



Last year death penalty approved for rapists in Bangladesh

Is capital Punishment only Solution to Prevent Rape in Bangladesh?

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Introduction

How far it is to state that capital punishment is the highest sentence for convicted person in Bangladesh. Even death sentence is punishment for few specific crimes but such types of crimes are not reducing in present days. A country like Bangladesh it is burning question that whether capital punishment is conducive or not in respect of human rights case. Amnesty international a multinational watchdog about human rights persistently saying that in modern era capital punishment is so cruel in present days and saying that reduce it to life imprisonment as a maximum punishment. So, debate is on in the matter of capital punishment. Moreover, Bangladesh is signatory country of various international human rights related instrument. In this situation it is not easy for any government to execute any one in Bangladesh avoiding such national and international pressure, but matter of fact is that in present time government have no plan to reform its criminal judicial structure in near future instead of various pressure from different source. Many criminal law experts also cited same echo and supported government stand about capital punishment. Socio economic culture and situation are also favorable for such stand. In law criminal there are number of punishment available in Bangladesh capital punishment is one of them. When an alleged person committed a crime, it is must doing duty for the state is to punish the offender and ensure justice for the victim, otherwise judicial

system will break down anarchy will increase. so sustainable and peaceful country it is duty for the state to ensure justice to victim. Exemplary punishment is necessary to prevent crime in any country so that provable offender can restrain from doing crime. Considering that matter capital punishment is perfect example for the criminal that if they commit crime, they have to face tough punishment like this. Although capital punishment is abolished by many countries especially western world capital punishment is not abolished many of them. It is interesting to mention that the country namely United States of America does not abolish it; most of the headquarters of the human rights organization are located. Total scenario of the world is that world leaders are still confused about that whether capital punishment is good or bad for them. in such situation if we look into Bangladesh judicial system it comes to mind that only capital punishment is the way to prevent crime? In recent time, government of Bangladesh has passed the law about increase of punishment for the rape. Previous punishment of for the rape it was life imprisonment for the rape as a highest punishment. But in recent time government of Bangladesh has been amended the section 11 of the Nari o Shisu Nirjaton Domon Ain 2000 amended as 2003 to capital punishment. In recent time rape crime has been increased a lot and in such situation, government forced to passed the law and increased the punishment up to death sentence. controversy begins from there that only increase of punishment is not going to be fruitful to reduce such heinous crime like rape. Statistics shows

that most of the rape case is not see final conviction and trial is so slow that it takes huge time for conclusion of the trial. It is proven data that conviction rate in Bangladesh about 5% which is very much lower than other countries, that means 95% of the offender are get free without any punishment. Such low conviction rate and time-consuming trial procedure are mostly responsible for the rape. Offender knows that they will not face any punishment. That leads to inspire of the rapist to commit rape.

Definition of the Rape

Rape is unlawful sexual activity that leads to forceful sexual intercourse with victim. It is estimated that 35% of the women in the world experienced forceful sexual harassment in their life and less than 1% victim get legal assistance from judicial institution or law enforcement agency. Conviction rate is very alarming less than 5% culprit convicted after committing rape out of 100 in the world. 95% offender gets free after doing such crime which leads to increase the rape incident. According to Ain O Salish Kendra January to October 1 more than 1000 women raped among them 43 died and 200 or more get injured.

Reasons behind Rape

It is well established that in Bangladesh rape is the heinous crime that committed by the perpetrator quest his lust by illegal way. Most dangerous and illegal way of the maintain that crime in such way that he Think that it is true and not crime, thinking is the main factor behind the rape, rapist want to established superiority over women. Social perspective is another big reason behind the

rape, in our country people still think that women should stay at home and no need to go outside they are not allowed to do job and it is not their duty. That think that women are not human being they are alien such types of thinking leads offender to do rape. Outdated social perspective and blaming culture is the key reasons for such heinous crime, people of the society found wrong in get up of the victim what she wears not of the offender. That type of outlook leads the country increase the rape. None other than it is matter of fact it that mentality is the major rule to play in such situation it is need to sort out with great care and with systematic way.

