Trampling Democracy: Islamism, Violent Secularism, and Human Rights Violations in Bangladesh

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Abstract

This study highlights various totalitarian and undemocratic practices in which Bangladesh’s current Awami League-led coalition regime engages. It shows that since its inception in early 2009, the regime has tried to mobilize and manipulate public support from within through—among other means—creating the discourse of “war crimes” and to obtain international support through the discourse of “Islamism” and terrorism. Although “a secular plan” to combat and replace “Islamism” may soothe the nerves of many in the international community, its deployment in Bangladesh has paradoxically produced a dangerous culture of disappearances and extrajudicial killings, infringements on freedom of speech and the stifling of dissenting voices, and the interception of opposition programs and the torture of opposition leaders and activists. The regime has also made a mockery of the law and the country’s judicial system. Many commentators believe that the country’s law courts are now simply an extension of the regime’s political clout. In these circumstances, political repression continues unabated, and victims of persecution are left with inadequate legal recourse. In the name of combating “Islamic terrorism,” Bangladesh’s ruling regime has resorted to a reign of terror that is in many respects tantamount to what we know as fascism.

KEYWORDS: Islamism, Bangladesh, human rights, violent secularization

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Introduction

On October 28, 2006, in the midst of unprecedented rejoicing and elation throughout Bangladesh over the Nobel Peace Prize awarded to Dr. Muhammad Yunus, the world was stunned by images of gruesome acts of political violence perpetrated by Bangladesh Awami League (AL) activists in the streets of Dhaka, the country’s capital. These ruthless AL activists were seen mercilessly beating their political opponents to death with poles and oars and then dancing with joy on the corpses! Another—deeper—shock was experienced when instead of eschewing these violent and gruesome murders, AL leaders and activists adopted further violent strategies, and a number of AL-leaning intellectuals actually tried to justify the initial violence by blaming the victims and sanctifying the perpetrators. None of these brutal murderers has ever been brought to justice; rather, the victims’ families have been subject to extreme intimidation and harassment.1 The tragic events of October 28 and its aftermath, combined with several other episodes, led to a military-backed undemocratic caretaker regime taking over Bangladesh for two years (2006-2008). During this period, it was not only the country’s political and democratic institutions that underwent gross deterioration, but also its socio-economic and human development. It was in this suffocating political environment that Bangladesh’s ninth parliamentary election was held—not under a neutral caretaker government, as in the previous three elections of the democratic period—but under a military-backed autocratic government that brought the AL-led alliance to power, ostensibly with a two-thirds majority.

Although the results of this general election were greeted with a sigh of relief by local and international communities who were happy to see the departure of the military-led government, recent events in Bangladesh show this relief to have been severely misguided. The AL government came to power with a slogan touting its progressive vision of a “Digital Bangladesh,” which captured the imagination of the young generation. However, what the regime has done instead for the past two years is pursue a retrogressive agenda driven largely by what The Economist calls the “politics of hate,” noting that “[t]he thanks go mainly to the personal vendetta of the prime minister, Sheikh Hasina, one of the two leaders, against the other, Khaleda Zia.”2 Bangladesh’s transition from a military-backed

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1 Within three days of October 28, 2006, AL activists had brutally killed 54 political opponents. The current AL regime—through unlawful influence—exonerated the criminals involved in these killings of all charges. See Daily Amar Desh, Dhaka, October 28, 2010. Video footage of AL brutality is widely available on the Internet; see, for example: http://www.youtube.com/watch?v=vZNKDBRvmgM&feature=related and http://www.youtube.com/watch?v=pPuxetppkDM.

autocratic regime to the current elected regime has been in no way a pleasant one. To quote Dr. M. Sayemi, “the thieves have been replaced by a dangerous gang of robbers.” In a roundtable discussion on “The Law and Order Situation in Bangladesh” held on December 27, 2010 at the National Press Club in Dhaka, the top executives of Transparency International Bangladesh (TIB) issued a statement saying that “Bangladesh is undergoing fascism in the name of democracy. The extent of extra-judicial killings and extreme torture in the name of remand has surpassed all previous records.” Speaking on the gross human rights violations taking place in Bangladesh, including press harassment, political control of the judiciary, and various attempts to exterminate opposition political parties through murder, concocted charges, the eviction of the opposition leader from her home, the blockage of their freedom of movement, their torture in remand, and the denial of their democratic rights, a prominent Bangladeshi lawyer opined that “the country is heading towards becoming a savage nation.”

A Daily Naya Diganto columnist comments:

Law and order is almost entirely absent in Bangladesh, although it is present in the proud claims of the Home Minister. Killings and murders, rapes, robberies, hijackings, tender-related violence, admission to educational institutions through extortion, etc. are common occurrences in Bangladesh.... The MPs of the ruling regime and their sycophants have created a reign of extreme power and terror.... Many leaders of the opposition parties have been arrested on many laughable and concocted charges, and they are being tortured physically and mentally. It seems that the regime is largely driven by an ugly political vendetta, and it is extinguishing the flame of wild grudges and vindictiveness through torture.

The AL and its founder, Bangabandhu Sheikh Mujibur Rahman, who is the father of current Prime Minister Sheikh Hasina, are credited with bringing the country independence from Pakistan in 1971 on the grounds that the Pakistani regime was not practicing democracy and fairness. Ironically, immediately after gaining Bangladesh’s independence and taking the reins of power, Mujibur

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4 For details on TIB, visit: http://www.ti-bangladesh.org/.
7 Serajur Rahman, “Division and vindictiveness can only harm a nation,” in Daily Naya Diganto, Dhaka, October 12. 2010, p. 5 [author’s translation].
Rahman established a repressive autocratic regime. He banned all but four state-owned newspapers and all political parties except his own, the Bangladesh Krishok Shromik Awami League (BKSAL), and installed “socialism” in the constitution. Azizul Karim writes:

[The] Awami-BKSAL period is a dark chapter in the history of Bangladesh. Volumes would not be enough to write the full history. On 25 January 1975, with a stroke of [the] pen, Sheikh Mujibur Rahman killed democracy and imposed on the nation the yoke of one party rule of BKSAL. He snatched away from the people freedom of press, freedom of expression, political and other fundamental rights. All national dailies and periodicals were banned except four government-controlled dailies. The constitutional rights of the judiciary were also hijacked and were brought under … administrative control. The rule of law thus was buried. The period was full of barbaric atrocities: murder, rape, looting, oppression, plunder, famine, capitulation to the foreign exploiters, white terror, and above all betrayal of the spirit of the liberation war.8

Karim claims that people will never be able to rid themselves of these horrifying memories. In the name of socialism, the regime plundered the national wealth. It kept the border open for smuggling, and its mismanagement of the economy gained the country international recognition as the “bottomless basket.” There was no famine in Bangladesh during or just after the war, but hundreds, if not thousands, of Bangladeshis died in the man-made famine of 1974 during the rule of Awami-BKSAL.9 Mujibur Rahman and his government presented the people with what Karim calls “fascism in the name of democracy, social injustice in the name of socialism, national disunity in the name of Bengali nationalism, and communal disharmony in the name of secularism.”10 Subjugating and suffocating the entire nation, the regime crushed all opposition systematically through what Karim calls “state terrorism” with a view to closing all constitutional and democratic avenues by which any change to the government could be effected. Karim continues:

The nation was thrown into an era of total darkness with no hope to breathe afresh. It was [the] Awami League of Sheikh Mujibur Rahman that mortgaged the national independence and state sovereignty, signing the 25 year long-term unequal treaty with India. By creating Rakkhi

9 Ibid.
10 Ibid.
Bahini, Lal Bahini, Sheccha Shebok Bahini and other private Bahinis [militant groups], Awami-BKSALists unleashed an unbearable reign of terror, killing over 40,000 nationalists and patriotic people without any trial.\textsuperscript{11}

However, the repressive regime of Mujibur Rahman did not last long. Following a military coup in 1975, he and most of his family members were put to death, and the tyrannical regime of the BKSAL was over. In the multi-party democratic environment that has prevailed in the years since, the AL has claimed it is no longer a proponent of one-party socialism, but rather a friend to the West that would uphold the values of democracy, freedom, and justice. Over time, people began to forget and forgive, and, in the last general election held on December 29, 2008, finally voted the party back into power, although the election was widely criticized for being digitally manipulated by both the Election Commission and the Army-backed caretaker government.\textsuperscript{12}

The reign of the past two years shows that the AL has largely retained its previous BKSAL character. Sheikh Hasina, daughter of the tyrannical Sheikh Mujibur Rahman, seems fully committed to taking revenge on her political or ideological nemeses. The massacre of 57 bright army officers at the inception of her regime seems to be, according to many, a throwback to the BKSAL’s past, when her father tried to replace the regular army with the paramilitary Rokkhi Bahini, which was notorious for political oppression, torture, and murder in its attempts to annihilate political opponents. According to many political analysts, Sheikh Hasina’s personal vendetta has gone so far that she—by decree of her autocratic cabinet—has managed to uproot three time-elected Prime Minister Khaleda Zia from the private residence in which she has lived for the past 39 years.

