expressed through the melancholic tone of Satyacharan as he emits: "when I think now of the forestlands of Lobtulia-baihar or Ajmabad ……I feel as though…. there is no such land to be found in all the world".[18] The desolate and majestic landscape deeply influences Satyacharan's narratives. He starts to feel that he cannot return to the hustle and bustle of Calcutta. Additionally, he cannot avoid the fragrance of the sun-scorched earth and the freedom and freshness it epitomizes. It is obvious that Satyacharan's nostalgia centers on rural life and its grandeur.

One of the intents of *Aranyak* is to portray a landscape that is full of natural exquisiteness and resources. Nature provides the inhabitants of the estate with food

[16] Bhattacharya, Op. cit., pp. 66-67.
[17] Ibid, p. 21.
[18] Ibid, p. 3.

and shelter. Cattle grazing on the open landscape is a familiar sight in the estate. Ganu Mahato, a poor tenant, earns his livelihood by farming in the forestland. He pays the landlord in exchange for the privilege of grazing his buffaloes in the desolate jungle. He gets milk from his buffaloes. He churns butter from the milk and then turns it into ghee, which he sells in the market. The jungle also provides them with the necessary food. Ganu Mahato's words show nature's role in providing necessary food: "I boil the kheri grains and pick the bathua greens that grow wild in the jungle. I boil with a bit of salt and these I eat".[19]

At the beginning of the narrative, the old accountant, Goshto Chakrabarti, foretells that Satyacharan will fall in love with the jungle. As predicted, Satyacharan indeed falls in love with the nature. The jungle gets inside him since he is entranced by the lush green landscapes, woodlands, pile of stones, flocks of parrots, groups of neelgai, and the sun's rays. Satyacharan's attitude towards the animals indicates his respect for animal life. Once, he observes that two neelgais on one side of a pond and on the other, a pair of hyenas. But he refused "to riddle with bullets the innocent bodies of those thirsty creatures of the wild".[20] The way *Aranyak* depicts the tight ties between the inhabitants and their physical surroundings sets it apart from other novels.

Satyacharan's haunting depiction of the forest is the manifestation of his exotic experience. He visits a village fair held beyond his territory. It is around a thirty-mile journey. He gets mesmerized by the beauty of the jungle while passing the territory riding his horse. In addition, the landscape's exquisiteness engulfs him to the point that he has almost forgotten his native land and seems on the verge of forgetting his family and friends. Satyacharan affirmed that by saying: "What a strange place it was—so rude and wild, yet so beautiful".[21] Satyacharan returns from the fair in the evening. He could not resist his "temptation of riding on his own through the uninhabited hills and forests on the night of spring when the moon was so resplendent"[22] though there is a fear of attacks by ruthless predators like tiger, bear and wild buffaloes. His horse rides through the moonlit forest are so ecstatic that he "would not wish to interchange this contentment for all the prosperity in this world".[23] Undoubtedly, Satyacharan is intimately connected to the wilderness. He proclaims that the elegance of our planet will never be visible to those who do not appreciate the forest's elegance or have never been seduced by the beauty of the skyline.

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[19] I. Bhattacharya, Op. cit., p. 24.
[20] Ibid, p. 36.
[21] Ibid, p. 56.
[22] Ibid, p. 59.
[23] Ibid, p. 61.

Arne Naess, founder of environmental philosophy, developed the notion of deep ecology in the early 1970.[24] Deep ecology's fundamental belief is that the entire living environment of the universe must have moral and legal rights to live and embellish independently. It is referred to as "deep" because it is thought to delve into the essence of human interaction with the natural environment.[25] One of the tenants, Raju Parey, desires to restore the forests. He is emotionally connected to nature. Deep ecologists might consider his connection to nature as the development of his 'ecological self' as we see his life-long lamentations for environmental loss. He rents some land to grow crops in the jungle. He cleans only fifteen kathas of land in a year and a half, though he is allocated two bighas in the dense forest of Lobtulia-baihar. Actually, Raju does not like destroying forests indiscriminately. In his words, when the air becomes polluted, "the gods choose not to stay on any longer"[26] on earth.

Satyacharan serves as a bridge between the jungle and the typical civilized world. It is nature that has forced him to abandon his home, giving him a feeling of wanderlust. Satyacharan's journey from a municipality to the immense territory of forest land helps him achieve pastoral spirituality and environmental sagacity. He wanders amidst the hypnotizing wilderness of nature. He describes the ecstasy of a typical Lobtulia-baihar night using the following words: "Beauty that makes one mad.....such fierce beauty is not for the faint-hearted".[27]

Moreover, Satyacharan often visits a vast lake called Saraswati Kundi (a body of water). Saraswati Kundi is surrounded by dense forest. The vast blue waters of Saraswati Kundi, like a half-moon, are exceptional beauties that captivate the eyes of Satyacharan. The sight of "clear blue water, the blue strips of the sky, and the blurry sketches of mountains"[28] enthralls Satyacharan's mind to the fullest. Furthermore, Satyacharan is utterly disillusioned with the mild and calm breeze, the bird's song, and the fragrance of flowers. The jungle also shelters homeless people like the old sadhu, who is accustomed to eating the boiled cores of bamboo, ripe gooseberries, and custard apples collected from the jungle. Additionally, the jungle provides medicinal roots and herbs that serve as panaceas.

Jugalprasad, one of the mystic characters in *Aranyak* and an eco-activist, attempts to plant trees in the dense forestland of Saraswati Kundi. He is assigned to work at the

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[24] B. Taylor, M. Zimmerman, B. E. Taylor, (ed.), "Encyclopedia of Religion and Nature, London: Continuum International", Vol.1, 2005, pp. 456–60.
[25] M. Smith, "Deep Ecology: What is Said and (to be) Done?", *The Trumpeter*, Vol. 30, No. 2, 2015, pp. 141–156.
[26] Bhattacharya, Op. cit., 2002, p.74.
[27] Ibid, pp. 95-96.
[28] Ibid, p. 102.

Ajmabad Katcheri as a mohuree (a clerk), but his heart belongs to the groves and caverns of Saraswati Kundi. He introduces English creepers and different wildflowers. He endeavors to beautify the vast landscape of Saraswati Kundi using his resources—time and money—even though he has no legal claim to the forests. Reflecting on his eco-consciousness, he remarks: "I've collected them from far off places,….in another two years they will come up and start flowering".[29] In addition, Jugalprasad tries to introduce different kinds of flowers, creepers and trees that are not commonly found in the estate. For example, he is the first to plant Bhandi flowers in his village. He collects Bhandi flower seeds from the banks of the Kushi River, 15 miles from his village. On top of that, it is impossible to make a profit by dispersing seeds around the forestland. Even though he is needy, he makes no profit from this arduous work. However, he has a strong desire and constant effort to boost the beauty of the forests. Jugalprasad's joy is limitless, observing that Satyacharan has heavily seeded the forests of Saraswati Kundi with English wildflowers, yellow Dhatura-like flowers, and wild Jui creepers. Moreover, Jugalprasad covers lake Saraswati Kundi with wild Baira creepers collected from Purnea. The watercroft and the lotuses enhance the beauty of the lake. The plantation project costs Satyacharan a great amount of money. Satyacharan has an interest in a mysterious flower named Dudhia. He is keen to have the flower because it has a lovely appearance and an exquisite aroma. Jugalprasad spends considerable time searching through the dense Jayanti-Hills forests before returning with a number of Dudhia plant tubers.

