

Women living under muslim laws  
النساء في ظل قوانين المسلمين  
Femmes sous lois musulmanes

# Fatwas Against Women in Bangladesh



Readers and Compilations Series

# **Fatwas Against Women in Bangladesh**

### **Acknowledgements:**

Most of the material used in this publication was produced earlier by Ain O Salish Kendra (ASK) in Bangladesh. We are thankful to Salma Sobhan, Sultana Kamal and Hameeda Hossain of ASK for granting us the permission to re-arrange and reprint their papers into this volume. We have also included here some reports from international human rights organisations.

The following documents have been reproduced in extenso in this volume.

- A.S.K. Documents relating to recent Activities and statements of the fundamentalists in Bangladesh, May-June 1994.  
Dhaka: Ain O Salish Kendra, Unpublished papers.
- A.S.K. 'Attack on Fundamentals', Sangalp (Dhaka), Vol.4, August 1995.  
Contact address:  
Ain O Salish Kendra (A.S.K.)  
55 Inner Circular Road, Shantinagar, Dhaka 1217  
Bangladesh
- Human Rights Watch/Asia. Bangladesh: Violence and Discrimination in the name of religion. 29 June 1994.  
Contact Address:  
Human Rights Watch  
485 Fifth Avenue, New York, N.Y. 10017-6014  
U.S.A.
- Amnesty International. "Executive Summary - Bangladesh: Fundamental rights of women violated with virtual impunity" (AI Index: ASA13/09/94)  
Contact Address:  
Amnesty International  
International Secretariat, 1 Easton street, London WCLX 8DJ,  
U. K.

Published by Women Living Under Muslim Laws - 1996

Compiled by Marie-Aimee Helie Lucas and Harsh Kapoor

Maps on Page 3 by Harsh Kapoor (with support from Khadija from A.S.K, Dhaka)

The cover photo has been taken from the Video documentary film called Eclipse that was sponsored by WLUML. for more information on the film see pp 135. The photo depicts a demonstration of women protesting anti-women Fatwa-s and Salish-es in the rural countryside of Bangladesh.

Cover design, map design and page layout by Crayon & Cie, Montpellier, France.

Permission to reprint the materials included in this volume should be obtained directly from the contributing authors / organisations.



Locations marked on the above map correspond to administrative districts or cities in Bangladesh where incidents of violence against women instigated by Fatwa-s & Salish-es took place between 1993-1995.





## Contents

Preface	Marie-Aimée Hélie-Lucas	7
So, what is a <i>Fatwa</i> ?		11
A Selection of <i>Fatwas</i>		12
Introduction	Hamida Hossain	13
Politics of religious identity	Salma Sobhan	18
Bangladesh: Violence and discrimination in the name of religion	Human Rights Watch	24
Note on recent fundamentalist acts Bangladesh		34
The Red Herring	Salma Sobhan	37
Fatwas to obstruct women's development and education		40
Persecution of journalists and writers in May and June 1994		44
Facts relating to the charges against Taslima Nasreen		48
Urgent Appeal - Arrest warrant against Taslima Nasreen		50
Letter by Taslima Nasreen to the speaker of Bangladesh Parliament		53
Sentenced to death	Taslima Nasreen	55
Fundamentalist Agitation and government action against Taslima Nasreen		57
Protest against activities of fundamentalists		63
<b>Women</b>		
Fundamental rights of women violated with virtual impunity	Amnesty International	67
Undermining women's rights	Sultana Kamal	69
Explanatory Note on <i>Salishs</i> and <i>Fatwas</i>		75
<i>Fatwas</i> in Bangladesh		76
Fate of Noorjehans and the Constitution of Bangladesh	Sultana Kamal	80
<i>Fatwas</i> against women on charges of <i>zina</i> (sex outside marriage)		83
Cases of violence against women		86

## **Blasphemy**

Blasphemy Bill: Revenging the war of liberation ?	Syed Ishtiaq Ahmed	99
Origins of blasphemy	Saira Rahman and Javed Hasan Mahmood	103
The Blasphemy Law		106
The Jamaat's proposed 'Blasphemy Law': Destroying secular and democratic space	Sara Hossain	110
Violation of democratic and human rights	A. Haq	121

## **Development and Education**

Development denied	Mirza Hasan	125
Opening the windows of the mind	Salma Sobhan	127
Recent developments in the education sector of Bangladesh	Muzaffer Ahmed	129

## **Religious Fundamentalists and War Criminals**

Eclipse (a documentary film)		135
War criminals, Bangladesh: - Alert for Action - War Crimes File (a documentary Film)		139

<b>Statement from Pakistani Women's Movement in solidarity with women in Bangladesh</b>		143
Further reading		144
Some Bangladesh related sites on the Internet		148

# Preface

In the on going process of "islamization" of Muslim countries and communities which started a few decades ago, specific trends have clearly been gaining ground and specific practices have been spreading in more and more countries .

Twenty years ago, countries in the Mahgreb, in parts of sub Saharan Africa or South Asia, for instance, had not heard of "fatwas" (in the popular sense in which it is now used) nor of stonning to death for zina.