This article examines the current AL-led regime’s policy of secularism, which we will see is very violent and even fascist in nature and has involved human rights violations on a mass scale. In particular, it delves into the formation of a secular state in Bangladesh in the post-9/11 geopolitical context and illustrates how that formation has invoked Islam/Islamism and how the use of violence has been legitimized as a necessary tool for the achievement of “legitimate” political ends.

Following this brief introduction, the next section examines the AL regime’s orchestration of “a secular plan” by violently containing and displacing nationalist and Islamic influences, which the regime refers to negatively as

\textsuperscript{11} Ibid.
\textsuperscript{12} The Economist (July 30, 2011) claims that the ruling Awami League (and its allies) came to power through “bags of Indian cash and advice.”
“Islamism,” from the political and social landscape. As the violent deployment of this secular plan has involved coercion, manipulation, oppression, and worse, the third section of the article elucidates the state of human and democratic rights in Bangladesh under the current regime. The article concludes with the implications of the findings presented herein and a discussion of the nation’s future direction.

“Islamism” and Violent Secularization

Bangladesh is the world’s third most populous Muslim nation. Many centuries ago, the population converted *en masse* to the Islamic faith in rejection of the oppressive realities of the Hindu caste system. Currently, about 90% of the country’s 160 million people belong to the Islamic faith. As a deeply rooted social institution, Islam has historically played a vital role in the socio-political landscape of Bangladesh. However, in the post-9/11 geopolitical context, the AL-led regime has adopted comprehensive strategies to “de-Islamize” the nation, primarily to earn the uncontested support of certain Western countries seen as hostile to Islam. Bangladesh has long been known as a moderate Muslim country for its moderate approaches to Muslims and members of other religions and religious harmony; however, the country’s current Foreign Minister, Dr. Dipu Moni, has vehemently declared that “Bangladesh is a secular country, not a moderate Muslim country.”

Although Islam has always been a target of criticism by a cohort of secularists in Bangladesh, people in general have enjoyed basic religious freedoms. Now, the targeting of Islam, Islamic symbols, and Islamic personalities in the name of creating a “secular state” is the stated agenda of the ruling regime. Accordingly, the regime is now engaged in an active war against Islam and its influences in politics and society.

The de-Islamization of Bangladesh can be traced back to the prime minister’s son and advisor, Sajeeb Wazed Joy, who, along with Carl J. Ciovacco, published the very detailed “Stemming the Rise of Islamic Extremism in Bangladesh” in the *Harvard International Review* in November 2008. In this essay, Joy and Ciovacco imply that Islamic elements within the army and the Islamic education system (*madrasah*) are the main obstacles to the goal of a secular Bangladesh. The essay is believed to be the blueprint for the current regime’s plan of action, which it calls “a secular plan” for Bangladesh. Declaring active war against Islamic politics, which the two authors call “Islamism,” the essay calls for the secularizing of the *madrasas*, the military, and the entire administration. In its efforts to gain support, the regime is utilizing its huge media

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and lobbying machineries to create the illusion that it has the support of the international community in its grand design to de-Islamize Bangladesh. Joy and Ciovacco’s essay lays out the following blueprint:

As the country was founded on a secular system of governance, the entire political system is now vulnerable. Can the Awami League stop the growing tide of Islamism in a country that has seen the sale of burkas rise nearly 500 percent in the last five years? The answer is yes if it implements the following secular renewal plan. First, it must modernize the curriculum of the madrassas. Second, it must build proper, secular elementary schools and hospitals. Third, it should increase the recruitment of secular-minded students into the military from secular cadet academies. This plan would make the country less hospitable to a growing Islamist movement and help return Bangladesh to its secular roots.15

Although many of the essay’s assertions and claims are factually incorrect and lacking in any empirical proof, it provides both valid justification for and a clear-cut roadmap of the state’s planned interventions to emasculate Islam and eradicate its symbols from the political and social landscape of Bangladesh.16 Various discursive constructions are evident in the essay in which the authors—both active supporters of former U.S. president George W. Bush’s war on terror—present the “sanctity” of secularism and brand Islam and Islamic politics in Bangladesh using derogatory images. The key motive of these discursive constructions is to justify the regime’s violent interventions against Islam and Islamic politics, thereby wooing Western imperial regimes seen as hostile to Islam.17

Perceiving Bangladesh Jamaat-e-Islami (JI)—which formed an alliance government with the Bangladesh Nationalist Party (BNP) from 2001 to 2006—as a political threat, AL’s secular plan has primarily targeted this party through, among other means, a discourse of Islamic militancy and war crimes. Although there were formerly some genuine elements of militancy in Bangladesh—albeit a small fraction of the political spectrum—the regime’s key strategy is not to address such militancy, but to link isolated incidents of militancy with broader Islamic political forces. Although Bangladesh’s mainstream Islamic political parties, including JI, have not been proven to have any associations, or even the

16 F. Mozhar, “Election, secularism, and American war strategy in South Asia,” in Daily Naya Diganto, Dhaka, November 22, 2008 [author’s translation].
17 Ibid.
most distant link, with the country’s banned militant groups, Joy and Ciovacco in the aforementioned essay try to establish an arbitrary link by stating that “... Jamat-ul Mujihid Banhladesh (JMB), Jagrata Janata Muslim Bangladesh (JMB) and Harkatul Juhad (HuJi) have been the militant arm of JI. They overtly denounce the Constitution and seek to replace democracy and secularism with a governing construct based on Sharia Law.” Following this blueprint for its secular plan, the AL is now seeking to gain the support of both Muslim and non-Muslim nations by creating a discourse that attempts to portray Bangladesh as a country at risk of being overtaken by “Islamic terrorist forces.” The regime’s utilization of international trends and narratives—and willingness to play the terrorism card—is indispensable to its long-held and systemic objective of eliminating Islam from the country’s political and social landscape.

After targeting Bangladesh’s Islamic political forces by discursively linking those to the broader nexus of “Islamic militancy,” Joy and Ciovacco revive the AL’s long-held goal of de-Islamizing the country by removing Islam from its education system: “These schools [the secular schools they propose] would be a deterrent to the monopoly on education that madrassas currently enjoy. Relying on Saudi and Kuwaiti funding that dictates rote Koranic memorization is counterproductive for a nation.” Again, neither “Saudi and Kuwaiti funding” nor “rote Koranic memorization” is a common feature of madrassa education in Bangladesh, being present in only a few such schools; the authors selectively target these “negative” elements of madrassas and generalize them. Accordingly, the current AL-led regime implemented a “secular education plan” at the end of 2010, bringing the entire education system into the panoply of its active intervention.

