

BANGLADESH: CAUGHT BETWEEN RELIGION AND SECULARISM

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ABSTRACT

The Bangladesh country was founded on four principles secularism, socialism, democracy and nationalism but with the passage of time the confrontation got emerged between the secularism and religion. This confrontation has marred the country and the national political parties are using the secularism and religion to fulfill their own interests. The democracy has been the first victim of this confrontation and it could not flourish as was expected after the liberation of Bangladesh. The present day Shahbagh movement is the direct result of this ideological confrontation and Bangladesh today is caught between the secularism and religion. The present paper tries to look into the Shahbagh movement and war crime trials through the prism of war between religion and secularism and also tries to bring out the consequences of this confrontation. The paper argues that the political parties should shun this confrontation and should concentrate on the national interests of the country otherwise the national will never forgive them.

KEYWORDS: Cooperation, Confrontation Religion, Secularism, Shahbagh Movement, War Trials.

Introduction

In 1851, an English social reformer called George Jacob Holyoake coined the term secularism. He believed that any government worth its salt should work for the benefit of the working class and the poor, based on their needs here and now. He was not interested in the needs the working class may have in a future life or for their souls. But he did not place secularism in opposition to religion. Secularism, therefore, focuses on this world rather than the immaterial, the spiritual or any other world. So it is something “when it is not worshipped, and when it is open for critique, judgment and replacement.”

On the other hand, the definition of religion is that “it is an organized collection of belief systems, culture systems and world views that relates humanity to spirituality and to moral values.” The origin of religion is uncertain. But according to anthropologists, “many of the great world religions appear to have begun as a revitalization movement, as the vision of a charismatic prophet fires the imagination of people seeking a more comprehensive answer to their problems than they feel is provided by everyday beliefs.” Research suggests that religious people are often happier and less stressed.

Indian sub-continent got divided in 1947 on the basis of religion and a new country was born i.e. Pakistan. The two nation theory was put forward by Mohammad Ali Jinnah who was of the firm belief that Hindus and Muslims are the two separate nations and they cannot live together. But after the creation of Pakistan which was consisted of two wings West Pakistan and East Pakistan,

got divided because of the hard and stubborn nature of Pakistani leadership and with the result Bangladesh came in to existence as a new state in South Asia in 1971. The birth of Bangladesh was an epoch-making event within the post-colonial order of South Asia. Led by the middle classes, a bitter and bloody war of Liberation from Pakistan was fought, based on Bangladeshi peoples' aspirations for democracy, identity and for a more progressive society.

Soon after its emergence, Bangladesh adopted the four-pronged state ideology of nationalism, democracy, socialism and secularism. However, not long after the emergence of the nation-state, religion re-emerged as an important factor in the country, both socially and politically. The assassination of Sheikh Mujibur Rehman and the overthrow of his government by a military coup d'état in August 1975 brought Islam-oriented state ideology into prominence by shunning secularism and socialism.