Punishment for the Rape

In recent time government of Bangladesh have passed the law to increase the punishment for committing the rape, previous punishment for the rape was that life imprisonment but now its death sentence. That means it is clear that imprisonment now converted up to capital punishment which means death sentence. Section 11(1) of the Nari o Shishu Nirjaton Daman Ain 2000 (amended 2021) punishment for commit rape now death sentence.

Impact of the Law

Generally, there is universal rule is that when there is any decision there is inevitable result, in that reason or rule followed in present law which is enacted by the government to prevent the rape crime. But matter of fact is that result of such law is not for the ideal country system. Only punishment increase is not solution to prevent rape. There is no visible improvement or

development is not seen by increasing the punishment for culprit. So, matter of fact is that it is true that judicial body is not functioning properly regarding this matter. In recent time it is clear that impact of the punishment is not really doing well about the concern matter. Recent surge of rape incident points out this clearly that this trick is flop to deal with this rape disease. It is not true that there is no result or benefit from this step but result is not satisfactory. To attain the maximum result from this law strict enforcement of the law is mandatory besides it is necessary to maintain other rules and regulations. So, by the end it is clear that there is something on the basket to talk about the success history to people that by framing the law but it is definitely not enough or 'only one single solution.

Proposed Suggestion

Well, it is true that there is no magic stick to get remedy from it by over the night. It is a deep rotted problem in our country and continuing from the over the decades. Matter of fact is that how to reduce it or stop it so that our women can feel the secure that they are not alien and they are also part of the society and they have right to enjoy their life without any fear and physical assault by their male counterpart. To establish equal rights for women in conservative society like ours it is not so easy task to do. Old age man lead society is not still not ready to accept marginal rights for women they just think that women are not eligible to do duty by the side by side and they are not worthy of to do heavy work. It is further problem is that they are not

willing to permit the women to do job outside the home. Such jerk and sick mentality continuing from ancient time of our society. It is horrible that male counterpart is not interested to give justified respect to women which they deserve. This is the root matter for rape, if we investigate the main reason behind the rape such disrespect is main reason behind the rape. So, it is clear that family and proper education is key driver to play role to reduce it. In early stage of life, a male and female child should treat equally and they should learn about equality and equal rights every stage of life. And there is massive correction need in our education system mainly primary stage of education to teach the kids about female child right. If we look into developed and civic country, we notice that they successfully established a socially equal society where there is discrimination between men and women and they give proper respect to women they do not consider human being as a gender they treat equally and they maintain their law and order strictly. This is the key point and we have lack of such type of initiative. So, solution is in our hand we have taken step for long lasting and long-term plan to execute. We have to find out main reason no other reason. Proper and discipline method it is very much possible to eradicate such disease from our country.

Responsibility of Judiciary and Civil Society

It is true that there is no country in the globe that has zero crime rate. Some of the countries are successful and some of the countries are not. Main distinguish is that proper judicial function and their well aware civil

society. It is not easy task to do maintain such type of proper discipline. In proper rules and regulation is extreme necessary for the proper management of any judicial function. Because judiciary is solely responsible for maintain justice for the citizen of the state. They should enjoy their personal life with great pleasure and enjoyment. This is clear that in every country judicial body play important role to maintain law and order. It is said that where fair judiciary fair justice. When a person gets victimized, he or she first thinks about court system which sole of judiciary of any country. They rely on judiciary and keep trust on it. In every democratic country judiciary is independent in nature administrative organ does not interfering on their decision it is important to function independently to ensure fair justice for every citizen of the state. There shall not any discrimination among the citizen whether mass people or important person of the state. So, such important body have to play important role to ensure justice for everyone specially who get victimized by culprit on rape incident. Rape offence is such heinous crime that should not think it easy or normally. Offender should get punished rigorously for their crime. They should not get any sympathy for their crime and they have to face hard punishment for their crime. Judiciary shall ensure proper justice for victim of rape so that offender refrain from their offence. When offender will face formal judiciary and get punishment for their offence, they will fear to do so such crime again and they will refrain from offence. Exemplary punishment is very much important for ensure justice

for everyone in the state and offender shall have to realize that there is no scope of escape from punishment they have to face formal judicial system whatever their status or position. And another important section of the society that they are civil society who play vital role social Transformation of any country of the world. They considered third eye of the society and they keep sharp eye on current situation of the country and they criticize government constructively so that government can take proper or right decision for well-being of the citizen of the state.