After spending three years in and around Lobtulia and Ajmabad, Satyacharan has forgotten his hometown. Instead, he feels suffocated by the city life when he visits Patna for a few days. He suffers greatly from the narrow road. He feels a yearning to return to Lobtulia-Bihar. Satyacharan starts living in the khupri (thatched hut) in the forest. Even in a four-story home in Calcutta, he has never experienced such ease and contentment. After being in this jungle for so long, he starts acting somewhat out of control. The open forest and nature affect his preferences and attitudes. He further asserts that the tranquility of these desolate areas incurs a feeling of delight in his mind—not to be found anywhere else but in such places that are unpeopled and untouched.

Satyacharan portrays environmental mayhem through apocalyptic imagery. His employer constantly sends him letters to expedite land leasing. His prime task is to settle the tenancy agreements. He laments that in any other country, this landscape would have been nominated as a reserve forest. Satyacharan is reluctant to settle people in the area and interrupt the balance of the forests because he is aware that:

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[29] Ibid, p. 108.

"those who would rent the land would certainly not be doing so to keep the forests pristine……. everything else would be transformed into human settlements".[30] As instructed by the employer, Satyacharan travels through the estate to establish new settlers. However, instead of destroying the forestland, he falls in love with it. When alone under the open sky on a shiny night, he wonders if his hands can damage the glorious forests. The jungle magnificently woos him like a crafty seductress. Nevertheless, his employer gives him the mission of cleaning the forest. In addition, he is asked to complete his mission promptly.

Satyacharan leases the jungle land in Narha-baihar and Lobtulia to the tenants over time. This land is too fertile for cultivation. This woodland in Narha-baihar is considered one of the most attractive locations on earth. There are many different creepers, birds, and animals in Narha-baihar. Nevertheless, people clear forest trees by setting fires to make the forest suitable for cultivation. It ends with a tragedy since the tenants start fighting among themselves over the demarcation of the plots. Satyacharan becomes disheartened to see his forest burning. He expresses a sense of agony, stating that: "From far, I heard the forest crackling as it burnt; … I could not bear to go in the direction of the fire".[31]

The Clash between Biocentric and Anthropocentric Approaches of Satyacharan

The environment is treated as a commodity when nature is described as a product for human use. This statement implies the principles of shallow ecology that "the earth is merely a geological support for human activity".[32] Likewise, the landscape of Lobtulia, Ajmabad, Narha-baihar, Saraswati Kundi is described in terms of its usefulness, such as merely a product for human consumption. Shallow ecology highlights human-centered policies to dominate nature. Shallow ecologists disagree that the environment should be given the same rights as human beings. Additionally, shallow ecology asserts that environmental codes and principles should not exist.[33] Bandyopadhyay's evocative portrayal of the estate's landscape manifests environmental loss and the disruption of natural symphony. Most of the estate has been leased over the years. The savage hands of the encroachers chop down the trees, leading to extensive deforestation. Satyacharan squeezes out his heartache by saying: "What had taken fifty years to develop was obliterated in a matter of days."[34]

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30 Ibid, p.112.

31 Ibid, p.120.

32 A. Boetzkes, *The Ethics of Earth Art*, University of Minnesota Press, 2010.

33 E. Katz, "Envisioning a De-Anthropocentrised World: Critical Comments on Anthony Weston's 'The Incomplete Eco-Philosopher'*, "Ethics, Policy and Environment*, Vol. 14, No.1, 2011, pp. 97-101.

34 Bhattacharya, Op. cit., 2002, p.207.

The evocative narrative of the novel, combining autobiographical elements, shows the extent of the environmental desecration caused by deforestation. Satyacharan never agrees to lease out the forestland around Saraswati Kundi. Moreover, Jugalprasad works strenuously to enhance the ecstasy of the forest by planting so many known and unknown flowers and trees. Frequently, Satyacharan receives requests from settlers seeking to hire the land near the Saraswati Kundi because the land is highly fertile for cultivation. He is firm in his decision not to rent the land around the lake. Nevertheless, he is asked again and again to rent the land. Satyacharan purports human ravenousness by asserting the following words: "Human beings are only too greedy; …… their only concern was to fill their stomachs and to survive".[35] On the day of his departure from the forest, nothing could stop Satyacharan from feeling culpability, which comes with the self-realization that he is liable for environmental mayhem. Satyacharan's self-realization blooms over time. Here, his "self-realization" echoes the philosophy of deep ecology since he seeks to uphold a harmonious relation with nature. He comprehends that leasing the land to settlers would result in substantial deforestation, which fills him with guilt. Besides fulfilling his duties as an estate manager, Satyacharan finds pleasure in wildlife's prettiness. He is entranced by the beauty of sunrise and sunset and the calmness of full-moon nights. Finally, Satyacharan returns to Kolkata and never goes back to the Bhagalpur estate as an employee. However, he promises to recall "the line of trees along the lake,….. and above all, the quietness, the all-enveloping loneliness".[36]

At the very end of the novel, Satyacharan asks himself whether humans want infrastructural development or peace of mind. He questions the purpose of development that fails to attain happiness. In this case, we can refer to a query raised by the eminent columnist Dipankar Roy. He asks, "Does the path taken by the 'modern' man, which, through genetic engineering, heavy industry, nuclear power plants, service industry, global capital, and informatics, take him to happiness"?[37] The answer might be a big "no". That is why Satyacharan opposes conventional development that destroys the physical environment or our inner peace of mind.

'Environmentalism of the Poor' and Environmental Justice for the Poor

The environmentalism of the poor refers to 'actions and concerns in situations'[38] where the environment provides a means of sustenance. Martinez-Alier focuses on

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[35] Ibid, p. 208.
[36] Ibid, p. 209.
[37] D. Roy, "Bibhutibhushan Bandyopadhyay's *Aranyak* (1939): the "Modern," the "Non-modern" and the Nation-state", *The Daily Star*, 29 September 2018.
[38] Martínez-Alier, Op. cit., 2014, p. 240.

the 'environmentalism of poor' and Indigenous populations' worldwide involvement in resource extraction conflicts. The cases of 'resource extraction conflicts' in poor or Indigenous communities mirror the harsh realities of the contemporary capitalist world.[39] Moreover, Gerber's study reveals that "corporate control over land results in displacements"[40] and the disruption of local ecosystems. Likewise, Bibhutibhushan portrays the disruption of the ecosystem caused by the landlords' colonial attitude. In *Aranyak*, he dramatizes the illegitimate benefits of bribes, gifts, and nepotism. The character of exploitation is the same everywhere, whether in a jungle or a city. In *Aranyak*, the poor tenants are afraid of prosperous tenant Rashbehari Singh since he plays the role of a colonial character. According to Sen, the powerful and the poor tenants fight over the possession of 'diara land'.[41] Those who lose are forced to leave their place. The displaced and disoriented people represent the plights of the poor tenants. 'Diara' refers to the elevated strip of land when the river changes its path. The exhibition of sociopolitical condition in Bibhutibhushan's *Aranyak* is shaped by the fortunes and the misfortunes of those deeply entangled with this 'diara' land.[42] The zamindars maintain the 'katcheris' to collect taxes from the tenants who cultivate the 'diara' land. When the amount of crop production rises, so does the tax rate. Unable to cover the increased revenue, the ryot (cultivator) is forced to leave the 'diara' land he once made productive. As per Rusati Sen, this kind of land settlement called 'hal-hasila' was common in India. Sen notes that the same issue caused the Santal Rebellion in Birbhum in 1859. In *Aranyak*, we observe that the prosperous tenant, like Rashbehari, grabs the 'diara land' due to the displacement of the poor tenant and perpetuates extreme exploitation.[43]

