



Secularism in Bangladesh: Letter versus Spirit

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Bangladesh, after its liberation in 1971, inserted the word 'secularism' in its constitution, and tried to accommodate its spirit, but this experiment had to be given up soon due to change in the political leadership and form of governance. In order to polarize the society and to gain social acceptance, the military under General Ziaur Rahman patronized the religious groups. Once the religious groups got such legitimacy from the managers of the state, they started regulating its institutions. As a result, religion based discriminations ingrained in Bangladesh's political system. And more or less, this pattern is being maintained, even after the return of a democratic system in 1991. At present, although the Hindus have occupied certain important positions, they are constitutionally not eligible to even contest for the office of the head of the state merely because of their religion. This discrimination makes them a second rated citizen with 'fixed' or limited rights. Unlike the state, society has been relatively more 'accommodative' to the Hindus, which was a reason for many living on the India-Bangladesh borderland areas not to cross into India, despite the option, after signing of the Land Boundary Agreement (LBA) between India and Bangladesh in June 2015. This does not mean that the society has been always good to them ; many times in past majority have reacted violently against the minorities, and have also engaged in the act of grabbing their properties.

From Secular to Islamic State

In Bangladesh, after liberation in 1971, Sheikh Mujibur Rahman (1972-75) guided to set up a secular state. In the context of Bangladesh, he defined the concept in the following words:¹

Secularism does not mean absence of religion. Hindus will observe their religion; Muslims will observe their religion; Christians and Buddhists will observe their religions. No one will be allowed to interfere in others' religions; the people of Bengal do not want any interference in religious matters. Religion cannot be used for political ends....

This definition of secularism is appropriate in the multi- religious South Asian society. The first step towards defining secularism in a new way was taken by the members of the Indian constituent assembly. The Indian constitution adopted an idea of, what Rajiv Bhargava says 'principle distance'², where the state and religion cannot remain different and away from each other. After its liberation in 1971, Bangladesh tried to follow this principle, but it could not succeed. One of the main reasons for it is the assassination of Sheikh Mujib in 1975, just four years after the liberation of Bangladesh which was followed by fifteen years of military rule from 1976 to 1991.

Sheikh Mujib's ideals were inserted into Article 21 and Article 18(2) of the constitution. He imposed ban on many religious groups, which was lifted by General Ziaur Rahman (1976-81). The latter lifted the ban on the use of religion in politics and enacted Political Party Regulation Act, which cleared the way for Jammah-i-Islami (JI) etc. to play a role in Bangladesh's politics. During his tenure, in 1979, Ghulam Azam, the leader of JI, returned to Bangladesh from his exile in London. This boosted the morale of the cadres of JI. Zia dropped the word Secularism and inserted *Bismilahir Rahmanir Rahim* at the top of Preamble to the constitution. His successor General H.M. Ershad (1983-90) consolidated

the non-secular face of the nation by declaring Islam the state religion.³ He made Islamiat a mandatory subject for students of grades three to ten.⁴ It was during his reign that in 1988, Islam was declared as the state religion.

In 1991 when democracy returned, the political parties, instead of controlling the rise of extremism, tried to use religious groups to their electoral benefits. In post-2000 decade, a mix of global developments and domestic tensions have caused mushrooming of a large number of radical groups in Bangladesh. They have been engaged in all forms of violence -throwing petrol bombs at political gathering, to killing an individual target-to spread a reign of fear among those whom they find are not with 'them'.

The Bangladesh Nationalist Party (BNP) is being considered to be anti-minorities and is engaged in attacking them, though this is not a general phenomenon. In many cases, it is the members of supposed to be secular parties, who are real beneficiaries. A research by Professor Abu Barakat of Dhaka University has shown that as of 1997, through various versions of the Enemy Property Act, 53 per cent of the land owned by Hindus have been forcibly taken over, most of it between 1972 and 1980. This has affected four out of every ten Hindu households. The largest beneficiaries of these illegally dispossessed lands were those affiliated to the 'secular' party Awami League (AL), followed by BNP and JI.⁵ Similar concern was expressed by BNP leader Nazrul Islam, who, during an interaction with the Hindu devotees at Dhakeshwari Temple, said that most land of the temple has been occupied by influential people, and called upon the government to take steps to recover the temple's land. "I've come to know from the Sarbojonin Puja Committee president that 14 bighas of land out of 20 of the temple have been grabbed," he said.⁶