So, matter of fact is that when civil society people get aware about various incident of the state and not reluctant to various problem of the society and give direction to the people it is obvious that that society or country become enrich on culture and they will enjoy better and improved situation. Moreover, combined effort of judiciary and civil society are key body for prevent rape in the country.

Key Formula to Eradicate Rape

If we critically analyze every incident of the rape one thing is clear that there is no similarity among the incident there is no single cause for the rape. So, there is no unique formula to eradicate rape incident from the country. As earlier mentioned that every possible step should take to prevent rape from the country. Most of the time main reason is that manly behavior by the men and they want to dominate over the women which ultimately lead to the rape incident, as mentioned earlier that there is no single reason behind the crime and dominate is only big reason for

such act. Another big reason behind rape is that such heinous crime is committed by the relative or acquainted people of victim; this is not really good news for the society which indicates fragile nature of our society. Disrespect and desperate sexual is also responsible for such crime. Society like Bangladesh there is no favorable environment for proper sex education is also considered prime reason for rape. By considering above mentioned cause there should need very effective step to take. Government is mainly responsible for such activities and creates awareness among the people to prevent rape. Beside government shall enforce the law very strictly to prevent rape in Bangladesh. Social and family awareness is also vital elements to stop or reduce rape in the Bangladesh. Combined and effective measures can eradicate such disease from the society as a

whole where there is no soul element to remove it.

Comparison between Bangladesh and other Countries

In spite of recent surge of rape incident in Bangladesh it is news of happy that there is still less rape incident in Bangladesh compared to other country. South Africa is the top ranked country in the globe. Ratio of the rape is 1.4 and 132.4 incidents happening per 100,000 people. A detailed chart of world rape statistics given below to better understand, compare with world scenario Bangladesh is much better position though there is no reason to satisfaction.

Here are the 10 countries with the highest rape rates:

1. South Africa (132.40)
2. Botswana (92.90)
3. Lesotho (82.70)

4. Eswatini (77.50)
5. Bermuda (67.30)
6. Sweden (63.50)
7. Suriname (45.20)
8. Costa Rica (36.70)
9. Nicaragua (31.60)
10. Grenada (30.60)

Conclusion

Come to the concluding remarks about the overall situation rape incident is spreading all over the world like epidemic. Bangladesh is not out of it there is recent increase of rape incident proving of it. Proper and effective step should take to reduce rape from the world as well as Bangladesh.

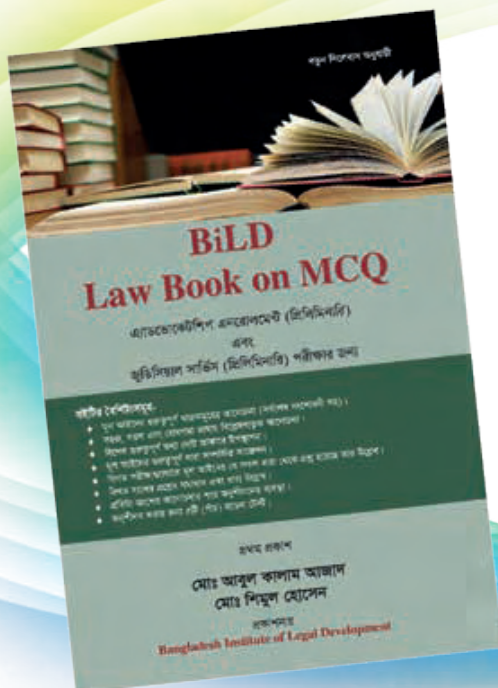
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