The concept of 'environmental justice' advocates the morals of 'environmentalism of the poor'. To ensure environmental justice, a comfortable environment is more important for all living things than a superfluity product. Sunita Narain also discusses the 'environmentalism of the poor' in *Business Standard*, saying that "when the land is mined and trees are cut, their water source dries up or they lose grazing and agricultural fields".[44] Likewise, at the end of the *Aranyak*, the author shows that all the forests have been cleared and covered with small slums. There is no sign of green. The notion of 'environmentalism of the poor' is closely attached to other

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[39] Ibid, pp. 239-241.
[40] J. O. Gerber, "Conflicts over industrial tree plantations in the South: Who, how and why?", *Global Environmental Change,* Vol. 21, Issue 1, February 2011, pp. 165-176.
[41] R. Sen, 'Aranyapad O Manabgatha' (1993), In: *Bibhutibhushan: Dwander Binnaysh,* Calcutta: Papyrus, 1998, pp. 17-44.
[42] Bhattacharya, Op. cit., 2002, p. xv.
[43] Ibid.
[44] Martínez-Alier, Op. cit., 2014, p. 240.

issues: the defense of Indigenous territorial rights following Convention 169 of the International Labour Organisation (ILO), the right to the purity of natural components, for instance, a mountain, a forest, or even a tree.[45] In *Aranyak*, we see how the natural elements are destroyed. The impoverished and rural people of the global 'South' are more attached to the environment than the affluent colonizers of the 'North'.[46] The British colonizers coming from the global 'North' came to the 'South' to rule the Indians. The novel *Aranyak* was written during British rule in India. In *Aranyak*, the forests are leased in time to collect revenue. First, the cultivators cut down all the trees to make the land suitable for cultivation. Local zamindars collect taxes from farmers in exchange for allowing them to farm the land. The zamindars are bound to pay most of that tax to the British government. In *Aranyak*, the zamindar system carries the colonial legacy by demonstrating how zamindars served as mediators, extracting taxes from local cultivators to support British rule. Many, unable to pay the extra tax, are forced to give up land to a lathial (a goon) like Rashbehari Singh. Undoubtedly, the poor peasants are the victims of 'environmental injustice' in *Aranyak*.

Environmental Mayhem and the Contemporary World

The tree is one of the benefactors of the environment as it plays a vital role in maintaining ecological balance. However, trees are being cut to provide people with food, clothing, and shelter. The environment loses its balance due to the lack of forests. The sensual and spiritual relationship between natural components and people is deteriorating daily. Nowadays, environmental pollution is constant. As a result, we persistently face many natural calamities, such as heat waves, landslides, cyclones, floods, and avalanches. It is said that the recent terrible coronavirus pandemic is the result of polluting our Mother Nature, and the heat of corona fever is the reality of the 'new normal world'.[47] Environmental degradation is a key concern for ecocritics, who aim to raise eco-consciousness through their works. While technology plays a vital role in advancing human civilization, its application is often misused. For example, the development of modern lethal weapons, which contribute to the loss of innocent lives worldwide, questions the ethical usage of technological knowledge. Ecocriticism deals with how the texts represent the misuse of natural properties—such as plants, soil, air, and water—and technological tools, including

[45] Ibid.

[46] I. Davey, "Environmentalism of the poor and sustainable development: an appraisal", *JOAAG*, Vol. 4.1, 2009, pp.1-10.

[47] O. Chikere and O. O. Wosu, "Human-Nature Interactions in the New Normal World: A Study of Selected Pandemic Poems", *European Journal of English Language and Literature Studies*, Vol. 10, No. 7, 2022, pp. 1-8.

industrial waste and deadly weapons. By encouraging sustainable practices and raising ethical apprehensions, the eco-conscious novel *Aranyak* encourages readers to adopt more ecofriendly approaches.

Conclusion

The novel *Aranyak* juxtaposes a 'substantial' and an 'imaginative' position simultaneously as it demonstrates a melancholic narrative on the one hand and a potential environmental apocalypse on the other. Environmental apocalypticism is not about anticipating the end of the world.[48] Some critics have claimed that Indigenous peoples have already experienced the demise of their world as a result of colonization several centuries ago.[49] Evidently, the phenomena of 'end of the world' have already happened to Santal Pargana in *Aranyak*. Additionally, the narrative of *Aranyak* is about the demolition of plants, animals, birds, farmers, and outcasts.

Undoubtedly, Satyacharan feels immense regret for the ecological apocalypse. The dichotomy of the anthropocentric and biocentric tendency of Satyacharan is concurrently allured in the novel *Aranyak*. His anthropocentric view is revealed when he takes the initiative to lease out the lands. Simultaneously, his biocentric thought is also exposed when he introduces tree plantation plans in the forest. He has nothing to do but lease out the lands. Satyacharan's employer continuously summons him to sort out prospective lessees and draft fresh lease agreements and contacts until the whole forestland is leased out. At first, Satyacharan's urban lifestyle rebels against the forlorn forest life, but over time, nature hypnotizes him. He gradually falls in love with nature. Satyacharan and Jugalprasad take the initiative to beautify the forest. Again, nature is destroyed due to Satyacharan's assigned job, which makes him feel guilty. To sum up, Satyacharan's bifurcation of inner feelings and outer actions portrays his eco-consciousness.

Moreover, well-known columnist Roy reckons that in *Aranyak*, 'imposing agriculture' is a significant threat to the ecosphere of nature. Satyacharan's narrative portrays that the tenants of the estate rush towards modern commerce and agriculture, leaving their hunter-gatherer culture. Some are reluctant to clean the forest and work in the farmland, but they are demolished due to the consequences of colonialism. Dobru Panna, the erstwhile king of Santal Pargana, is the victim of colonialism because he and his clans avoid practicing 'colonial agriculture'. In *Aranyak*, the paradigm of agriculture is to serve the purpose of colonialism as the zamindars, who control large tracts of land, give money to the British government, and the local

[48] S. Alt, "Environmental apocalypse and space: the lost dimension of the end of the world", *Environmental Politics*, Vol. 32, No. 5, 2022, pp. 903-922.

[49] K. P. Whyte, "Indigenous science (fiction) for the anthropocene: ancestral dystopias and fantasies of climate change crises", *EPE: Nature and Space*, Vol. 1, No. 1-2, 2018, pp. 224-242.

tenants pay taxes to the local zamindars.[50] So, it is a vicious cycle interrelated in a triangular format of tenants-zamindars-colonialists.

In *Aranyak*, the struggles associated with the "Santal Rebellion" echo the trope of "dwelling" proposed by Garrard in his eminent book *Ecocriticism*. "Dwelling" infers the prolonged "imbrication of humans in a landscape of memory, ancestry, and death, of ritual, life and work".[51] The Indigenous people, like Santals, dwell in a harmonious relationship with the environment until the advent of colonial power. However, there is nothing left, as Buddhu Singh, a local of Santal Pargana, asserts, "whatever was left was all gone in the Santal Revolt of 1862" in *Aranyak*.[52]

[50] Roy, Op. cit., 2018.
[51] Garrard, Op. cit., 2004, p. 108.
[52] Bhattacharya, Op. cit., 2002, p. 70.