The regime’s secular plan has been conjoined with the violent elements of what Abu Rawsab calls “ultra-secularists.” Whereas true secularism advocates not the total annihilation of religion, but rather its separation from state affairs, ultra-secularists, to again quote Abu Rawsab, “are often seen to maintain an extreme rebuff [of] and a total antagonism towards a particular religion,” which in the case of Bangladesh is Islam. Therefore, he points out, “the development of secularism in Bangladesh started through an abnormal psyche, which is extreme opposition to and a deep-rooted desire to annihilate Islam and its symbols,” further noting that since the ultra-secularists are an indispensable ingredient of the ruling regime of Bangladesh, they have become not only desperate, but also

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18 S. Wazed Joy and Carl Ciovacco, op.cit., p. 2.
19 Ibid., p. 3.
21 Ibid., p. 5.
aggressive, violent, and fascistic in imposing their ideals of hatred and ruthlessness through the use of the machinery of the state.\textsuperscript{22}

Supported by the AL-led regime and several non-governmental organizations (NGOs), ongoing efforts are also being made to target Muslim women and turn them against Islamic principles. Internationally well-known NGOs that bear Islamic names, as well as Islamic banks, are also being targeted on the basis of the spurious accusation that they fund terrorist activities. It is abundantly clear that the regime’s objective is nothing but the eradication of Islamic influences from the political and social arena. As the policies and actions involved in implementing the secular plan to contain Islamism are violent, the regime has established an unprecedentedly poor human rights record. Violations include manipulation of the nation’s legal and media apparatuses, the creation and manipulation of war crimes tribunals, extrajudicial killings, torture, restrictions on free speech, oppression of journalists, violence against women and minorities, and massive corruption, just to name the most egregious examples. In the name of fighting Islamic militancy, the ruling regime of Bangladesh is essentially trying to silence all opposition and thereby perpetuate its own rule.

\section*{State of Human and Democratic Rights in Bangladesh}

\textit{Use of the legal apparatus as a tool of oppression}

TIB recently carried out a nation-wide sectoral survey and found the Bangladesh judiciary to be the country’s most corrupt sector, followed by the law enforcement agencies and the land administration.\textsuperscript{23} People are increasingly losing their trust in the judiciary, as the current regime has reshaped it and begun using it as a tool for dominance and control. Gross violations of human rights, clemency for convicted criminals belonging to the ruling alliance, and oppression of political opponents through false and concocted cases/charges are some of the clearest manifestations of the control the AL exerts over the judiciary in Bangladesh. “The state of [the] Judiciary in Bangladesh is turning into a glass-house and may crumble at any time,” opined Ex-Chief Justice Mahmud Amin Chowdhury, expressing his deep concern over the regime’s recent amendment that demeans the power of the Anti-Corruption Commission. A number of national and international bodies, including the World Bank, have questioned this amendment. “It looks [like] a section of people [the people of the ruling alliance] is beyond the jurisdiction of [the]..."
judiciary,” Chowdhury added. The current precarious state of the Bangladeshi judiciary is vividly depicted by Jalil and Islam:

The common practice in Bangladesh is not to take any legal action against the criminals of [the] ruling party or alliance, while often harsh legal actions are taken against the opposition leaders and activists though sometimes there might [be] no evidence of corruption against them. The legal apparatus in Bangladesh therefore largely serves the interest of the ruling elites, and provides a powerful tool for them to abate and crush [their] political opponents.

**Political control of the judiciary**

Since Bangladesh gained independence in 1971, the country has experienced an on-and-off, fragile democratic culture and sustained periods of military rule. Throughout that time, however, Bangladesh has also had a very vibrant civil society and a robust and independent judiciary. In the past three years, the AL regime has: (a) compromised the independence of the judiciary by appointing incompetent and partisan judges to the High Court division of the Supreme Court; (b) re-organized the most important writ and bail benches and the Appellate Division with active political supporters by appointing less competent judges who supersede other senior judges, which has not been the custom of the country’s highest judiciary; and (c) made regular undue interventions in judicial decisions through the politically appointed offices of Attorney General and Public Prosecutor.

The recent appointment of the Chief Justice and 12 other judges of the High Court—whose loyalty to AL is common knowledge among legal practitioners—is widely regarded as an attack on the country’s judicial system. Such large-scale political appointments to the judiciary are unprecedented in Bangladeshi history. Justice Khairul Hoque was selected as the Chief Justice, superseding two more senior justices. The first thing he did after taking up his office (even before being sworn in) was to hang up a picture of Sheikh Mujibur Rahman—an incident unseen since Rahman’s death—thus proving his devotion to AL. The High Court benches have been restructured in such a way that all key responsibilities (such as the power to hear writ petitions and award stay orders) rest with known pro-AL judges. It has also been reported that the government has

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taken steps to appoint hundreds of judges to the lower courts.\textsuperscript{27} A BBC journalist reported: “Past AL-background, political loyalty to the current regime and hostility to the opposition parties are the key yardsticks by which the government is making all appointments and giving promotion and tenure.”\textsuperscript{28} A report appearing in many national newspapers showed two persons breaking into the office of the Supreme Court’s Chief Justice in 2006. As a “reward” for these actions, the current regime has selected these very two gentlemen as Supreme Court judges. In another case, an individual who is facing a murder charge has been picked as a Supreme Court judge. When a newspaper disclosed his criminal record, the government forced the court to withdraw the charges against him, which shows the extent of the moral degradation of the country’s premier judicial body, on which most incumbent judges are actually political activists of the ruling regime.

The controversial judges promoted by the ruling party have made pro-AL rulings in a number of high-profile cases (e.g., questions concerning the father of the nation, the validity of the 5\textsuperscript{th} amendment to the constitution, the death sentence against the accused killers of Sheikh Mujibur Rahman). The government has violated the standard practice of appointing the senior most Supreme Court judge as the Chief Justice, instead appointing party sympathizers twice. The treatment meted out to Justice Shah Abu Nayeem M. Rahman, who was in line to become Chief Justice, eventually led to his resignation.\textsuperscript{29}

\textit{Withdrawal of charges against AL activists}

The current regime formed a committee under the Ministry of Home Affairs to withdraw what it calls “politically motivated cases,” thereby releasing AL criminals from all charges while retaining and consolidating the charges against opposition politicians. To date, on the basis of the committee’s recommendations (and often at its direct behest), 4,687 cases/charges have been withdrawn, and another 516 have been recommended for withdrawal. Unsurprisingly, AL leaders are the only beneficiary of most of these withdrawn or recommended-for-withdrawal cases. Individuals from the opposition parties not only do not benefit from this privilege, but they have also been charged with many newly fabricated crimes.\textsuperscript{30} The judiciary has reached such a deplorable state that no court in Bangladesh currently dares to accept any case against cadres of the ruling regime regardless of the magnitude of the crimes of which they stand accused, including murder, rape, arson, and corruption. At the same time, the regime’s political

\textsuperscript{27} \textit{Daily Star}, April 25, 2010.
\textsuperscript{28} \textit{Daily Naya Diganto}, March 23, 2010.
\textsuperscript{29} \textit{Bdnews24.com}, May 12, 2011.
opponents are routinely denied bail and detained on laughable charges. The Bangladeshi president has even offered clemency to more than a dozen criminals sentenced to death simply because they are AL activists.

Corrupt lawmakers

The majority of judges and lawmakers in Bangladesh are corrupt, and therefore easily influenced and exploited by the promise of money and power. Accepting bribes and diverting cases are not the exception in Bangladesh, but the rule. Although such corrupt practices were certainly not unknown under previous regimes, they have become increasingly common in recent times. Therefore, any claim of an independent judiciary is a patent illusion, as the entire legal apparatus rests upon dishonest lawmakers. In this profound nexus of corruption, the majority of lawmakers in Bangladesh today side with, and often work under the direct influence and at the behest of, the ruling regime.31 Therefore, many Bangladeshis realize that justice for political opponents is a mere dream.

