

Democracy and Minority Rights in Bangladesh

SIKDER MONOARE MURSHED

ABSTRACT

The minority problems started in the year 1947, when Indian subcontinent divided in to two parts India and Pakistan in the basis of race and religion. The Muslims were the minorities in the Indian part as well as the Hindus were the minority in Pakistan part. In the 1950s, we founded several communal riots in many minorities areas of East Pakistan (present Bangladesh). In 1971, after berth of Bangladesh the rights of Minorities of all shades as equal citizens were being narrowed down and curtailed. To cite a few instances, the secular character of Bangladesh changed when at the top of the preamble of the constitution “Bismillah-ar-Rahma-ar-Rahim” (“I am starting in the name of God” according to Muslim religion) was inserted and then Islam was made State religion—both these move reduced the status of citizenship of non-Muslims to second grade citizenship. Then there were many existed laws curtailing the freedom and rights of minorities in different context. Bangladeshi Minorities are complex composite, consisting of religious, ethnic-cultural, linguistic and sectarian components. Hindus form the largest portion among the minority communities. Culturally and educationally, other religious minorities belong to Buddhism and Christianity numbering a few lakhs. There are also some indigenous communities present in Bangladesh. This paper made on the basis of human rights situation of minorities of Bangladesh.

PREAMBLE

Definition and Minority Situation

Bangladesh is a Sunni Muslim dominated country, numbering over 85% of the total population. The term minority referred in Bangladesh, concisely in socio-political context, includes religious minorities and ethnic and cultural minorities. Religious minorities such as Hindus, Buddhists, and Christians are the common instances and also, Ahmediyas, a small sect of Muslim, whom the Sunnis consider as non-Muslims. Among ethnic and cultural minorities, Santals, Oraons, Mundas, Garos are the indigenous groups who are the inhabitants in land portion of Northern and North-Eastern part of Bangladesh. Hill peoples (indigenous community) living in Chittagong Hill Tracts (CHT), who are one of the major portion, among 45 different minority communities, could also be named as minority of Bangladesh.

Bangladesh Minorities is a complex composite consisting of religious, ethnic-cultural, linguistic and sectarian components. Hindus form the largest group among the minority communities. Culturally and educationally, having highest literacy, it is a most advanced and dominant community not only among the minorities but also among the majorities. Other religious minorities belong to Buddhism and Christianity numbering a few lakhs (hundred thousand equals a lakh). These two communities are less fortunate being numerically insignificant. Whereas the Hindus had chosen to fight it for their rights, these two communities chose by and large, because of their numerical insignificance and backwardness

economically, educationally compared with their Hindu counter parts, the path of cooperation and appeasement with governments in power. This path however did not save them from onslaught. Whenever trouble of communalism and fundamental violence broke out both the communities equally suffered.

Another minority community of various ethnic groups and languages is known as a whole as “Adibashi,” meaning indigenous people, numbering more than 25 lakhs, though according to the PSR 2001 it was 18 lakhs. These groups have different origin ethnically and racially. The Indo-Tibetan Mongoloid people of various tribes lived in Chittagong Hill tracts (Chakmas, Marmas, Rakhains and Tripuris etc.) as well as under the shadow of Garo Hills in Mymensing district (Garos for example) and Sylhet districts (Monipuris and Khsias for example). Other groups consisting again different tribes, not speaking the same language, living in the plain of a few northern districts (Bogra, Rajshahi, Dinajpur, and Rangpur) known as Santals, Oraons etc. originated from a racial group known as Australoids. Although many of the families of these (Adibashi) indigenous communities embraced Christianity, a large section still follows their original and traditional religion of their own. These so called Adibashis, the term which they very much despised, are constantly interacting with the other people of the country and lot of anthropological changes in their culture; language, tradition etc. are taking place. One important data should present here about the indigenous population ratio in Chittagong Hill Tracts (CHT). According to the Captain T.H. Lewin (*The Hill Tracts of Chittagong and the Dwellers Therin, 1869*), the population of indigenous people of the Hill Tracts that was over 98%. At present context (2011, PSR), it stands at only at 49%. So, it is quite clear that the number of the indigenous people in CHT is decreasing over time.