It is noteworthy that today most Bangladeshi people suffer from a tremendous identity crisis. They are not sure which comes first—their loyalty towards political Islam or towards secularism. After the fall of the “socialist-secular-Bengali nationalist” Mujib government in 1975, his successors realized the importance of political Islam to legitimize their rule. (There was no other option for them other than religion as secular front was already occupied by other party i.e. AL) The military ruled government in Bangladesh used religion and promoted it from 1975 onwards and denounced the secularist ideology. It was after 1975; Ziaur Rehman inserted religious principles in the constitution and removed secularism from the constitution. Thereafter a series of constitutional amendments and government proclamations between 1977 and 1988 led the body politic towards a process of Islamisation. The erosion of the secular character of Bangladesh deepened when Gen Ershad declared Islam as the state religion in 1988. During both military and democratic regimes the controversy continues into deeper labyrinth which ultimately shaped the state politics and social life. The Bangladesh Nationalist Party (BNP) which was founded by Ziaur Rehman and Jamiat-e-Islami are the main promoters of religious ideology while as Awami League (AL) is the main force behind the promotion of secular ideology. In 1990 there was a democratic wave in Bangladesh but that too could not sideline the rift between secularism and religion in Bangladesh. After 1990 it was Bangladesh Nationalist Party which came to power and with it the religion got more importance both at governmental as well as at the social level. In 1996 it was secularism propagating party Awami League which formed the government but it could not change the constitution and restored the secular principle. Again it was BNP in 2002 which won the elections and formed the government at the centre and used the religion as a tool both at public forms as well as at the personal level in order to strengthen the base of its party. There were strong allegations of the rising of religious fundamentalism in Bangladesh during this period and Awami League the opposition party also accused it of using the religion for their own political benefits as there were blasts in the major towns in which a leader of the opposition was having narrow escape. In 2008 general elections Awami League had promised that it would restore the secular character of Bangladesh polity by reinstating the original 1972 constitution. After forming the government the Awami League passed the 15th amendment in the parliament in 2011 and restored the secular principle in the constitution but at the same time also accepted Islam as a state religion of Bangladesh. The government possibly fears that any bold move for the restoration of original constitution could fuel the public unrest which is not desirable at this juncture.

War Crime Trials and Shahbagh Movement

It was on January 1, 1972, the interim government of Bangladesh resolved to establish a “Genocide Investigation Commission”. The Awami League led by Sheikh Mujibur Rahman repeatedly proclaimed its intention to bring to justice all individuals culpable of these crimes. Under the Collaborators (Special Tribunal) Order of 1972, over 37,000 individuals were arrested and the trial of 2,842 was completed. Mujib proclaimed a general amnesty in November 1973 — largely as a step towards fostering national reconciliation. This was done under the tripartite agreement between India Pakistan and Bangladesh in 1974. This acquitted those accused of petty crimes, but specifically excluded collaborators who were charged with serious offences such as rape, murder and arson. During this period, the Bangladesh government was also contemplating war crimes trials against Pakistani Army officers. The initial list of 400 was pruned to 195 against whom the government had strong evidence. In July 1973, the International War Crimes (Tribunals) Act was brought into effect. President Zulfikar Ali Bhutto of Pakistan was virulently opposed the trials of Pakistani Army officers. “So far as prisoners of war are concerned”, he told the Indians, “you can throw the whole lot in the Ganges, but I cannot agree to the trials.” If Bangladesh went ahead with the trials, he would charge 203 Bengali civilian officials in Pakistan with espionage and high treason. This coupled with Bhutto’s refusal to accord recognition to Bangladesh, led Mujib to agree to the repatriation of the Pakistani officers in August 1973.

By the time the Bangladesh government reverted its focus to trials of its own nationals, Mujib and his senior associates were murdered in a military coup. The new regime revoked the Collaborators Order and blocked moves towards the trials. It also began gradually rehabilitating groups that had opposed the struggle for independence. Since then the controversy over war crime trials is going on between the BNP allies and AL party continuously.

Finally during the 2008 general election, the Awami League (AL) pledged to try those who had collaborated with Pakistan during the war and committed crimes against humanity. In 2010 a tribunal was established to try those accused of war crimes. The ICT was based on a three-member tribunal, a seven-member investigation agency, and a twelve-member prosecution team to conduct the trials under the ICT Act 1973. It is called the International Crimes Tribunal, though it is not an international court in the sense of being founded on international law. Rather it is a national court, based on a Bangladeshi statute passed in 1973 and amended in 2009 and 2012. The government promised that the tribunal, which has the power to hand down death sentences, would adhere to international standards. But Bangladesh's opposition parties claim the government has politicized the process. Most of the 10 people on trial are members of Jamaat-e-Islami, an Islamist political party allied with the main opposition Bangladesh Nationalist Party.