The “war crimes” discourse

The regime was initially applauded for its willingness to try the criminals of the 1971 war. However, its exclusion of all 195 proven war criminals has opened the move to serious questions and raised concern that the real intent is to intimidate and eventually obliterate the opposition. This fear seems fully justified in light of the fact that all of the accused are from the opposition parties (BNP and JI) and none is from the ruling AL, which is alleged to have harbored many suspected criminals from the 1971 war. The war crimes trial lacks credibility in any case due to its many legal weaknesses, including the lengthy pre-charge detention of suspects, interrogation without the presence of counsel, the inability to challenge the jurisdiction of the tribunal, the lack of any presumption of innocence, the potential for self-incrimination, and the lack of protection for witnesses and victims.32

Although the International Bar Association has made 17 recommendations for bringing the war crimes tribunal into line with international standards, the government has done almost nothing to address these weaknesses. It has similarly ignored the recommendations of the United Nations, the International Center for

32 Daily Amar Desh (October 12, 2011) reports that the chief witness for one of the accused Maulana Delwar Hossain Sayeedi has been arrested in Pirojpur after putting him in false charges, while six others have been in a process of arrest by police.
Transitional Justice, Human Rights Watch, and the U.S. Ambassador-at-Large for War Crimes, Mr. Stephen Rapp. Exacerbating the situation, all of the judges, investigators, and prosecutors have been drawn from the ruling party, making the tribunal unacceptable to anyone except the ruling party. Several recent moves, such as denying the accused the right to consult a foreign lawyer, and denying a British Lawyer’s entry to Bangladesh by deporting back to London in the next available flight have shown the tribunal’s true colors. It is no wonder that national and international experts have called it a politically motivated podium for unfair trials.33

The regime has already arrested the top five leaders of JI for so-called “war crimes” even before any actual charges have been formulated. There are widespread media reports that these men have been tortured in custody and denied many of the privileges that a citizen of Bangladesh is entitled to enjoy. Another victim of the politically motivated repression of opposition leaders is opposition MP and former cabinet minister Mr. Salahuddin Quader Chowdhury. Mr. Chowdhury, a former candidate for Secretary General of the Organization of Islamic Countries (OIC), has been elected to the parliament by his constituency seven times. Nevertheless, he was still arrested on fictitious charges and severely tortured by members of the law enforcement agencies. The regime is now trying to bring war crimes charges against him.34

Denying due legal process and fairness in the administration of justice, the government is basically orchestrating the tribunal, and it literally has the power to determine which allegations and offenses will be investigated and taken into consideration. Hence, this politically motivated tribunal constitutes nothing more than a sham trial aimed at prosecuting political opponents.35 The ruling regime continues to propagate a progressive vision for the nation; however, its prime agenda and most of its actions remain largely what Sayemi calls “retrogressive, repressive, and fascist.”36 The regime has a monumental record of human rights abuses and political oppression. Trying war crimes defendants fairly and freely is admittedly a mammoth task; however, given the oppressive nature of the current regime, many experts find any expectation of justice to be laughable. The formulation and implementation of any tribunal—whose key objective should be social justice—require certain fundamental characteristics: inclusive, participatory, transparent, and multi-stakeholder. Unfortunately, none of these

33 For details, see M. S. Islam, “‘Minority Islam’ in Muslim majority Bangladesh: The violent road to a new brand of secularism,” Journal of Muslim Minority Affairs, Vol. 31, No. 1, March 2011, pp. 125-141.
34 See http://www.amnesty.org/en/news-and-updates/mp-tortured-security-forces-bangladesh-
36 M. Sayemi, “Awami atrocities know no bounds…”, op.cit.
characteristics is prevalent in the regime’s proposed war crimes trial despite its repeated claims and assurances to the contrary.\(^{37}\)

\textit{A reign of terror}

There has been an alarming rise in human rights violations in Bangladesh since the AL-led coalition came to power in January 2009. However, the government has repeatedly denied any wrongdoing. It has also denied any role in the extrajudicial killings that take place in the country, and has continued to violate the country’s constitution and other laws. In 2009, 53 Bangladesh Rifles (BDR) members were killed in custody after the Philkhana massacre. The government claimed they all died of illnesses; however, Ain o Salish Kendra (ASK), a reputed human rights organization in Bangladesh,\(^{38}\) reported that none of them was sick.\(^{39}\) Another 35 people were also killed in custody in 2009.\(^{40}\) A more recent example is the death of a Supreme Court lawyer, M. U. Ahmed who was detained on August 11, 2011. “If a lawyer of the apex court doesn’t have security, how can the people hope for security [of life]?” the National Human Rights Commission (NHRC) chairman asked in response to the incident.\(^{41}\)

Extrajudicial killings by the law enforcement agencies, especially the Rapid Action Battalion (RAB), have continued unabated in the past several years despite intense criticism at home and abroad. The current situation hardly reflects the government’s repeated assurances that there will be no more “crossfire” killings. Dipu Moni, the Minister of Foreign Affairs, informed the Human Rights Council at its universal periodic review on February 3, 2009 in Geneva that her government is committed to “zero tolerance” of extrajudicial killings. Prime Minister Sheikh Hasina told the parliament on February 9, 2009 that “those who [are] involved in extrajudicial killing will be brought to justice.”\(^{42}\) On September 27, 2009, she told a group of Bangladeshi journalists in New York that “we don’t believe in extrajudicial killing; however, it is also not expected that law enforcement agencies will die [at] the hands of criminals.”\(^{43}\) Despite these

\(^{37}\) M. S. Islam, “‘Minority Islam…”, \textit{op.cit.}
\(^{38}\) For details, see http://www.askbd.org/web/.
\(^{42}\) \textit{Daily Ittefaq}, February 12, 2009.
repeated promises and supposedly firm commitment, there have been 281 extrajudicial killings in the past two years.\textsuperscript{44}

Odhikar reports, of the 154 persons killed in 2009 by the law enforcement agencies, 41 were reportedly killed by the RAB, 75 by the police, 25 jointly by the RAB and the police, three by the army, two by the Ansers [a Para-military force of the government], one by the prison police, one by the forest guard, five in BDR custody, and one by the coast guard. Thirty-five of these individuals were killed while in the custody of the law enforcement agencies.\textsuperscript{45} The ASK report, on the other hand, claims, 229 extrajudicial killings were carried out by these agencies in 2009.\textsuperscript{46} Despite concrete proof to the contrary, the regime categorically denies any involvement in these killings. Home Minister Sahara Khatun has blatantly said that there are no crossfire killings in Bangladesh, with Deputy Home Minister Advocate Shamsul Hoque Tuku in agreement: “There’s no such thing as crossfire…. When the law enforcement agencies carry out missions against criminals, they act in self-defense, which leads to the deaths of the criminals.” Such rhetoric justifying extrajudicial killings is a major concern for human rights organizations, including Amnesty International and Human Rights Watch. According to Sultana Kamal, a former adviser to the caretaker government: “The government is continuing extrajudicial killings in violation of a court order and the Constitution.”\textsuperscript{47}

There have been widespread reports in the national and international media showing that along with the law enforcement authorities, the Bangladesh Chhatra League (BCL), the student wing of the AL, and the Awami Jubo League (AJL), its youth wing, have both played a significant role in creating a “reign of terror” in Bangladesh. The armed cadres of the AL have not only brutally murdered many of their political opponents, but also killed their own activists due to factional rivalry and power clashes within the party. The brutal killing of the AL’s own leader at Dhaka Medical College is just one of many examples. “If they kill their own leader so brutally due to internal factions and feuds, one can imagine how dangerous and heinous they are for their political opponents…. Almost every day people are witnessing the extreme savagery and ferocity of AL activists in Bangladesh,” Sayami writes.\textsuperscript{48} Odhikar notes that 220 persons were killed and 13,999 injured in political violence from January to December 2010. There were also 576 incidents of intra-party clashes in the AL and 92 within the

\textsuperscript{46} Ibid.
\textsuperscript{47} Ibid.
\textsuperscript{48} M. Sayemi, “Awami atrocities know no bounds…”, \textit{op.cit.}, p. 7.
BNP recorded during this period. Of these, 38 people were killed and 5,614 injured in the AL intra-party clashes.49