PSR Year	1872	1901	1951	1981	1991	2011
Indigenous people	61,957	116,000	261,538	441,776	501,144	0.9 Million
	98%	93%	91%	59%	51%	49%
Bengalis	1,097	8,762	26,150	304,873	473,301	1 Million
	2%	7%	9%	41%	49%	51%
Total	63,054	124,762	287,688	746,649	974,445	1.9 Million

The lessening number of the minorities' population of minority community is everyday diminishing, especially those belonging to Hinduism. Numerically minority

community has a population lying between 15–18 millions forming probably 10–12% of the total population of Bangladesh which stands at 110 millions according to the PSR 2011. The large-scale migration of mainly Hindu population from the soil of East Bengal since 1947 may be attributed to many factors those included 'Psychological, physical threats and violence, severe riots in 1948, 1950, 1964, 1965 war between India and Pakistan, discriminatory laws such as Enemy Property Act etc and finally war of liberation in 1971. These periodic migrations time to time have reduced the Hindu minority population to meager 9.6 millions in 1971 between the periods 1964–1971 (during seven years). Assuming average growth rate of the national population in 1964 a simple calculation shows that the Hindu population during the period of seven years (1964–1971) should have stood at 11.4 millions. The question then naturally be asked where did those 1.8 million Hindus wither away. This must be assigned to eviction of the Hindu minorities from their abodes of various processes. The same calculation shows that during 27 years (1964–1991) the Hindu population in 1991 should stand at 16.5 millions instead of actual figure 11.2 millions according to 1991 census. But after reviewing 2011 PSR, we can figure that the number is below than 10 millions. This means during 27 years 5.3 millions Hindus have vanished from the soil of Bangladesh i.e. every year on an average 196,296 (nearly 2 lakhs) Hindu individuals have been found missing during the period. Most of these population migrated from here. The point should be noted that after each democratic election at national level (for instance 2001, 2009), the migration rate increases within the minority community in here.

Basic human rights of indigenous peoples in the CHT and plain lands are still being violated in an alarming manner. In most cases, the state authority fail to investigate the alleged human rights violations properly, which were committed directly by state-machineries as well as by third parties such as Bengali settlers, illegal land grabbers, private companies and local administrations. The indigenous victims of human rights violations are often neither provided with essential protection nor co-operated in filing charges against the perpetrators. As a result, the offenders usually do not face any prosecution and punishments. State being the prime duty bearer, its reluctance and failure to meet its obligation to respect, protect and fulfill human rights of indigenous peoples are facilitating perpetrators to commit offensive activities to a major degree. As a result, discrimination and violence against indigenous peoples including women and children continue to be a serious issue of concern in the present day.

BACKGROUND

The minority problems started in the year 1947, when Indian subcontinent divided in to two parts India and Pakistan in the basis of race and religion. The Muslims were the minorities in the Indian part as well as the Hindus were the minority in Pakistan part. In the 1950s, we

found several communal riots in many minorities areas of East Pakistan, which is renamed as Bangladesh after the liberation.

Except for a brief period following the emergence of Bangladesh in 1971, the rights of Minorities of all shades as equal citizens are being narrowed down and curtailed. To cite a few instances, the secular character of Bangladesh changed when at the top of the preamble of the constitution “Bismillah-ar-Rahma-ar-Rahim” was inserted and then Islam was made State religion—both these move reduced the status of citizenship of non-Muslims to second grade citizenship. Then there exist many laws curtailing the freedom and rights of minorities. Lastly but not the least minorities are constantly under threat of (i) being evicted from their abodes and physically ousted from their lands by powerful interested quarters, (ii) looted of their properties and (iii) being physically tortured and their women folk being dishonored.

Under this backdrop, following the debacle of the secular forces in general election of 2001, the evil forces of communalism let loose a reign of torture and repression on the minority communities of all shades and committed a crime against humanity violating the human rights of worst degree. The despicable attacks at several places across the country on the minority Hindu communities, living for centuries on their land, are reminiscent of similar violent assaults after the national elections of 2001.

The innocent people in thousands in lakhs even more suffered in a man made social calamity. The operation minority torture continued almost unabated for months. The victims and sufferers still remember those days with horror and fear. In 2012 and 2013, between February and November, at least 20 attacks were reported against the minority communities at Hathazari and Bashkhali in Chittagong, Kaliganj of Satkhira, Chiribandar of Dinajpur, besides Ramu in Cox's Bazar, Sathia of Pabna, Barisal and so on.