There are number of questions which have been raised against the trials particularly about its impartiality and the timing of the trials. Given the political landscape of Bangladesh, is it any wonder that few expect the trials to be conducted in a fair and just manner? In a society where ‘state agencies and functionaries frequently find themselves unable/unwilling to act against dominant political and economic interests’, it is no surprise that this process should be mistrusted. This is particularly so given Sheikh Hasina’s announcement that *‘people had already “tried” the war criminals and anti-liberation forces through the ballots, but the government would obviously take legal steps to try them’*. Further evidence of questionable judicial standards emerged when one of the judges presiding over tribunal was forced to resign after records of Skype and email conversations between him and a Belgium-based Bangladeshi lawyer were leaked. There are yet deeper procedural concerns about the conduct of these trials prompting Human Rights Watch to make key recommendations crucial to the justice and efficacy of these

trials, among them: allowing the accused to question the impartiality of the tribunal, ensuring defense teams have more than the pitiful three weeks to prepare, and amending article 3 of the Tribunals Act ensuring the definition of War Crimes comply with internationally recognised standards. Human Rights Watch's Asian Director sums up the concerns: the trials against the alleged war criminals are deeply problematic, riddled with questions about the independence and impartiality of the judges and the fairness of the process.

So long as these trials continue to be clouded with secularist, anti-Islamic sentiment, and garbed in invocations to the Awami League's liberation credentials, these trials must be questioned as well as the victimization of Jamaat-e-Islami members which should not be allowed to go unchecked.

The international tribunal passed first death sentence in absentia against Abdul Kalam Azad one of those found guilty. The protesters raised their voices after a war crimes tribunal in Bangladesh has sentenced Abdul Quader Mollah (vice-president of Jamaat-i-Islami) to life imprisonment for committing crimes against humanity during the country's 1971 war. Abdul Quader Mollah was proven guilty on five accounts out of six charges that were brought against him including murdering more than 300 people. The Shahbagh movement started as a leaderless mobilization and people from all walks particularly urban middle class boys and girls who are mostly IT professionals, bloggers or students of Dhaka University. The youth who are behind this movement mostly belong to the post-liberation generation. This new generation had witnessed growing radicalism, political violence widespread corruption and culture of impunity that prevails in the country. They are demanding the death sentences to those who are involved as well as to ban the religious party Jamaat –Islami. The whole country of Bangladesh is rippled within the crisis because some people have raised voice against the death sentences and some are in favour of it. The people who are favouring the death sentences are being regarded as Awami League supporters and the people who are against are those who are the supporters of Bangladesh Nationalist Party and its ally Jamaat-e-Islami. However with the passage of the time the movement got politicized as usual. The BNP initially welcomed the idea of trying the war criminals. However it changed its position soon after some of its leaders were arrested for their role during the 1971 war. Though the BNP supported the Shahbagh movement initially, it later denounced itself from the movement terming it as being spearheaded by the politically motivated cadres of Awami league. The competing parties have used the social media to get their views across to the international community. The movement turned ugly when Ahmad Rajib was killed brutally by Jamaat Islami supporters. Jamaat used the social media to term Ahmad Rajab Haider as an atheist to mobilize the believers. In his blog Rajab campaigned for the ban on Jamaat and boycott of the Jamaat affiliated educational and banking institutions as well as health services. The Ahmad Rajib's face book was used to arouse the anti-Shahbagh sentiments among the people. *It is being believed that Jamaat Islami activists tried to manipulate and accused that Shahbagh people are atheists and shifting the discourse from war crime trials to debate on atheists and believers.* Since the creation of Bangladesh the questions have been raised about the Awami League's commitment to Islam. Therefore it not surprising to find posters of Hasina with a head scarf and rosary pasted in the wall to appeal to the voters during elections.(on the one hand she is promoting secular ideology and on the other hand she is promoting Islamic culture) The opposition parties have accused that Islam is not safe in AL hands. The BNP fears that given the character of the movement and in spite of the youth to remain apolitical the main beneficiary of this protest would be AL because of its ideological affinity with the initiators of the movement. The BNP however urged the youth to include other issues in their charter of demands

like those of corruption, misgovernance and the restoration of CTG. The Shahbagh movement further used the slogan Joy Bangla which was used in liberation war and is currently the slogan of AL. The problem with the AL is that it has not found the way to deal with the BNP as a result it has not been able to reach a consensus on major issue.