Table 1: Human Rights Record of AL-led Regime (2009-2010)

<table>
<thead>
<tr>
<th>No.</th>
<th>Type of Violence</th>
<th>2009</th>
<th>2010</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Extra-judicial killing</td>
<td>154</td>
<td>127</td>
<td>281</td>
</tr>
<tr>
<td>2.</td>
<td>Death in custody</td>
<td>123</td>
<td>109</td>
<td>232</td>
</tr>
<tr>
<td>3.</td>
<td>Disappearance</td>
<td>2</td>
<td>16</td>
<td>18</td>
</tr>
<tr>
<td>4.</td>
<td>Hindrance of media</td>
<td>266</td>
<td>263</td>
<td>529</td>
</tr>
<tr>
<td>5.</td>
<td>Killing by Border Security Forces of India</td>
<td>98</td>
<td>74</td>
<td>172</td>
</tr>
<tr>
<td>6.</td>
<td>Acid attack</td>
<td>101</td>
<td>127</td>
<td>228</td>
</tr>
<tr>
<td>7.</td>
<td>Dowry violence against women</td>
<td>319</td>
<td>378</td>
<td>697</td>
</tr>
<tr>
<td>8.</td>
<td>Rape</td>
<td>456</td>
<td>556</td>
<td>1012</td>
</tr>
<tr>
<td>9.</td>
<td>Public lynching</td>
<td>127</td>
<td>174</td>
<td>301</td>
</tr>
<tr>
<td>10.</td>
<td>Death of readymade garment workers</td>
<td>7</td>
<td>7</td>
<td>14</td>
</tr>
<tr>
<td>11.</td>
<td>Death during political violence</td>
<td>251</td>
<td>220</td>
<td>471</td>
</tr>
</tbody>
</table>


In February 2010, Faruk, a student of Rajshahi University belonging to the ruling party, was killed during a clash between the BCL and Islami Chhatra Shibir (ICS)—the largest democratic Islamic student organization and the student wing of the JI—the aim of which was to establish a monopolistic reign and force the BCL’s political opponents off the campus. Although Faruk’s death is still under investigation, no one has yet been held responsible by the police or the courts, and despite media reports that he was probably killed in BCL infighting, the government categorically blames the ICS for his “murder.” Based on this unfounded claim, the government has taken steps at the national level to harass and even ban the ICS and other democratic Islamic organizations. In the wake of the incident, the Home Ministry ordered all government agencies to carry out what he called “a combing operation to uproot the ICS throughout the whole country.” Since then, two ICS activists have been brutally killed, and many hundreds have been arrested, attacked, wounded, traumatized, and tortured in police custody. Before Faruk’s death, the ICS secretary general of Rajshahi University was brutally murdered by BCL cadres, but no investigation was carried

52 Ibid.
out and no arrests made. The BNP, the main opposition party in Bangladesh, has called these government actions “state terrorism” and a “license to create anarchy.”\(^{53}\) These sentiments are echoed by an *Amnesty International* statement:

> While members of the Islami Chhatra Shibir have been the main targets of the mass arrests, Bangladesh Chhatra League activists have continued to clash and attack opposition supporters, with no accountability…. The one-sided manner in which the police have carried out the arrests so far indicates that criminal investigations into the violence are unlikely to be impartial or fair. The government’s politically motivated response to the violence has allowed attacks by members of the ruling party’s student wing to continue, including against news reporters covering these attacks.\(^{54}\)

The following are examples of some of the other significant incidents that have taken place.

(a) BCL activists from the Rajshahi Polytechnic Institute attacked and brutally killed Rezwanul Islam Choudhury Sunny, a student leader of Chhatra Moitree [a student wing of a communist party]. Although a charge sheet was submitted to the country’s Speedy Trial Tribunal in August 2010, the four BCL cadres accused of Sunny’s murder have never been brought to justice.\(^{55}\)

(b) A Dhaka University student named Abu Bakar was killed in a clash between two BCL groups at the university on February 1, 2010. The Home Minister referred to it as an “isolated incident.” It was said that the prosecution could not collect the correct names of the witnesses, and therefore no charge sheet was filed with the court until the end of December 2010. None of the perpetrators is reported to have been punished.\(^{56}\)

(c) On April 19, 2010, hundreds of BCL activists attacked the police station at Swarupkathi in Pirozpur in protest against the arrest of eight BCL activists. At least 30 people, including nine police officers, were injured during the attack. Although the police subsequently arrested 12 suspected

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\(^{55}\) *Ibid.*

BCL activists and filed charges against 22 others for vandalizing the police station, the accused are believed to enjoy the government’s protection.\(^5^7\)

(d) On September 17, 2010, AJL and BCL activists went on the rampage, forcing the administration to postpone the recruitment examination for the Deputy Commissioner’s office in Pabna. Fifteen people were injured, including teachers and Additional Deputy Commissioner General Bijoy Bhushan Pal. The official car of the Rajshahi Divisional Commissioner and four other vehicles were vandalized. The activists also broke the windows of the Pabna District School and Government Girls High School, burning exam scripts and admission cards.\(^5^8\) Two court cases were filed, but none of the perpetrators has ever been punished. On September 27, 2010, H. T. Imam, an advisor to the Prime Minister, and Shamsul Haque Tuku, the State Minister for Home Affairs, sat down with the district administration to discuss the incident. Imam rebuked the administration officials for narrating their version of the incident to the press without permission from the higher authorities. Blaming the media for the entire incident, he said, the “media is responsible for creating enmity between the ruling party and the district administration.” Denying the involvement of party cadres, he added, the “Awami League was not involved in the incident of attack on the recruitment examination conducted by the Pabna district administration.”\(^5^9\) No perpetrator was ever punished, or even arrested or rebuked; rather, punishment in the form of harassment and transfer was meted out to more than a dozen civil servants, including the Deputy Commissioner and Police Superintendent of Pubna, who voiced their concerns about the BCL activists.\(^6^0\)

(e) On October 8, 2010, at a scheduled rally of the BNP in Natore, Sanaullah Noor Babu, aged 40, the elected chairman of Boraigraam Upazila and president of the Boraigraam Municipality BNP, was mercilessly beaten to death in public by AL thugs. During this gruesome attack, another 35 people were injured. Video footage of the incident was later released and aired on television. In spite of these attacks by the BJL and BCL, on October 12, 2010, Prime Minister Sheikh Hasina made the surprising comment that “the BNP’s internal-conflicts are responsible for the killing of the Chairman of Baraigram Upazila in Natore. They have murdered their own man and are now filing cases.”\(^6^1\) Police arrested four of the 27

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\(^{5^8}\) *Daily Naya Diganto* and *Daily Kaler Kantha*, September 18, 2010.

\(^{5^9}\) *Daily Ittefaq*, September 28, 2010.

\(^{6^0}\) *Daily Ittefaq*, September 29, 2010.

\(^{6^1}\) *Daily Amader Shomoy*, October 13, 2010.
persons named in the first information report, and seven others surrendered to the court. However, no charge sheet was submitted. Odhikar believes that “such statements [of the Prime Minister] are unhelpful and interfere with the investigation of a brutal murder. [They] also hinder the independent functioning of the administration and the judicial process.” On October 13, 2010, the AL MP Abdul Quddus, in a meeting at Bonpara, made a statement reassuring the individuals charged with the murder of Sanaullah Noor Babu: “There is nothing to be scared of. [The] Awami League is currently governing the state. Nothing will happen to those who have been accused of being involved in this murder case.” On October 19, 2010, Mahua Noor, the deceased’s widow, said at a press conference at the National Press Club, “My husband’s murderers are not content with having just killed him; now they are threatening me to withdraw the case that has been filed against them.” Although a case was filed against the 27 people allegedly involved in this incident, the police made only one arrest.