In the year 2009, the national pre-election and post-election faced intimidation of minority communities assumed with different dimension including being attacked, vandalized, looted, and burnt down in most of the rural areas. The minority women were also at a stake and some of them were raped too. The experience indicated that quite often the outbreaks of communal violence have not been the outcome of spontaneous disturbances of passionately held religious thoughts; they are carefully planned and executed and occur within a context of political mobilization.

In 2013, the numbers of human rights violations against indigenous peoples were intensified in some particular issues. At least 11 indigenous people including 4 women, 3 from CHT and 8 others from plains were killed. In connection with fabricated cases and incidents, law-enforcing agencies and security forces arrested 42 indigenous persons including 31 from CHT. At least 10 communal attacks, 6 in CHT (including Chittagong EPZ) and 4 in plains were conducted by the Bengali settlers and Bengali land grabbers, while houses and properties of at least 346 families, 275 from CHT and 71 from plains, were destroyed and looted. The KF “Human Rights Report 2013 on Indigenous Peoples in

Bangladesh” reports that, at least 47 houses including 1 from plains were set on fire and burnt to ashes, while around 2,000 people of 400 families in CHT fled away to “no man’s land” adjacent to neighboring Indian state due to communal attacks conducted by Bengali settlers. In some cases, while these violations were committed by influential Bengali miscreants as non-state actors, the state actors such as members of security forces and law enforcing agencies played either supportive or passive roles (from Human Rights Report 2013 on Indigenous Peoples in Bangladesh of KF).

The blood thirsty scoundrels this time synchronized with the recent 2014 national elections their lust to burn houses, plunder property and terrorize an innocent population. After repeated incidents of religious violence in the last two years a fresh spate of sectarian attack against minority communities was unleashed once again in the last of 2013 to first of 2014. The terror continued for two weeks spreading over new areas of the minority dominated villages in the northern districts of Thakurgaon, Dinajpur, Rangpur, Bogra, Lalmonirhat, Gaibandha, Rajshahi, the southern district of Chittagong and western Jessore. At least a hundred temples and several thousand houses and shops of the pre-dominantly Hindu, Christian and Buddhist communities were attacked, vandalized, looted, and burnt down by the attackers.

FOREGROUNDING OF THE PAPER

The basic information of this paper has been gathered by two groups in two ways, armchair based as well as field based observations. One group consisting one or two teams was engaged in collecting reports of minority repression published in national and local dailies for the last decade and so on, which is around fifteen years now and other written resources. Use of the already published materials of 2001 and following was permitted. The group sorted out, analyzed and made an up-to-date report for published.

While the second group consisting of several teams visited the places of dominant minority inhabited districts and localities, termed as minority sensitive localities for collection of data. The teams also visited a number of such minority sensitive centers including localities of Ahmediyas, indigenous (Adibashis) and CHT and its surroundings, collect on the spot relevant information which will reflect the overall conditions of the minorities and its relation with ensuing general election, such as:

- (a) If the minorities of the visiting locality were enlisted in the voters’ list or not, and if not under what circumstances. Under such case authorities will be informed for redress.
- (b) How many minority families were in the locality in 2001 and how many are now? If the number is less than of 2001, where did they go?

- (c) Is there any serious atrocities involving minority families (looting, eviction, grabbing of properties, physical torture and humiliation including sexual harassment on womenfolk.
- (d) Overall sentiments of the minorities, and the present environment of communal harmony and feeling of their security.

At the same time the team mobilized the local civil liberty group (journalist, cultural worker, advocate, teachers, NGO workers etc.).

The repression and persecution on minorities and as a result their misery and plight continues unabated since 2001, although its nature has visible changed, and its ferocity and dimension have been diminished.

The present nature of violence on the minorities may be described as follows:

- 1) Grabbing of individual minority properties by interested individual or groups by force and threat.
- 2) Rape and sexual violation of women belonging to minority communities. Ill treatment meted with young tribal girls and women.
- 3) Constant threat to minority communities with psychological pressure.
- 4) Places of worships are violated and sanctity of the temples, churches, mosques.
- 5) Violence has been facilitated by the ability of officials and criminals to behave and act with impunity.
- 6) Rumors and propaganda of indecent remarks about the majority's religion by minorities.
- 7) Disrespect and abusive attitude to the minority.