Re-Adopting 'Secularism'

The High Court (HC) of Dhaka will begin to hear arguments regarding a plea to change into a secular form of governance from 27th March 2016. The case has been

brought to the HC by a group of secular activists, who argue that recognizing Islam as the country's official religion contradicts the secular nature of the state. The case could reopen fault lines over the role of Islam in Bangladeshi society. It has almost 90 per cent Muslims, 8 per cent Hindus and Christians and other faiths constituting the remaining 2 per cent. Some lawyers and activists have argued that Article 2A of the constitution, which recognizes Islam as the "religion of the Republic," contradicts Article 12, which declares secularism to be a principle of the state.⁷ Those who oppose dropping Islam as the state religion point out that Article 2A also says: "The State shall ensure equal status and equal right in the practice of the Hindu, Buddhist, Christian and other religions."⁸ Against this petition, Hefajat-e-Islam (HI) has announced to hold rallies across Bangladesh on 25th March. In past, HI has been engaged in militant activities and killings.

Bangladesh's Prime Minister, Sheikh Hasina, has been ambivalent about instituting wholesale secular reforms. For years, Bangladesh's constitutional protections have been toyed with, amended several times depending on the prime minister's temperament. Although Hasina, through fifteenth amendment "reinstated the principle of secularism," she refused to relent on Islam's supreme standing in the country. Contradicting her own apparent endorsement of "secularism," she "also reaffirmed Islam as the state religion."⁹ The fifteenth amendment introduced another phrase on top of the preamble – *Param korunamoy name shuru korilam* (In the name of the all-compassionate we start).

Hypothetically, if the state becomes 'secular' will there be any change in the condition of minorities? Analysing the nature of state and its social structures, one can argue that the relationship among the groups is not going to change. Institutional communalism is a common phenomenon prevailing even in developed countries; it becomes severe and gains legitimacy when the society is marred by frequent occurrence of communal riots and structural violence.¹⁰ Hence, even if the state adopts secularism it will remain on paper and not in practice.

The principles of secularism also demand that the state must be non-partisan towards a particular ethnic, linguistic or sectarian group. In Bangladesh, the bias on the basis of these three is practiced by the state and society. Khalid Hussain describes the Urdu speaking Bihari as the most disadvantaged group in Bangladesh because they are not recognized as citizens in the country they regard as their home. Narrating his own experience, he said, “On completion of primary school, he and other students tried to enrol at the local high school, but were refused. Their only option was a private school which most could not afford. They are living in a situation where the nation they relate to – Pakistan – has refused to accept them and the country of their current habitation – Bangladesh – calls them ‘traitor’ and has rendered them stranded.”¹¹ In May 2008, Bangladesh’s High Court ruled that the children of Urdu-speaking ‘Bihari’ Muslims awaiting repatriation to Pakistan for over 37 years would be granted Bangladeshi citizenship;¹² and they were provided the right to vote in parliamentary elections.

The members of minority sectarian groups too had been targeted by the Islamic groups. Violence against the Ahmediyya, a minority sect has become commonplace since 2001. A group of anti-Ahmadiyya believers have periodically attacked Ahmadiyya’s places of worship. The Human Rights Watch (HRW) report describes these incidents as part of a larger trend within society: “the recent upsurge in the persecution of the Ahmadiyyas can be understood as part of gradual trend in Bangladesh from the country’s secular roots toward more blending of religion and politics.”¹³

The BNP, which has a strong religious constituency, was expected to clarify its position on secularism, but its sixth council in March 2016 was concluded without any word over the issue. Anticipating the change and, primarily, in a bid to re-enter into electoral politics, JI has planned to open a new political platform called Bangladesh Development Party (BDP). Alongside the new platform, the JI will also keep its organisational structure secretly. If this political group manages to get registered as a

political party and contests elections, the cadres of the JI and its sister organizations will use their old tactics to garner votes in favour of their candidates.