These are just a few examples of the numerous notorious incidents of the regime’s youth and students wings creating a reign of terror. BCL cadres have set up torture cells in most of the country’s universities to torture their political opponents. The torture victims include their own activists who pose leadership challenges, as well as political opponents and teachers. It has also been reported that BCL cadres have also established “rape houses.” These notorious practices are an open secret, but the victims do not speak out due to threats of further consequences. The inhumanity of these torturers and rapists has reached such an extreme state that—rather than being remorseful—they sometimes celebrate their actions in a boastful manner. For example, Manik, a BCL cadre at Jahangirnagar University, drew huge media coverage by openly celebrating his “rape century” after raping 100 young women. In addition to these inhumane instances of rape, many AL-controlled hostels are also reported to be turned into drug houses at night. In the wake of this reign of killings, beatings, rape, and extortion perpetrated by AL cadre at universities throughout the country, Sheikh Hasina recently resigned as head of the BCL, absolving herself of any personal responsibility for their catalogue of terrorism, violence, torture, murder, and other

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64 Daily Manabzamin, October 20, 2010.
66 M. Sayemi, op.cit.
heinous misdeeds. Her son, Sajeeb Wazed Joy, has been requested to “take care” of the student wing, as many of its leaders are his friends.67

Dubbing the rule of the current regime as “a reign of terror,” opposition leader and former Prime Minister Khaleda Zia—who, as previously noted, was evicted from her residence—said on January 9, 2011, in a speech in which she assessed the performance of the AL-led alliance government over the past two years: “Those who had imposed a single-party BKSAL rule on the country in the past have again established the rule of a single person and made others slaves of that person’s will. The situation is dangerous.” She added: “Attacks, threats, arrests, murders, oppression and violence have confounded the nation … [and] only a band of sycophants are singing the praise of a single person. No one is allowed to speak out against their misrule.”68 The following month, Amnesty International released a public statement entitled, “Bangladesh: Politically Motivated Arbitrary Arrests Hamper Impartial Investigation of Campus Violence,” in which it said: “The government of Bangladesh must refrain from arbitrary mass arrests, which appear to have been directed only at the opposition student activists. Criminal investigations must be impartial, regardless of the
suspect’s political affiliation or party membership.”69 In another report, Amnesty International claimed that Bangladeshi security forces use excessive force during raids,70 accusing the RAB, in particular, of violent attacks and cross-fire killings. Human Rights Watch has also expressed serious concern over the ongoing dire human rights situation in Bangladesh: “Bangladesh authorities [have] violated both freedom of expression and due process of [the] law.”71 The organization has called upon the Bangladeshi government to ensure that an impartial investigation is conducted into its allegations. Similarly, the U.S. Department of State’s 2008 Human Rights Report noted that “the government’s human rights record remained a matter of serious concern, in part due to the state of emergency that remained in place for most of the year and the failure to fully investigate extrajudicial killings.”72

Articles 38 and 39 of Bangladesh’s Constitution guarantee the right of every citizen of the state to form a political party or organization and to organize political activities in a peaceful manner. The atrocities committed by the regime shrink the democratic space and create obstacles to the protection of democratic rights. Its mission to victimize the JI, which claims to have about 12% of the popular vote bank, is particularly noteworthy. In gross violation of the aforementioned articles, the ruling regime seems hell-bent on harassing and intimidating opposition JI and BNP leaders through false charges and politically motivated litigation and on terrorizing rival party workers through violence, murder, intimidation, and concocted court cases. In line with her politics of hate and rabid political vendetta, Sheikh Hasina has since the inception of her power waged an ongoing campaign of humiliation and harassment against the three-time-elected and widowed former prime minister, and now opposition leader, Khaleda Zia. In addition to being forcibly evicted from her residence, Zia is currently unable to travel abroad to see her son who was seriously injured while in the custody of the last government, as she fears that she will be exiled. In another shocking incident unexpected in any civilized society, opposition Chief Whip Zainul Abedin Farroque was brutally assaulted by the police force in July 6, 2011.73 Jalil and Islam observe that the “[p]olitical vendetta [in Bangladesh] has now taken a very wild shape and the state machineries along with [the] legal and media apparatuses are now being used to crush and obliterate opposition parties and their political symbols.”74

73 See http://www.youtube.com/watch?v=o5uVDGaLuCg.
74 M. A. Jalil and M. S. Islam, “Towards a long term...”, op.cit., p. 64.
The Hindu minority, which often supports the AL regime, has also suffered atrocities. Recently, AL cadres demolished a Shib Mandir (a Hindu temple) in Dhaka in broad daylight, and the local court surprisingly refused to pursue a case against any of those involved. Sayemi writes:

AL’s savagery, fascism, inhumanity and gross human rights violations are parallel to none.... The extreme brutality of the AL-created “Rakhkhi Bahini” and “BAKSAL” is still in the imagination of the elderly generation, if not in the younger generation’s mind. The same patterns of ... brutality are currently going on in full swing and in various [ugly] forms, not occasionally but almost daily: murdering, raping, looting, grafting, plundering, intimidating, containing, lying, fabricating, insulting, and in many other forms. The current AL regime is a total reign of fascism and a dangerous tyranny.75

Unsurprisingly, rather than focus on the ragtag AL groups’ gravest forms of savagery and inhumanity, the AL-leaning media and their intellectual bedfellows very deliberately, through discursive means, divert the citizenry’s attention elsewhere, such as toward so-called war criminals and Jongis (Islamic

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75 M. Sayemi, “Awami atrocities know no bounds…”, op.cit., p. 6.
militants or terrorists). Although war crimes and Jongi activities are serious issues to be resolved, people need to be aware of and very careful about how the blame for all matter of social ills is intentionally placed at the doorstep of war criminals and Jongis. In Sayemi’s words, “Bangladesh and its people are totally unsafe and extremely unfortunate to have the Neo-Nazis on power.... [People] must resist this extreme fascism ... [and] must not betray [their] conscience.”

**Hindrance of freedom of expression and oppression of journalists**

As we have seen, murder, torture, and the oppression of journalists are very common occurrences in Bangladesh, with instances growing at an alarming rate. According to an ASK report, 175 journalists were intimidated in 2009 through the bringing of false charges, death threats, and other types of aggression. Three journalists were killed. According to an Odhikar report, 229 journalists suffered oppression in the last 11 months of 2009, with three killed, 71 injured, 36 harassed, and 68 threatened. While a bit discrepancy remains between these two sources, it is however abundantly clear about a massive hindrance of freedom of expression and oppression of journalists. In 2010, four journalists were reported to have been killed, with 118 injured, 49 threatened, 43 assaulted, and 17 otherwise attacked.

In addition to opposition political leaders being subjected to hundreds of lawsuits in different parts of the country and physically assaulted by ruling party activists acting at the behest of high-profile government ministers, reports also show that the regime has suppressed the freedom of the press to a significant extent and taken action against journalists and editors who have reported on the corruption of top government officials. Provocation of the media has reached such an extent that government activists attempted to murder the editor of a popular daily newspaper during his visit to London. This same editor had been in jail for revealing the misdeeds and corruption of the Prime Minister’s son, Sajib Wazed Joy, and his newspaper was banned for several months. He was also tortured over many days in remand. According to the victim, on the night of June 10, 2010, five or six men entered his cell around 1:45 a.m. and removed his clothes. They then proceeded to jab him very hard in the chest and back with their

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76 Ibid. For a detailed account of human rights violation in Bangladesh, see Human Rights in Bangladesh (Website: http://humanrightsinbangladesh.com/) and Awami Brutality (Website: http://www.awamibrutality.com/default.aspx).
elbows, whereupon he lost consciousness. When he awoke, he found himself lying on the floor of the Cantonment Police Station, although he was not questioned on that day. According to Human Rights Watch, “Shutting down a newspaper and jailing its editor shows the Bangladesh government apparently fears a free and unencumbered press. Intimidation and violence against the media betray the principles of a robust democracy, which is what the ruling Awami League said it was striving for when it campaigned for office.”