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Defining the Intangible Cultural Heritage Integrated to the Built Heritage at the Ancient City of Khalifatabad (Bagerhat)

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Abstract

The heritage inscription from Khan Jahan Ali in the city of *Khalifatabad* is a countenance of indigenous techniques with imperial Delhi, creating a unique identity. Some stunning architectural engravings are revealed here with its own exemplary expression. As well as some of the intangible heritages created and grew up around the built heritages of *Bagerhat* and became a source of some cultural, social and religious inspiration. Although distinct in nature, such traditional patterns form powerful imaginative, global domains through the interaction of meanings and values in spiritual, touristic, scholarly and civic contexts. The purpose of this research is to explore the intangible components and define long-term possessions of the religious built environment on a socio-cultural lifeline. Historical discoveries of remarkable cultural immaterial of present Bagerhat city are indexed. Bagerhat is a UNESCO World Heritage Site. Behind this recognition, as much as its physical and architectural appearance has come to the fore, its underlying embodied soul has not been revealed holistically. In this study an attempt has been made to discover the inner essence of this tradition through physical inspection. Moreover, various books, journals, and papers have been used as a basis. Unstructured interviews and discussions were also held with some recitalists because their ideas could not be rejected if cultural compassions were to be taken. The intangible cultural elements, if properly identified, will contribute to the appropriate live preservation of heritage sites and provide evidence of cultural continuity and fluidity during the past. The outcomes of the study provide some basis for better understanding of the history, culture, rituals, values and later preservation, restoration or conservation of intangible cultural heritages of Khalifatabad.

Key words: Khalifatabad, Intangible heritage, Khan-Jahan style, Cultural relics, UNESCO world heritage.

Introduction

The historic city Khalifatabad is situated in the suburbs of the presently known Bagerhat district of the Khulna Division, which is some 175 kilometers away from the capital Dhaka. The history of this ancient Bangladeshi city is traced to the 15th century. The exceptional number of mosques and Muslim monuments that bear witness to the great architectural skills is the specialty of this ancient city, and it led to the naming of the city the "Mosque City of Bagerhat."

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Ancient Khalifatabad city is famous for a group of historic brick monuments. Among the presently surviving monuments *Shait Gombuj Masjid* (sixty dome mosque) is magnificent and largest brick structure[1]. Some other historical monuments surround it. The monuments are the representation of a rich building pattern. For outstanding architectural value, the World Heritage Committee of UNESCO inscribed Bagerhat in the World Heritage list in 1985 (criteria iv) and it got the status of the second World Heritage site in Bangladesh after *Paharpur*. More than 50 monuments made of brick have been traced in this area representing initial period of the development of Muslim architecture in Bengal. The purpose of this research is to explore the intangible components and define long-term possessions of the religious built environment on a socio-cultural lifeline.

Methodology

Collected data from available published literature reviews and site survey is the main source of evidence for this study. All historical and field information has been analised and compared with each other to evaluate the original scenario and current state of the intangible cultural heritages associated with the monuments. According to history, some of the cultural components existed in Khalifatabad before around 600 years, but there are no defined literatures. Those historical components spread in a different format by generations. Local people wanted to cherish those traditions, tales or stories in their memories as their glorious past. Also, those components make the heritage places more memorable, meaningful, and interesting.

A. Sources

From the literature, there is no direct information about the intangible cultural heritages, but some indications of past cultural events, beliefs, lifestyles, human activities, rituals, and values are found from the different writers stated in the different sources. Those information has been collected from available sources, such as- newspapers, books, journals, seminar proceeding, thesis paper, valid online resources etc. Specifically, information about the Khan Jahan Ali (KJA) fair, pilgrimage, myths, and tales, which were generated about many centuries before and continue to the present. Also there are debates about some of the particular myths, few of those are categorically presented and trying to be justified.

1 Nazimuddin Ahmed, *The Buildings of Khan Jahan- In and around Bagherhat*, (The University Press Limited, 1989), Dhaka.

B. Fieldwork

Site survey along with the support of primary and secondary sources have been conducted to find out how the most important tangible and intangible cultural components and their outstanding universal values are integrated into each other. Physical survey includes site visit and visual observation and photographic documentation of presently survived monuments, associated popular cultural activities and life lines. There is a lack of existing research data on the cultural heritage of the khalifatabad. Therefore, oral history, city tales and statements from elderly people by interviewing and information about cultural traditions from local sources, are considered as a valuable basis of information to be used for synthesis and analysis.

Background Study: Historical Perspective

During the 15th century (1429) Turkish General *Ulugh Khan Jahan* was commissioned by the *Delhi* emperor to establish a Muslim colony in this remote state[2]. So, he conquered part of southern Bengal. He named the area Khalifatabad in honour of the then *Sultan Nasiruddin Mahmud Shah I* (1435-59), the founder of the second Ilyas Shahi Dynasty[3] and ruled the area by setting up of administration at Haveli-Khalifatabad, till his death in 1459. The local capital was 50 km^2 along the Bhairab River, while the city extended into the northern peripheral land of *Sundarban*.

A. Khan Jahan Ali

Khan Jahan Ali of Khalifatabad (present-day Bagerhat) possessed the indispensable qualities to become both a ruler and a successful administrator. Although little has been known about his origin and there happen to be many ambiguous myths and tales; there is no doubt about his abilities.[4] He was a prominent practitioner of Sufism and was a saviour to the locals.

Khan Jahan Ali was the first individual to bring the swampy region of Sundarbans under the banner of Islam. Exactly where he entered is uncertain, but local tradition says that in Bengal, his first entry was at *Barabazar*, ten miles from Jessore, currently a border town of Bangladesh.[5] Khan Jahan Ali marched through the jungles and the

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[2] Nazimuddin Ahmed, *Discover The Monuments of Bangladesh*, (University Press Limited, 1984), Dhaka.

[3] Ahmed Hasan Dani, *Muslim Architecture of Bengal*, (Asiatic Society of Pakistan, Publication 7, 1961), Dacca, p. 141

[4] Fatiha Polin and Drubo Alam, *Tracing the Journey of Khan Jahan Ali from Barobazar to Bagerhat*, Jurnal Kemanusiaan, (UTM, 2019), Malaysia.

[5] S. M. Hasan, *Khan Jahan: Patron-saint of the Sundarbans*, (Islamic Foundation Bangladesh, 2004), Dhaka, p. 38

marshes of *Jessore* with sixty thousand followers.[6] Every point of Khan Jahan Ali reached a major township, he left behind some of his disciples to engage in social work, and continued to proceed southward with the rest of his entourage.[7] According to local legend, Khan Jahan Ali and his followers played a vital role in the region, building highways, transforming the region's dense jungles into rice fields and constructing reservoirs to supply drinking water to the local inhabitants.[8]

The saint's primary objective in rendering the swampy region of Bengal habitable was to spread Islam. He was an adept leader and organizer who used abundant manpower to promote architecture, an extremely difficult task in the marshy wetlands of south Bengal.[9] The saint finally settled at Bagerhat, and legend has it that he constructed 360 reservoirs and 360 mosques in the area. After his death in 1459 C.E., the people of southern Bengal commemorated him as a great warrior-saint, and his tomb remains a renowned pilgrimage destination.[10]

B. Khalifatabad.

An ancient settlement existed in the western area adjacent to the present Bagerhat Municipality at around 10-11th century AD. At that time, many of the residents of the area were Hindu and Buddhists. Islamic administration and culture penetrated in the region around the 15th century AD. As a result, it grew into a prosperous city called 'Khalifatabad.' The city was located in the northern part, extended east-west about 7 km and width of 4 km.[11] At that time, the river *Bhairab* was flowing along its northern and eastern sides. But later, keeping in line with the change in the course of the river, the history of this city also changed in the same way as the political ups and downs of the history of other parts of Bengal. As a consequence, the settlement lost its importance as a city. During the rise of Hindu feudal powers in the 16th century AD, Hindu culture began to infiltrate the adjacent areas of Bagerhat and the city began to disappear[12]. However, before the foundation of a Muslim colony there was a settlement