Conclusion

The issue is in the HC, and even if the verdict is positive, it will not be easy for the Sheikh Hasina led government to insert the word 'secularism' in the constitution, although she has the numbers (AL has 234 out of 300 members in the lower house). Yet it will be a difficult task because many of the MPs represent religious constituencies. There are about 15 to 20 per cent seats where the AL candidates cannot win without the help of Jatiya Party of H.M. Ershad, who inserted Islam in the constitution of Bangladesh. Therefore in 15th amendment act Sheikh Hasina government, keeping an eye on the ground realities, adopted a middle path.¹⁴

Secondly, even if the word secularism gets inserted, can the situation change in Bangladesh? It is difficult to say. At present, the preponderant ideology of Islam and the identity of being Muslim are cause of social tensions.

To shift from one form of society to another is a process, which cannot simply be catalysed by inserting or omitting a word or two. The move in this direction has to be made from the above, supported by the social structures from below.

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The Views expressed are that of the Researcher and not of the Council.*

Endnotes:

¹ *Parliamentary Debates* as cited by Amena Mohsin, 'Secularism as Religious Tolerance' in Guhatakhurata, Meghna and Willem van Schendel (2013) *The Bangladesh Reader: History, Culture, Politics*. London and Durham, Duke University Press, p. 334-335.

² Bhargava, R. (2002) 'India's Secular Constitution' in Hasan, Zoya, E. Sridharan and R. Sudarshan, *India's Living Constitution: Ideas, Practices, Controversies*, New Delhi: Permanent Black, 105-133.

³ Dina Mahnaz Siddiqi *Political Culture in Contemporary Bangladesh*. In Riaz, Ali and C. Christine Fair *Fair Political Islam and Governance in Bangladesh*. Oxon & New York, Routledge, 2011. p. 7-26.

⁴ Ali Riaz, *Islamist Politics and Education*. In Riaz, Ali and C. Christine Fair (2011) *Political Islam and Governance in Bangladesh*, Oxon & New York: Routledge, p. 116-135.

⁵ Garga Chatterjee 'The dangerous slide of Bangladesh' *DNA* 15 October 2012.

⁶ BNP Deadly against communalism: Kazi Nasrul Islam". *Bangladesh Today*, 23 October 2015.

⁷ Syed Zain al-Mahmood (2016, 10 March) 'Bangladesh Court to Hear Petition to Remove Islam as State Religion,' *Wall Street Journal Blog*, retrieved from <http://blogs.wsj.com/indiarealtime/2016/03/10/bangladeshs-court-to-consider-petition-to-remove-islam-as-counofficial-religion/trys-> on 18 March 2016.

⁸ Ibid.

⁹ As cited by Joshua Yasmeh, 'WOW. Will Bangladesh Drop Islam As Its Official Religion?' *The Wire*, retrieved from <http://www.dailywire.com/news/3948/jesus-christ-will-bangladesh-drop-islam-its-joshua-yasmeh> on 18 March 2016.

¹⁰ See Pritam Singh, 'Institutional Communalism in India', in Rehman, Mujibur (2016) *Communalism in Postcolonial India: Changing Contours*, Oxon: Routledge, p 28-50.

¹¹ 'Khalid Hussain, An Urdu-speaking Bihari in Bangladesh,' <http://www.un.org/en/letsfightracism/hussain.shtml>.

¹² 'Without a Nation: Stateless Biharis in Bangladesh,' by Akansha Pandey, <http://bargad.org/2012/24/without-nation-stateless-biharis-in-bangladesh>, accessed on 15 November 2014.

¹³ Cited in Md Shamsul Islam, 'Political Violence in Bangladesh,' in Riaz, Ali and C. Christine (2011) *Fair Political Islam and Governance in Bangladesh*, Oxon and New York: Routledge, p. 27-45.

¹⁴ Rudroneel Ghosh (2016, 9 March) 'Secularism in Bangladesh: More effort needed to uplift the status of minorities' *The Times of India* Retrieved from <http://blogs.timesofindia.indiatimes.com/talkingturkey/secularism-in-bangladesh-more-effort-needed-to-uplift-the-status-of-minorities/> on 21 March 2016.