Displaying the same attitude, the regime recently arrested Daily Sangram Editor Mr. Abul Asad without any arrest warrant. Police said he was being held on a charge of vandalism stemming from a September 19, 2011 street clash. However, these allegations were clearly baseless, as he was nowhere in the vicinity of this street clash. Instead, according to journalist colleagues, he was working in his office at the time of the clash. In a protest rally held at the National Press Club, the leaders of the Bangladesh Federal Union of Journalists (BFUJ) and the Dhaka Union of Journalists described the accusations against Mr. Asad as “laughable.” He was eventually released on bail after being held for five days, but the false charges against him have not been withdrawn.

In another high-profile incident, the regime banned Facebook for a few weeks over some postings criticizing its actions and policies. The site was reopened only after the direct intervention of a number of foreign diplomats. The regime also banned three TV channels, largely for their anti-government stance. Many journalists suffer constant intimidation and harassment and live with the threat of death. In Bangladesh, reporting anything that criticizes or in any way goes against the regime means inviting almost certain grave danger.

**Violence against women and minorities**

Violence against women, particularly rape, has reached alarming proportions. It is frightening to note that the AL’s assumption of power has coincided with a huge increase in incidences of rape. Bangladeshi human rights organizations cite some alarming figures. According to an ASK report, 439 women were raped in 2009, 155 of them gang raped. After being raped, 62 of these women were murdered. Odhikar reports that 64 women and 33 girls were killed after being raped in that

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84 *Daily Sangram,* September 22, 2011.
86 *Human Rights Watch, op.cit.*
year\textsuperscript{88} and that 158 women and 180 girls, many of them just children, were raped between January and September alone. Of these 158 adult females, 50 were murdered and 68 subjected to gang rape. The figures for the young girls were 22 killed and 52 gang raped. In most cases, the rapists belonged to the AL. This already appalling record was surpassed the following year. Odhikar reports that in 2010, 556 females were raped, 248 adults and 308 children.\textsuperscript{89} Sixty-one of the adults were murdered after being raped, 119 were victims of gang rape, and two subsequently committed suicide. Among the children, 30 were killed after being raped, 93 were victims of gang rape, and four allegedly committed suicide. Six of these rapes are reported to have been carried out by law enforcement officers.\textsuperscript{90}

On September 25, 2009, an adolescent was gang raped by 10 BCL activists as she was returning home from a \textit{puja mandap} (a Hindu temple) in Kolapara Upazilla in the Patuakhali District. The rapists threatened the victim’s family not to take any legal action, and Rafiqul Islam, the general secretary of the Upazilla AL, forced the victim and her father to sign a blank sheet of paper. The police arrested none of the perpetrators, but instead the journalist who reported the incident. There have even been reported instances of BCL activists

\textsuperscript{88} Human Rights Report of Odhikar, 2009
\textsuperscript{89} According to the Children Act of 1974, children are those under 16 years of age.
videotaping rapes on their cell-phone cameras and then providing them to the pornography market through CDs or uploading to websites. Some of the victims in these cases have been driven to suicide, and others have left their educational institutions and gone into hiding.\textsuperscript{91}

Ninety-five percent of ready-made garment workers are women who are reported to be grossly underpaid. A tripartite agreement among owners, garment workers, and the government is not being followed, leaving workers’ problems unaddressed and causing unrest. A total of 1,039 incidences of unrest took place in the regime’s first nine months in power. There has also been an ongoing repression of minorities and indigenous peoples, with the perpetrators acting with total impunity. Murder victims include a Christian convert and NGO worker named Swapan Mondal; the self-proclaimed Hindu freedom fighter in 1971 Nirapad Kobiraj, who was killed by the RAB under the excuse of crossfire; senior citizen Jatindra Lal Dey; an indigenous girl named Maching Khai Marma, who was also raped; schoolteachers Akhil Saha and Ashish Sarker; and businessmen Sumon Goala and Goutam Sarker. There are also a few cases of families being evicted from their homes by local AL leaders in a plot to grab their houses and property.\textsuperscript{92}

Despite the regime’s warm relationship with India, serious human rights violations have long taken place in and around the border between Bangladesh and India. The Indian Border Security Force (BSF) regularly shoots unarmed Bangladeshi civilians in the border areas and sometimes even deep inside Bangladeshi territory. In 2010, the BSF reportedly killed 74 Bangladeshis along the India-Bangladesh border, 50 of whom were shot and 24 tortured before being killed. An additional 72 were injured, 40 of them in shootings, and 32 were allegedly tortured. The BSF is also reported to have abducted 43 individuals that year.\textsuperscript{93} Despite these widespread border killings, the current regime—because of its friendly relations with India—has never condemned the BSF’s brutality or made serious diplomatic efforts to resolve the border disputes that lead to them.

The regime has denied human rights to the country’s indigenous peoples (also known as “Pahari” or tribal people). In fact, it has repeatedly claimed that there are no such people in Bangladesh. The regime recently amended the constitution without any serious discussion or parliamentary debate to officially change the term used to denote the nationality of the people of Bangladesh from “Bangladeshi” to “Bangalee.” The Bangalee people (previously called “Bengalee”) constitute the country’s largest ethnic group. After Bangladesh gained independence in 1971, the Mujib government declared the new country’s citizens “Bengalees,” which created resentment among other ethnic groups.

\textsuperscript{91} Daily Amad Desh, July 28, 2010.
including the tribal people, one of the major causes of the insurgency in the Chittagong Hill Tracts area. After a number of constitutional amendments, the term for a national/citizen of the country was changed to “Bangladeshi,” which remained in force for 35 years. The recent reversion to “Bangalee” is certain to again fuel resentment among the country’s non-Bengali ethnic groups, especially among the tribal people of the Chittagong Hill Tracts area.

Politicization and corruption of the administration

In its election manifesto of 2008, the AL formulated and promulgated what it called the “Charter of Change” (din bodoler sonod), promising that an AL administration would be people-oriented and free from politicization: “Efficiency, seniority and merit will be the bases of appointment and promotion in public service…. A permanent pay commission will be set up for civil servants.”

Ironically, the country has been saddled with an administration that is the polar opposite of that which was earlier pledged. For instance, on September 7, 2009, the government promoted 494 officials, mostly from the administration cadre, to

Felani, a 16-year-old Bangladeshi girl, was kidnapped, raped, murdered, and hung from a fence by the BSF (Source: Daily Amar Desh, January 17, 2011)

the levels of deputy secretary, joint secretary, and additional secretary in excess of
the approved number of vacant positions in the administration organogram. There
were reports of massive irregularities and nepotism taking place in the process.
About 250 aggrieved officials have since filed applications with the establishment
ministry seeking a review of the promotions, and, according to an official record,
about 350 officials, including 12 secretaries, 58 additional secretaries, 95 joint
secretaries, and 87 deputy secretaries, have been dumped on the ministry as
officers on special duty. There have also been numerous reports of political
profiling in the army and administration and of the forced retirement and
dismissal of many officers who bear Islamic symbols and/or engage in Islamic
practices and are alleged to hold political views different from those of the ruling
regime. In fact, “political loyalties to the current regime and hostility to Islam and
the opposition parties have become the key market currency to get promotion and
Tenure.”

“Fighting corruption” was the second of the five priority pledges made by
the AL before the last general election: “Multi-pronged measures to fight
corruption will be taken. Powerful people will need to submit wealth statements
every year. Strict measures will be taken to eliminate bribery, extortion, rent-
seeking and corruption” reads the AL election manifesto, which was released by
Sheikh Hasina as the AL president on December 12, 2008 just before the
election. Strong measures were promised against people who had amassed
undisclosed money, loan defaulters, tender manipulators, and users of muscle
power in every sphere of the state and society. Sheikh Hasina also stressed the
need for aggressive anti-corruption drives, noting that ruling party members
would be brought to justice if they were found guilty of corruption. Belying these
promises, however, are media reports showing bribery- and tender manipulation-
related corruption to have increased exponentially among politicians and their
relatives in recent years. Despite being in power for more than two years now, the
regime has yet to take any of the anti-corruption measures promised in its election
manifesto. On the contrary, soon after assuming power, members of the ruling
party began to indulge in rampant corruption. The AL has in large part resorted to
and indulged in the abhorrent practices it once promised to fight against.