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6 J. Westland. *A Report on the district of Jessore: Antiquities, its History, and its Commerce*, (Calcutta: Bengal Secretariat Press, 1871), p. 25

7 K. Alamgir, *Khan Jahan (R): Ruler, Builder and Saint*, (Parash Publishers, 2001), Dhaka.

8 G. Michell (ed.). *Islamic heritage of Bengal,* (UNESCO, 1984), Paris, pp. 168

9 Richard M. Eaton, *The Rise of Islam and Bengal Frontier, 1204-1760,* (Berkeley press of Florida, 2000), p. 210

10 R. Shahid, *The mystic contribution: Khan Jahan Ali and the creation of Bagerhat*, (Adorn publication, 2010), Dhaka, p. 42

11 Md. Mosharraf Hossain *et al., Khalifatabad, Bagerhat*, (Department of Archeology, Govt. of the Peoples's Republic of Bangladesh, 2003) Dhaka, p. 30.

12 Ibid, Fig. 1; H. Rahaman and K.M.D. Darain, *A Description of Buildings in Khalifatabad City*, Bagerhat, (Protibesh 11-01: *Journal of the Department of Architecture*, BUET, 2007), Dhaka.

of Buddhists and Hindus during the period of 10-13th century AD.[13] So, this small prosperous township sprawls abandoned along the bank of the Bhairab River on an earlier settlement about five hundred years old, then known as the mint town of Khalifatabad.[14]

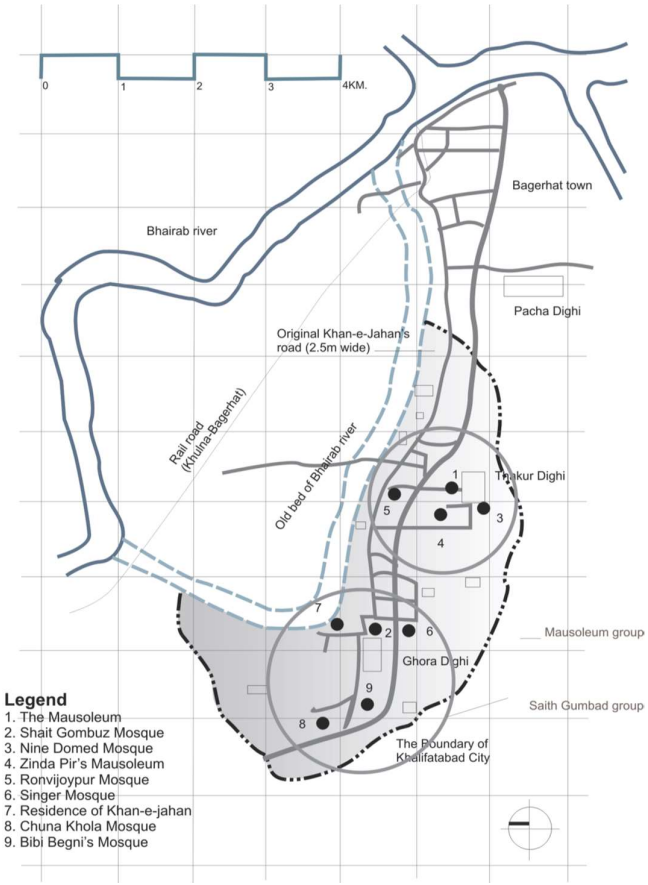

Fig. 1 The area of Old city Khalifatabad and its historical monuments.

In the inhospitable mangrove forest of the *Sundarbans*, this prosperous township was systematically laid out in the mid-fifteenth century by an obscure warrior-saint, known from his inscription as Ulugh Khan Jahan.[15] Khan Jahan Ali, acquired the forest area of the Sundarbans as *jagir* (fief) from the sultan of Delhi and subsequently from the sultan of Bengal. He spent the rest of his life to develop a well-organized locality in this marshland with the spirit of Islamic philosophy. History says that he

[13] Md. Shafiqul Alam, *Paharpur and Bagerhat: Two World Heritage Sites of Bangladesh,* (Department of Archeology, Govt. of the Peoples's Republic of Bangladesh and UNESCO, 2004), Dhaka, p. 17.

[14] Architectural conservation of Paharpur and Bagerhat, *Architectural & Urban Conservation in the Islamic World*, Vol. 1, (The Aga Khan Trust for Culture, 1989), Dhaka.

[15] Ibid

constructed about 360 mosques and similar structures and as many freshwater tanks, as well as palaces, mausoleums and other public buildings in a short period.[16]

The obscure Sufi Saint-General also built roads, bridges, river ports, and necessary urban facilities to spread religious and spiritual influence in the southern region of the country.[17] Still now, the old city of Khalifitabad contains some major architectural and historical monuments. Fig. 1 shows the area of the city and the locations of the monuments that exist presently. The historical monuments of Khalifatabd represent a unique architectural pattern named as *khan-e-jahan* style.[18]

Intangible Heritage of Ancient Bagerhat (Khalifatabad)

The intangible cultural components integrated with built heritage are also a valuable cultural part of Bagerhat city. In the city, Khan Jahan's spiritual presence is quite obvious, and there are various folklore and miracles attributed to the saint and his followers, as well as some magnificent monuments. The architectural monuments acted as the symbolic centre point for many activities. And it demonstrates the activity

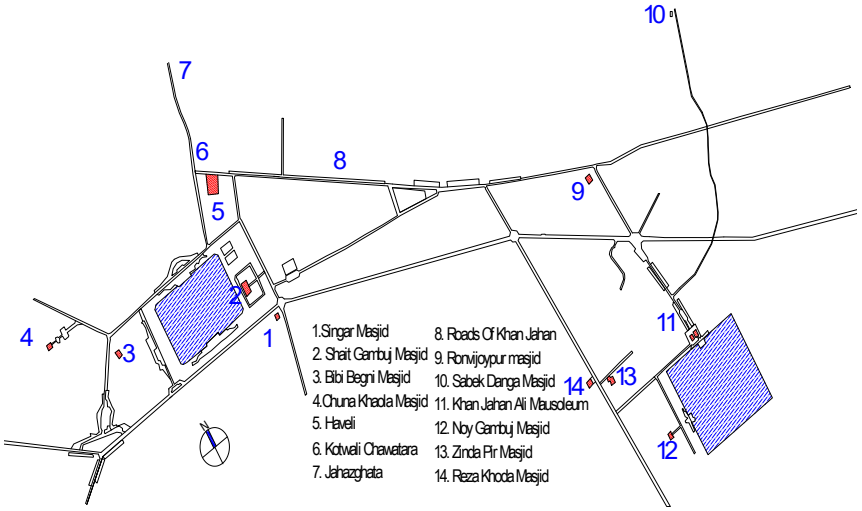

Fig. 2: Present site locations of tangible cultural heritages of Khalifatabad, Bagerhat. (Illustrated by author)

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[16] S. C. Mitra, *Jasohar Khulnar Itihas*, (Vol. 1, Bangla, 1963), p. 233

[17] Nazimuddin Ahmed, *The Buildings of Khan Jahan- In and around Bagherhat*, (The University Press Limited, 1989), Dhaka.