Elementary Reasons behind the Violations of Minority Rights

Authorities Weak Support the Minority Community:

The most disheartening reality is that the authorities failed to provide help to the minority communities when evil forces and their student body let loose their brutal attacks. The government has expressed its intention to stop these communal attacks and punish the perpetrators. If this is a sincere promise then the government should start by implementing the recommendations given in the Judicial Commissions report submitted three years ago.

Political Indemnity:

Not only that after each of this attack, two main political parties Awami League and BNP start to blame each other and ultimately try to shelter their activists involved with violence. This sort of political indemnity is a big reason why incidences of communal attacks are repeated in

Bangladesh. And for this kind of political immunity, the acts and sections of Bangladesh Penal Code fails to protect the rights of the oppressed.

Land—Grabbing Intentions of Wicked People:

The land robbers intentionally try to grab the land of the minority people. This is one of the main causes and this is not questioned yet about how to prevent this. Most of the minority communities have faced this problem. Though still it is continuing.

Propaganda and Rumors:

Propagandas and rumors are common way of transmission or propaganda in peasant rebellions. All peasant rebellions in modern times, including anti-colonial tribal wars, employed rumors. In Bangladesh today, especially in rural areas, rumors are a kind of manifesto of peasant consciousness. Anger mounted in the Muslim community when Drishtipat, a local Jamaat-e-Islami patronized newspaper, spread a rumor that a school play in the village had made indecent remarks about the Prophet. On February 28 of 2013, after the international crimes tribunal-1 sentenced the Jamaat-e-Islami leader Delwar Hossain Sayedee to death on war crime charges, Jamaat and its followers strongly protested the verdict. They spread the rumor by online which claimed that Sayedee was seen on the surface of moon. The verdict came with a price. Media reports stated that 100 people, including police personnel were killed and many public properties were damaged. But the mayhem of the protest did not end there. Jamaat-Shibir have allegedly unleashed their rage against Hindu minorities by wreaking havoc in about a thousand households, temples and bazaars of 15 districts in the country. More than 100 temples and 1,000 houses have come under attack since the sentencing. Also, the trial of the crime against humanity in 1971 is still going on and when it verdicts, there would be some brutal impacts on minorities of Bangladesh by the evil forces.

Prolonged Justice System:

The prolonged jurisdiction system of country often let the attackers become free of their committed crime. Because of this lengthy process, true verdict are often denied. The saying “justice delayed, justice denied” is completely applicable to this present context.

Psychological Inferiority Complex of the Minority People:

Communal attack often results in forced migration. These types of repression remark the fear in the mind of minority people and gradually they feel inferior. Sometimes they even lose their words to protest and to talk about their rights.

Cyclic Rotation of Minority Rights Violation in Countries of South Asia

The situation for minorities has not improved in some parts of Asia over the past year. Somehow minority rights violation in different countries of Asia has a connected impact within their democratic pattern. Violation in one country affects another and this become in cyclic rotation. Minorities in Afghanistan, Pakistan and Burma remain at serious risk of mass violence or even genocide, according to this year's internationally acclaimed Peoples under Threat index, produced by Minority Rights Group International (MRG). Several minority groups were identified as extremely vulnerable to future atrocities. These include non-Sunni Muslims and Christians in Pakistan, Burma's Muslim Rohingya, and communities on either side of Afghanistan's ethnic fault-lines, including the Hazara. India, world's largest democracy also faced the challenge of maintaining the minority rights over times.

India

Severe outbreaks of communal violence against religious minorities, including the 2002 Gujarat riots targeting Muslims, the 2007 mob attacks against Christians in Odisha, and the anti-Sikh riots of 1984 have socially and economically marginalized large pockets of religious minority communities. During last sixty years, communal violence has been gradually rising and more so with the identity related issues in the decade of 1980s. After Shah Bano incident communal forces got the pretext to unleashed themselves, which led to the rise of politics of identity related issues. In turn Ram Temple issue became their rallying point. From here on the violence assumed horrible proportions. This violence was initially directed against the Muslim minorities and later the Christians were also made the target of the same. One can discern that in the anti Muslim violence, which began from Jabalpur violence in 1961 to the current spate of major incidents of violence in UP, the victims of violence, those losing their lives in the violence, 90% are Muslims. In the population their percentage is 13.4% as per the census figures of 2001. As far as anti Christian violence is concerned it picked up during the decade of 1990 and peaked in the burning alive of Pastor Graham Stains in 1999 and the Kandhmal violence in 2008.