TIB reveals that in 2010 households in Bangladesh on a national level paid
95,916 million taka in bribes or other illegal payments in various service sectors.
The largest amount—35,194 million taka—was found in the case of the land
administration, followed by the judiciary (16,192 million taka) and the electricity

95 Daily New Age, 30 December 2009.
96 Serajur Rahman, “Division and vindictiveness can only harm a nation,” op.cit.
98 The taka is the local currency. Although its value fluctuates, 70 taka = US$1 (as of October 2011).
board (8,126 million taka). According to TIB’s survey, “corruption [is] not limited to bribery only. Negligence of duty, nepotism, embezzlement, deception and capturing money or wealth through application of force and other irregularities have also been considered as corruption. 84.2% of the households surveyed throughout the country [have] gained experience [of] these [forms of corruption].”99 Table 2 shows the pattern of increased corruption in different sectors of the administration.

**Table 2: Corruption and Irregularities Faced by Households in Different Service Sectors**

<table>
<thead>
<tr>
<th>No.</th>
<th>Name of sector</th>
<th>Corruption and irregularities faced by households (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Judiciary</td>
<td>88.0 47.7</td>
</tr>
<tr>
<td>2.</td>
<td>Law enforcement agencies</td>
<td>79.7 96.6</td>
</tr>
<tr>
<td>3.</td>
<td>Land administration</td>
<td>71.2 52.7</td>
</tr>
<tr>
<td>4.</td>
<td>Tax and customs</td>
<td>51.3 25.9</td>
</tr>
<tr>
<td>5.</td>
<td>Electricity</td>
<td>45.9 33.2</td>
</tr>
<tr>
<td>6.</td>
<td>Agriculture</td>
<td>45.3 -</td>
</tr>
<tr>
<td>7.</td>
<td>Local governments</td>
<td>43.9 62.5</td>
</tr>
<tr>
<td>8.</td>
<td>Health</td>
<td>33.2 44.1</td>
</tr>
<tr>
<td>9.</td>
<td>Insurance</td>
<td>19.2 -</td>
</tr>
<tr>
<td>10.</td>
<td>Banking</td>
<td>17.5 28.7</td>
</tr>
<tr>
<td>11.</td>
<td>Education</td>
<td>15.3 39.2</td>
</tr>
<tr>
<td>12.</td>
<td>NGO</td>
<td>10.1 13.5</td>
</tr>
<tr>
<td>13.</td>
<td>Others</td>
<td>34.1 35.5</td>
</tr>
<tr>
<td>14.</td>
<td>Overall</td>
<td>84.2 66.7</td>
</tr>
</tbody>
</table>

Source: TIB (2010, p. 7).

Extracting money from the government treasury in the name of a “stimulus package” is the new fashion among exporters eager to fatten their wallets. According to Jafar Iqbal, a professor and columnist, two vice chancellors—one of Comilla University and the other of Pabna University—had to quit their jobs as they could no longer withstand the pressure to “do the undoable.” In their resignation letters, they both cited undue pressure from local AL leaders as the main reason for them to tender their resignation. The rate of tender manipulation by AL activists has been unprecedented throughout the country since the ruling party assumed power. Angered by such manipulation in

public offices, Sheikh Hasina has repeatedly warned her party’s activists not to disrupt the tender process, although little action has been taken against such crimes.\textsuperscript{100} The prime minister’s repeated warnings to her own people have resulted in virtually nothing.

Since 1990, Bangladesh has enjoyed a unique election system in which general elections are held under a non-partisan caretaker government. Although a caretaker government was one of the AL’s demands when the party was in opposition, it recently abolished this provision following a court decision taken by a handpicked group of Supreme Court judges with ties to the ruling party. The ruling regime is adamant that the upcoming general election will be held under its own rule, although the leader of the opposition parties—Khaleda Zia—has vowed not to take part in such an election in anticipation of potential election engineering and massive vote rigging.

**Conclusion: Fascism in The Name of Democracy**

Fascism is generally understood as a governmental system led by a dictator who has complete power, forcibly suppresses opposition and criticism, regiments all industry and commerce, and promotes aggressive nationalism and often racism.\textsuperscript{101} This paper documents the current AL-led regime’s appalling record of large-scale human rights violations, a record that would be very unusual in a democratic regime. The various types of human rights violations that have taken place in Bangladesh are neither accidental nor occasional; rather, they occur almost routinely and are in large part linked to the broader nexus of the regime’s orchestrated plan for a secular state. As this plan is conjoined with, among other things, elements of ultra-secularism and a rabid political vendetta and thirst for revenge, the regime has become highly undemocratic, tyrannical, oppressive, and, in many respects, fascist in nature.

Through pursuit of its violent political vendetta—expressed in a variety of forms ranging from the extreme hate campaign waged against political opponents, particularly Islamic political leaders, to the merciless killing of these opponents and the dancing in joy on their dead bodies (the aforementioned events of October 28, 2006 and the Natore incident on October 8, 2009) and the “combing operation” to eradicate them from the political landscape—the regime has demonstrated a violent political racism. Although this brand of political racism—largely tantamount to what we know as fascism—is largely self-inflicting, creating chaos and division within the nation, the regime nurtures and reinforces it almost habitually for narrow political gain. The regime’s orchestrated trial of so-called war criminals—targeting the opposition parties alone and sparing their

\textsuperscript{100} Daily New Age, December 30, 2009.

own—is one of many examples of the political racism currently taking place in Bangladesh. Given the fascist nature of the regime, many legal experts, including the International Bar Association, believe that this trial itself will most likely constitute another abhorrent crime against humanity if the regime is allowed to act freely. A political analyst recently said, “The word ‘fascism’ is normally used to denote the most repressive regimes of the world to date. However, Awami fascism has no parallel in history, and therefore the dictionaries need to create a new word or concept for this particular regime.”

Based on this analysis, Sheikh Hasina, the current Prime Minister of Bangladesh, probably qualifies as the Muslim world’s first female fascist dictator.

Democracy and good governance are complementary to—and contingent upon—each other; that is, the former cannot function effectively in the absence of the latter. Good governance requires, among other things, a strong polity, effective institutions, a responsive civil society, and conscious and aware citizens. Democracy may turn into autocracy if the opposition is denied its democratic rights, and human rights are compromised. The political system of Bangladesh has over the past few years experienced the collapse of democracy, the emergence of authoritarianism, and many elements of fascism. The state machinery has therefore become a fertile ground for loot-seeking predators to hunt their prey, but it is a dysfunctional place for the masses and an oppressive and brutal one for the opposition parties.

This paper shows that the regime’s pursuit of “a secular plan” in the name of combating and uprooting “Islamism” is largely aimed at seeking both an objectifying and “legitimate” tool for anti-opposition violence. In the post-9/11 geopolitical context, the discourses of “Islamism” and “war crimes” appear to be nothing but the regime’s deliberate attempt to crush and obliterate the opposition. In the name of combating “Islamic terrorism,” the regime has paradoxically resorted to a reign of terror that has incorporated many of the elements of fascism. According to political analysts and TIB, mass political mobilization is probably the only option available to subvert and topple this fascist regime. Unless the country reverts to its foundations of democracy, the rule of law, and respect for human rights, Bangladesh is slowly but surely entering another dark period of political chaos and uncertainty. However, from what have been reported in this study, the regime seems unlikely to revert to these foundations if it ever had them. In this context, it is perhaps appropriate to quote a professor of the City University of New York who said, “AL is not simply a fascist political party in Bangladesh; it’s a fatal disease for the nation.”

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