[18] M.A. Naqi, H. Rahaman and Sk. Maruf Hossain, "*A Study on the Structural Components of Buildings of Khan-e-Jahan Style, Bagerhat"* (unpublished), (research funded by Khulna University Research Cell, 2004).

as an organized and permanent manner. As a result, many intangible cultural events grew here that were indigenously associated with the built heritages. Those intangible cultural events are living religious heritages, which are of particular importance, given their vital role in conveying, expressing, and sustaining the faiths that give spiritual identity, meaning, and purpose to human life.[19] Also, understanding living religious heritage requires recognizing the intangible significances of tangible religious objects, structures, and places, which is the key to their meaning. [20] The tangible and intangible components cannot be separated since all cultural materials have particular values.

The local people of the old city of Khalifatabad embraced it as a core part of their cultural identity, preserving much of its intangible heritages through oral traditions passed down through generations. However, these traditions are declining due to a lack of proper documentation and preservation efforts. Many myths have already been lost, though some still continue to influence the daily lives and activities of the community.

A. Intangible cultural components:

The built heritage introduced by Khan Jahan Ali added a great value to Khalifatabad. At the same time, it is the container of various types of socio-cultural activities. These activities rise from the remains of his life, his spirit, his philosophy along with his development of architecture, monuments and other urban components. These socio-cultural components become an integrated part of the local tradition and beliefs. Various Folklore like legends, myths, popular beliefs, city tales, etc, are found about Khan Jahan and his spiritual power. Sufi music is a strong local trend around the built heritages of Khan Jahan which is grown based on the life and spiritual power of Khan Jahan Ali. Also, from ancient times, there were some festivals, including the Khan Jahan Ali fair, which occurred in the Khalifatabad city each year.

i) 'Pilgrimage activity'

It is a well-known fact that Khan Jahan began his career as a missionary and died as a patron saint of the locality. He is regarded as a *'Pir'*, even the crocodiles of the big tank in his dargah are looked upon as having miraculous powers.[21] If we trace the tract of lands he traversed from Barabazar to Bagerhat, he established a vast and well-planned road network in southern region.[22] From the legends, it took at least 20 years

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[19] Herb Stovel, Nicholas Stanley-Price & Robert Killick (ed.), *Conservation of Living Religious Heritage*, Papers from the ICCROM 2003 forum on living heritage: conserving the sacred, (ICCROM Conservation Studies, 2005), Rome.

[20] Ibid, Image 1: G. Michell (ed.), *Islamic heritage of Bengal,* (UNESCO, 1984), p. 173

[21] Abdul Karim, Banglar Itihas: 1200-1857 (in Bangla), (Jatio Sahitto Prokash, 2023), Chittagong, p. 74

[22] S. M. Hasan, *Khan Jahan: Patron-saint of the Sundarbans*, (Islamic Foundation Bangladesh, 2004), Dhaka, p. 55

to complete all the extant monuments at Bagerhat. People say that Khan Jahan had 60,000 soldiers and their only weapon was the spade. His warrior soldiers dug a great number of ponds in a short span of time. Exaggerating these people a little, Khan Jahan Ali used to excavate huge piles in one night and he used to do all these strange things at night.[23]

So, he was an adept leader and organizer who used abundant manpower to promote architecture- an extremely difficult task in the marshy saline wetland of South Bengal.[24] The saint finally settled at Bagerhat, and legend has that he constructed 360 reservoirs and 360 mosques in the area.[25] After his death in 1459 CE, the people of southern Bengal commemorated him as a great warrior-saint, and his tomb remains a renowned pilgrimage destination.[26] He is credited with building many of the nearby monuments that now lie in ruins. The oldest reference to pilgrims visiting his shrine is from 1866 CE[27] in an unpublished manuscript, *Reginald Craufuird Sterndale*, talks about the arrival of numerous pilgrims coming from across Bengal to perform their *ziyarat* (pilgrimage) at the shrine of Khan Jahan Ali.[28] Many devotees and lovers of the Sufi saint also gathered here repeatedly in several regular religious occasions.

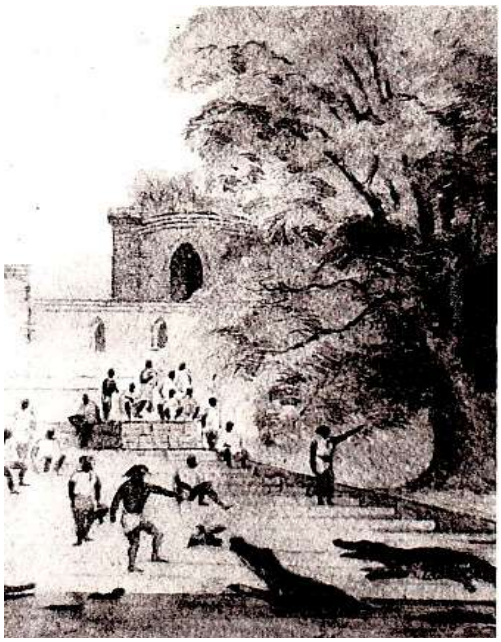

Image 1: Earliest representation of Khan-i Jahan's mausoleum & Khanjali Dighi. Water colour made by Reginald Craufuird Sterndale in or just after 1866.

Khan Jahan spent his retired life here, and after his death on 25 October 1459 (27 *Zilhajj* 863 AH),

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23 S, C. Mitra, *Jasohar Khulnar Itihas*, Vol. 1 (in Bangla), 1963, p. 221

24 Richard M. Eaton, *The Rise of Islam and Bengal Frontier, 1204-1760* (Berkeley press of Florida, 2000), p. 210

25 S. C. Mitra, *Jasohar Khulnar Itihas*, Vol. 1 (in Bangla), 1963, pp. 371-372

26 R. Shahid, *The mystic contribution: Khan Jahan Ali and the creation of Bagerhat*, (Adorn publication, 2010), Dhaka, p. 41

27 G. Michell (ed.). *Islamic heritage of Bengal,* (UNESCO, 1984), Paris, p. 173

28 Shahid, Ibid, Dhaka, p. 42

his tomb built by himself has been preserved.[29] In the absence of his physical existence, the tomb is now a pilgrimage site where people pay homage to the saint. Pilgrimage performs frequently to Sufi shrines to seek the intercession of a saint in their communication with the almighty. They believe that the saint has the ability to help them.[30]

Majority of the pilgrimage are married women who came to votive offerings.[31] The pilgrimage touches and feeds the two crocodiles, *dhola pahar* and *kala pahar*, that are said to be the carriers of Khan Jahan.[32] The present two crocodiles are not the generation of Khan Jahan's pet crocodiles, which live in the same *dighi*. But the local people believe and respect those as so. They feed and touch the pet crocodiles as a sign of a saint having divine power; it could fulfill their *'Manat'* (positive mind's desire). It is interesting that there is no record of the crocodiles to attack any people.

Besides, a large number of people come to Bagerhat to visit the ruins of Khalifatabad, the world heritage site, and the outstanding Shat Gambuz Mosque. The architectural aesthetics, the construction technique, the styles of khan jahan impressed them.

ii) ***'Khanjali mela'***

Khajali mela is the local name of Khan Jahan Ali fair. The fair is as big as old. It seems to the fair sits before hundreds years.[33] Local tradition describes Khan Jahan as a wise and benevolent ruler, devoted to the cause of Islam. To uphold teachings and influences of the obscure Sufi Saint-General who adorned the city Bagerhat for spreading religious and spiritual influence to the southern region of the country, an annual fair *'Khanjali mela'* is held on the *dargah* (mausoleum complex) at the supposed anniversary of his death (*Orosh*), premises in the bright half (full moon) of the lunar month in the Bengali month of *Chaitra* (March-April).