Pakistan

Conflicts between religious minorities and Muslims in Pakistan are not entirely unknown. There are suspicions that the killings may have been carried out by pro-Taliban supporters in Pakistan, though no group has yet claimed responsibility. Islamist extremist groups responsible for threats and violence against the minority Ahmadiyya religious community. Pakistan faces increasing sectarian and religious killings. Most international media attention has focused on the deadly conflict with armed Islamist groups, partly overshadowing other threats to religious and ethnic minorities. The Pakistani Taliban and other extremist Islamist groups continued their campaign of violent repression against Pakistani Shi'a, including

Hazaras, as well as Christians and the Ahmadiyya sect, claiming the lives of hundreds of victims last year. For the time being, killings at religious places as well as other Muslim sects and all minority cults are being terminated by fundamentalist majority groups, have become a usual scenario in here.

Myanmar

The U.N. calls the Rohingya Muslims one of the most persecuted populations in the world, and 3,500 of them live in the village of Du Char Yar Tan. They have been the frequent targets of violence by Buddhists, who are the majority in Myanmar. Burma, which is emerging from five decades of military rule, made mixed progress on its treatment of ethnic minorities over the past year—falling to number eight (from seven) in the survey. The government pushed ahead with ceasefire negotiations with armed ethnic groups, but violence continues to flare in the northern Kachin and Shan states, forcing thousands from their homes. *Minority Rights Group International* (2014) reports that: “Meanwhile, a worrying trend of xenophobia and hate speech against its Muslim minority, especially the stateless Rohingya, continues to escalate. Last year was marked by episodes of violence against the Muslim population, fuelled by a disturbing campaign of hate speech and intimidation by Buddhist nationalists.”

Afghanistan

Conflict-torn Afghanistan has featured among the top ten countries for several years in a row. The Pashtun-dominated Taliban stepped up its attacks on civilians in the run-up to the presidential elections in April 2014. As the country faces major potential political realignment, there is a legitimate risk that ethnic conflict between Pashtun, on the one hand, and Tajiks, Uzbeks and Hazaras will re-emerge.

Connectivity with These Realms

Here we can find out the cyclic rotation in a broad view. In some places majority are killing Muslims (in Myanmar), which somehow ignites the killings of Hindus (in Bangladesh), Christians (in Bangladesh) and Buddhists (in Malaysia) in many other countries where Muslims are the majority. For the sake of keeping democratic value of any country, government and leaderships must take the responsibilities of keeping the true concept of minority rights which claims to be a category of rights, are intended to direct special attention to the plight of those people under attack by virtue of their vulnerability.

EPILOGUE

Democracy in contemporary period requires majority rule with minority rights. In every democracy, there is continuing tension between the collateral factors of majority rule and minority rights. But this is for sure; violation of minority rights should not be ignored and

should be protected. This protection should extend to all religious, national and ethnic groups. Religious tolerance and harmony was rendered a dynamic dimension considered modern to the day.

Human bond and humanity are becoming weaker with the development of technology while they were meant to be positive for all. The dream of a developed nation where development and human adhesion will co-exist in harmony would be possible if and only if the rights of the minority people may be preserved. By maintaining the minority rights we can keep the calm impact on democracy and to do this thing we must review our respect to the minority rights. Awareness raising approach is essential to prevent violence because along with the state, the inhabitants of the state also need to respect the rights of the minority. This sort of cross religious inclusive approach has to be granted nationally to make people conscious of other's safety and government's dedication to shelter all its citizens of that specific country.

Preventing communal terrorism seeks a national approach with a broader perspective. The consequence of communal violence may threaten the national security as well the connectivity can also inflame sub-continental or cross-country based communal violence. Groups living in one country as minority may become majority in another country. Thereafter, each minority groups need respect protection and fulfillment of the rights within a country to ensure the holistic peace and development within a region. For South Asian region, the overall impact on conflict prevention and resolution depends on the preservation of minority rights. This is sheer implementable for Bangladesh too. The violation of minority rights are being very inhuman one and only strict action can tackle it. To ascertain the inter-religious harmony and diverse social promotion of this domain, minority rights should be accepted in equality and with mutual respect.

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