It is not the only issue which is there but there are different issues which too are as much important and serious as war crime trials. What is happening today in Shahbagh and beyond is not a clear battle of good versus evil; the battle is far more nuanced and far more complex. The fight deserves a proportionally nuanced and honest conversation amongst citizens about whether sentencing one man to death, or one hundred, will adequately address the wrongs of the past and the wrongs of the present.

Conclusion

The Bangladeshi citizens are fed up with a series of kleptocratic (rule by thieves or corrupt form of authoritarian government) governments that have failed to rein-in organized crime, ensure protection of minorities, prevent sky-rocketing food and fuel prices, improve labour conditions, invest in grossly inadequate power supplies and a myriad of other social economic and political ills. Citizens are also tired of politically motivated killings, such as those of journalists and embarrassing theatrics against individuals, such as Dr. Muhammad Yunus, whose work benefits the nation but fails to impress a narcissistic government. Citizens are exasperated by going to the polls in elections where the choices are between “bad and worse” and where the rights, democratic founding principles and the freedoms are up for sale to the highest bidders. In this moment of Bangladesh’s history, as the country looks back and seeks justice for war criminals, the people must also look forward and demand a holistic justice that cannot be delivered by any single court or judge nor by an amendment in the Constitution or some reactive executive order. Why? because so much more is at stake than a debate over life imprisonment versus death at the gallows.

Indeed, the grievances of citizens are personal and political and they stem from harms that span the continuum of the individual to the collective. But as the people air out their grievances, as they unburden their heavy hearts and as they lift the lid on the frustrations that they have held onto for generations, let them not forget to be civil and to remain nonviolent. Let those who fight for justice behave justly, let those who fight for peace behave peacefully, let those who yearn for calm remain calm even in the face of injustice, violence and insecurity.

The fabric of Bangladesh democracy is fragile and it is flawed but let people come together during these dark days of uncertainty to reaffirm their commitment to their founding principles of freedom and secularism. Let them reject a hijacking of this movement for democracy by religious agenda that identifies all those with it as pious warriors of God versus all those against it as heretics and heathens. Let them reject all those so called secular forces who gave Bangladesh nothing but destruction, devastation and confrontation.

It has been an unfortunate part of Bangladesh politics that the National parties are involved in the confrontationist politics which have marred the country and as a result there is an institutional decay in the country. The country is again caught between the secularism and religion and in between it the people of Bangladesh are dying and they don’t know what their selfish political leaders are doing. The Bangladesh country is facing not only war crime trials issue but there are hundreds and thousands of issues which national parties have failed to solve and instead they have increased the miseries of the common man. Within this ideological conflict all the issues got politicized because of the confrontation between these parties. The political parties of

Bangladesh are in fact sacrificing the future of the country only for correcting the war crimes of 1971. The general elections are to be held in December 2013 and all the parties are trying their best to win the support of the people by using the war crime trials in one way or the other. The parties in Bangladesh are more concerned about their own interests and they don't care about the present and future of the nation. The leaders of all parties should not close their eyes to this fact that internal instability can be very dangerous to the existence of the nation and there is no guarantee that Bangladesh may become next Pakistan or may be Afghanistan as well. They should shun their selfish interests and should work for the betterment of the common masses because this is a golden opportunity for them to correct their wrong doings otherwise nation will never pardon them. They should learn the lessons from the Middle East uprising and should not waste their time otherwise they will also met the same fate as have been and is the case with the Middle East leaders.

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