Khan Jahan Ali Mela is held every year in the bank of *Tagore Dighi*. Generally, the fair stays three days. Local inhabitants and lots of visitors attend the fair from local and surrounding regions. Hindu, Muslim get together in the festive fair without religious boundary.[34] The trend is now active but not very well organized (Image 6

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29 S. C. Mitra, *Jasohar Khulnar Itihas*, Vol. 1 (in Bangla), 1963, p. 242

30 S. J. Raj and W.P. Harman (ed.), *Dealing with Deities: The Ritual Vow in South Asia*, (State University of New York press, 2006). USA, p. 88

31 P. Hasan and O. Grabar, *Sultans and Mosques: in The Early Muslim Architecture of Bangladesh*, Tauris. I.B, 2007, p. 117

32 S, C. Mitra, *Jasohar Khulnar Itihas*, Vol. 1 (in Bangla), 1963, p. 240; S. J. Raj, W.P. Harman (ed.), *Dealing with Deities: The Ritual Vow in South Asia*, (State University of New York press, 2006). USA, p. 91

33 S. G. Miah, *Bagerhat er Itihash* (Part 1, in Bangla), Belayet Hossain Foundation, Bagerhat, 2001

34 Ibid.

and 7). Different religious and cultural events are performed in the fair. Many people give *shirni* to the fair people in the name of Saint Khan Jahan Ali. Hindu Muslims both offer shinni to the saint, and if they feed crocodiles, people think that they pleased the saint.[35]

To support the huge gatherings, different types of temporary shops are established that sell various products, like souvenirs, handicrafts, local dry foods, clothes, potteries, etc. The fair also displays some of the large children's playing events with full installations in the adjacent places (Image 8). The fair started its journey after death of Khan Jahan Ali and still continuing as one of the largest cultural festival of the city.

iii) Cultural activity

Sufi Saint General Ulugh Khan-e-Jahan came to this southern part of Bengal not only as a ruler but also as a 'cultural mediator'. In a land of hostility, this saint-general came for the salvation of the local people by bringing them into the religious orders of Islam through a motivational process.[36]

Local music, versions, tales are peaceful medium of spreading message. The muslim saints, over the centuries, created and incorporated local nonsectarian traditions.[37] This traditional religious music is a popular meditative and mystic song (*Sufi-Baul* type) presented in raw format with local light instruments associated with the KJA mausoleum (Image 9). The purpose of the music is considered in relation to God and passionate love for Him and his lovers.

The musical programs are arranged around the KJA mausoleum complex on an occasional and regular basis and performed by various local artists, which are spiritual attractions for the pilgrimage and local people. These locally arranged programs bear unique characteristics in consideration of its lyric, devotion and spiritual message. Generally, whole night is dedicated to the performance and sometimes it attracts tourists also.

iv) Myths & City Tales

There are number of city tales about the construction of Khalifatabad city and the spiritual power of KJA. After conquered of Bagerhat it seems that he was alive for 30-40 years and adorns his city with various monuments.

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[35] Ibid.

[36] Nazimuddin Ahmed, *The Buildings of Khan Jahan- In and around Bagherhat*, (The University Press Limited, 1989), Dhaka.

[37] S. J. Raj and W.P. Harman (ed.), *Dealing with Deities: The Ritual Vow in South Asia*, (State University of New York press, 2006), USA, p. 88

There is a proverb in Jessore that during the time of *Shahjalal*, 12 *Fakirs* (saints) came to the Jessore region to spread the religion and first settled on the bank of Bhairab, which was called 'Barabazar' in the name of 12 saints. Khan Jahan Ali was the hero of these twelve saints.[38] When he ordered a permanent haveli or residence in Bagerhat, his disciple's number increased to 360. He built 360 mosques and dug 360 dighis in Bagerhat region for these disciples.[39] Though all those are now tales, but many of them still exist. The necessity of excavating tanks is twofold: firstly, to provide sweet drinking water in a deltaic bay where salinity is the main problem; secondly, to obtain alluvial soil of the excavated tank for manufacturing bricks for his building projects.[40]

Although there is a singular paucity of authentic history about Khan Jahan, there is no dearth of legends and local traditions, surrounding his personality. These bewildering legends have been compounded by an increasing number of stories, woven round him by his arduous devotees.[41] These legends, hearsay says and mysterious stories are related to the performance of miracles, conversion of the Hindus into Islam, and stories related to the famous crocodiles, named 'Kalapahar' and 'Dhalapahar'. Such legends and stories are current in *'Punthis'* or hand-written booklets, now those are going to extinct, one of them is as follows:[42]

খান জাহান মহামান বাদশা নফর
যশোরে সুন্দর লয়ে করিল সফর
তার মুখ্য মহাপাত্র মাহমুদ তাহির
মাড়িতে বামুন বেটা হইল হাজির।
পূর্বেতে আসিল সেও কুলিনের নাতি
মুসলমানি রূপে মজে হারাইলো জাতি।

Translation: "Khan Jahan was a great but humble king who came to Jessore along with his disciples. His principal minister was Mahmad (Muhammad)Taher, who was keen on converting *Brahmins*, though he himself was previously a *Kulin* Brahmin, and by becoming a Muslim, he lost his caste. He started living in *pirallah* village (*Poyogram*) by assuming the title of *Pirali* (saint)."[43] The gullible people of the locality still believe

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38 S. C. Mitra, *Jasohar Khulnar Itihas*, Vol. 1 (in Bangla), 1963, p. 212

39 Ibid.

40 S. M. Hasan, *Khan Jahan: Patron-saint of the Sundarbans*, (Islamic Foundation Bangladesh, 2004), Dhaka, p. 112

41 Nazimuddin Ahmed, *The Buildings of Khan Jahan- In and around Bagherhat*, (The University Press Limited, 1989), Dhaka, p. 40

42 S. M. Hasan, *Khan Jahan: Patron-saint of the Sundarbans*, (Islamic Foundation Bangladesh, 2004), Dhaka, p. 57

43 F. E. Pargiter, *Revenue History of the Sundarban*, 1885, quoted by A.F.M.A. Jalil, *Sundarbaner Itihas*, (Dacca, 1964), p. 121

many legendary stories to be true. The general people consider Khan Jahan Ali as a spiritual personality who has the power to help the helpless people. He is the special representative of the almighty and maintains strong connection with him. So, people offer votives to convince him.

Although there is a singular paucity of authentic history about Khan Jahan, there is no dearth of legends and local traditions surrounding his personality.[44] According to legend Khan Jahan Ali erected 360 mosques throughout his domain and beautified his capital with an equal number of sweet water tanks. Even he could dig a grand pond within one night![45] One cannot believe that those large numbers of sweet water tanks were dug in the shortest possible time. During that period there was no modern equipment to dig such large tanks. So probably myths were created to support the tales.

A popular city tale is established about deemed arrival of Khan Jahan Ali accompanied by two crocodile 'Kala Pahar' and 'Dhola Pahar',[46] is a strong believe that Khan Jahan Ali rode on those to move. These two crocodiles have been painted by Reginald Craufuird Steradale in an unpublished manuscript on Bagerhat, which contains a number of water-colour illustrations (Image I). It is generally believed that the two crocodiles, living in the Thakur or Khanjaali Dighi or Tank never eat human flesh. But unfortunately, they had eaten several boys.[47] Simple people believe that these crocodiles can bless young (childless) ladies to come, and their blessings are sure to bear fruit. Accordingly, many young women repair to this place to bath in sacred water of the tank and implore the blessing of the saturian monsters.[48] They offer them fowls and paint a human figure with red lead on a stone pillar in the neighbourhood, and embracing it vow to give away to the crocodiles the first fruit of their blessings. This vow is never broken, the first born is invariably brought to the tank, and when, at the call of the Fakirs, the crocodiles rise to the surface, the child is thrown on the water's edge with words implying a presentation. But it is taken up immediately after and borne home amid the rejoicings of the family.[49] This story is too atrocious to believe. However, one story goes that Khan Jahan brought these two crocodiles from the marshy lands down the Bay of Bengal and put them in the Thakur dighi in the hope

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44 Nazimuddin Ahmed, *The Buildings of Khan Jahan- In and around Bagherhat*, (The University Press Limited, 1989), Dhaka.

45 S. C. Mitra, *Jasohar Khulnar Itihas*, Vol. 1 (in Bangla), 1963, p. 222

46 A. Roy, *The Islamic Syncretistic Tradition in Bengal*. (Princeton: Princeton University Press, 2014) p. 231

47 A.F. M.A. Jalil, *Sundarbaner Itihas*, (Dacca, 1964), p. 12

48 S. M. Hasan, *Khan Jahan: Patron-saint of the Sundarbans*, (Islamic Foundation Bangladesh, 2004), Dhaka, p. 57

49 Ibid.

that people of the locality or pilgrims would not pollute its water for fear of these animals.[50]

Another tales said that Khan Jahan transformed his two favourite horses into two crocodiles during his excavation visit![51] There is a tale regarding the name of the lake is Ghora Dighi. As far as a horse ran, a huge lake was dug according to its circulation of 1500×900 ft. Also, it was so deep that its waters never run dry round the year.[52] Those grand water bodies express a wondrous beauty among the scarcity of sweet water.

Khan Jahan Ali always wanted to build his Khalifatabad city, which would have easy accessibility to other cities. It is a well-known fact that he built a wide network of roads. At the same time he promoted riverine transport by establishing a River Port or *Jahaghata* on the bank of the river Bhairab.[53] At the site a carved stone column engraved with an image of an eight-handed *Mahismardhini Durga* (9^{th}/10^{th} century), is found embedded in the ground and still indicates the site of the port.[54] Most of the black stones used in Khan Jahan monuments in Bagerhat as bases of pillars, in all likelihood, were imported from *Chittagong* or the Hill-Tracs by water routes and unloaded at this Jahajghata.[55] There was a myth about the bringing of those stones. It is said that Saint Khan Jahan carried these from Chittagong to Jahajghata by floating on water![56] Also Myths about his disciples, such as *zinda pir, chillakhana* etc. are also popular to the local people of Khalifatabad. They think the disciples of Khan Jahan contributed to the mystic activity of the Sufi saint and also paid votive to them. All those are popular beliefs, though there is no scientific evidence, but those are very interesting to the common people and tourists.

v) ***Traditional Street shops***

For the increasing visitors and local people's demand of the ancient city Bagerhat, a large number of Souvenir and tourist shops are growing around the monuments. Basically, those shops are arranged on both sides of the streets on the various pathways

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50 Ibid.

51 Ibid.

52 S, C. Mitra, *Jasohar Khulnar Itihas*, Vol. 1 (in Bangla), 1963, p. 231

53 A.F. M.A. Jalil, *Sundarbaner Itihas*, (Dacca, 1964), p. 142

54 S. M. Hasan, *Khan Jahan: Patron-saint of the Sundarbans*, (Islamic Foundation Bangladesh, 2004), Dhaka, p. 110

55 Nazimuddin Ahmed, *The Buildings of Khan Jahan- In and around Bagherhat*, (The University Press Limited, 1989), Dhaka, p. 51

56 S.S. Zaman, *Bangladesher Sufi Shadhok o Oli-Awlia* (in Bangla), (Rahmania Library, 2008), Dhaka, p. 97

to the historical monuments (Image 10). Those colourful shops are one of the great attractions for the local peoples and visitors which are based on local crafts & potteries. In addition, there are many interesting floating shops or hawkers on the traditional vehicles which contain various low-cost and attractive traditional products.

The following table represents the relationship between tangible and intangible components, where the built elements are the place of performance or spiritual containers of intangible heritage.

Table 1: Re-defining Intangible cultural components of Khalifatabad in a brief

Sl. no.	**Place of performance**	**Source of spirit**	**Intangible cultures (associated artistic & cultural features)**
01	**Khanjahan Ali mausoleum** complex & Shait gambuj Mosque	Khan-e-Jahan gained the status of a spiritual leader among his followers, both the Muslims and Hindus.	**Pilgrimage- Pay Homage to KJA**, Visit, Prayer, Candle lightening, Touch & feed the generations of pet Crocodiles, Collection of Holy Water
02	***Image of Khalifatabad*** *(ancient Bagerhat city)*	Sufi Saint Khan Jahan Ali & his spiritual power is recognized by the local people and creates some myths and oral tales.	**Folklore/Oral tradition/myth** 2. Associated tales on creation of the city and construction of city infrastructures 3. Associated oral history about his disciples, such as *zinda pir, chillakhana* etc.
03	**Khanjahan Ali mausoleum complex**	The Traditional religious music as a popular meditative & mystic song (Sufi-Baul type) considered in relation to God	**Traditional Religious Music,** The occasional and regular programs around the place of Khan Jahan Ali mausoleum performed by various local artists dedicated whole night. The Locally arranged programs bear unique characteristics

Sl. no.	Place of performance	Source of spirit	Intangible cultures (associated artistic & cultural features)
04	**Khanjahan Ali mausoleum & surroundings**	*'Khanjali mela'* held on the supposed anniversary of his death (*Orosh*) on the full moon of Bengali months *Chaitra*	**Fair Events** Assembly of peoples, *'Waj Mahfil (*Muslim religious talks), meditative religious activities (*jikir* etc), Children playing events, commercial activities (product exhibition & selling) etc.

Conclusion

The monuments of world heritage site have important cultural values. There are unique cultural heritages that were grown and developed in the historical place and continue till today. These socio-cultural components become an integrated part of the local traditions and beliefs- conveying the spirit, philosophy and memory of Khan Jahan and his colourful history. Cultural inheritances grown along with the physical structure of the ancient Khalifitabad are not only literary elements, but it has a close relationship with the build form, articulation, space arrangement. Culture sometimes requires additions, modifications, or preservation of certain features in tangible legacy to allow that culture to flourish at its own courses. Before this, understanding these intangible cultural components is necessary to preserve and restore this famed installation of Khan Jahan Ali. In the article, the intangible cultural heritage is described, but further study on the components will help to create more profound knowledge of the impact and influence of that on our national heritage.

Additional images provided by the authors

Image 2: Pilgrimage gathering at the front of Khan Jahan Ali Maosoleum (Source: Daily Sun, 2017)

Image 3: Pilgrimage visit the *Shait Gambuj* mosque (Source: Daily Sun, 2017)

Image 4: Pilgrimage gathering at *Khan Jeli Dighi* (Source: Author, 2015)

Image 5: Feeding the pet crocodile (Source: Daily Star, 2011)

Image 6: Khan Jahan Ali fair (Source: Jago news24.com, 2011)

Image 7: Khan Jahan Ali fair (Source: Jago news24.com, 2011)

Image 8: Children playing activity at Khanjalimela

Image 9: Cover page of an audio song album devoted to Khan Jahan Ali

Image 10: A series of street shops established on the way of Khan Jahn Ali mausoleum based on local crafts & potteries. (Source: Author, 2015)

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