*Hudd* punishment ( which originated in the Retaliation law of Moses: - an eye for an eye , a tooth for a tooth) was only known and applied in countries such as Pakistan and Sudan during the times of dictatorship, the Gulf kingdoms, then in Iran under Khomeiny. However,implementation of the laws and practices differed even within these countries: while amputation of the limbs of thieves were legal in Pakistan and Sudan, for instance, the dictatorship in Sudan severely practised amputation, while in Pakistan medical associations made it clear that they will refuse to participate in such a "medical act" and subsequently the law was not implemented . Similarly, in Pakistan, although many condemnations to death by stonning were pronounced by the courts for the crime of zina, in fact nobody is, at present, executed (it is bad enough to be in jail for ever under such a threat); sentences to public flogging for zina (up to 100 lashes) are still given but no flogging has been carried out in public for the past years. In other words it seems that although, despite the efforts of women organisations and human rights organisations, the letter of the law has not changed, ( a threatening Damocles sword, since it could be revived any time by any dictatorship or theocratic government), civil society has at least managed to limit or stop the implementation of the law.

However the trend to introduce or revive such sentences or practices exists and grows within the states as well as within the political fundamentalists forces.



In 1990 the Iraqi Revolutionary Command Council passed a decree (later annulled) according to which the father-head of the family was entrusted by the state of Iraq with the power of being both the judge and the executioner of the women folks in his family (followed a precise list of the degree of parentee on which he could and should exercise his power) for reasons of adultery. The decree stated that the father could not be taken to court for murder in such cases since he was doing his duty. There was no mention of the accused right to defence, nor of the necessity for the father-judge to prove the "crime".

In 1992, the fundamentalist party FIS (Islamic Front for Salvation) in Algeria, running for elections, announced that - if they were elected - they will immediately introduce a legislation regarding sexuality outside marriage (zina) which will then be punishable by stoning to death. These laws were unheard of amongst the Algerian people. Information regarding the Huddood Ordinances in Pakistan was hastily forwarded to Algerian women who discovered, horrified, what legislation they may be subjected to, if FIS were to be elected.

Three years ago, places such as Somalia and Bangladesh witnessed the first cases of self appointed village tribunals taking the decision (fatwa) to judge and execute women accused of adultery by stoning them publicly; these decisions were implemented. Six women were so executed in Somalia within a short period (after which we could not get any further information on the situation of women there) and the first cases of fatwas appeared in Bangladesh. One should make it clear that these fatwas are illegal in both Somalia and Bangladesh. However the case of Bangladesh shows that in spite of pressure and legal actions from the democratic forces, the State only mildly reacts to this breaching of the law.

The present publication documents the case of Bangladesh. It amply shows the link between these self appointed village courts and the fundamentalist parties or organisations, as well as the direct filiation between the antidemocratic forces during the liberation struggle of Bangladesh in 1971 and the present fundamentalist "religious right".

Moreover it shows clearly that targetting at women and the private sphere is part and parcel of a policy of suppressing people's economic and political initiatives and responsibilities and curtailing civil society. For women's private lives are not isolated targets for fundamentalists; the trees women plant for their economic survival, the bank which gives them loans to set up small autonomous businesses, and the NGOs for development who employs them are also attacked and bombed by the fundamentalists who claim that all those initiatives destroy women's Muslim identity and who put heavy pressure and threats on their husbands to force them to divorce their wives on such grounds.

Hence the link is made, in the case of Bangladesh, between the various levels of attacks against progressive forces, which usually seem disconnected from one another: the place of religious fundamentalism within the global plan of antiliberation and undemocratic political forces, and the place of women's control within the global aim of controlling the people.

The Bangladesh Women & Law Project ( which is part of a global comparative research and action program - The Women & Law in the Muslim World Program- launched by the Women Living Under Muslim Laws international solidarity network in 26 Muslim countries and communities) has produced, as part of the outreach programme of its national research, a video film, "Eclipse", which documents visually the political origins and scope of fatwas and salish's as well as the resistance to fundamentalists's practices in Bangladesh. This video recieved the Award of Documentary Film in Dhaka in 1994.

We want to stress that while spreading a specific version of Islam through the practice of fatwas in many regions and countries (This year, a woman film maker of Chad, was condemned to death by fatwa, for having shown the genitals of a girl in a documentary film against female genital mutilation), fundamentalists are not only distancing themselves from the "legal" procedures of pronouncing fatwas as they existed traditionally in a limited number of countries in the past, ( generally following the Shia school of thought) - where only a specific authorized and recognised religious authority was in charge of such decisions -, but also switching from religious authority to religiously inspired unauthorized popular courts, where the law - as bad as it may be- is now replaced by autonomous self appointed justice heavily guided (and remote controlled) by the religious right which defies the law.

Under the visible aim of controlling women,- while we all know that every governement is prepared to trade our civil and human rights for keeping at peace with the religious extreme right - fundamentalists are in fact already instauring the basis of their political dictatorship on the countries.

Many organisations including women's organisations, human rights organisations, NGOs etc... have mobilized against this dangerous political trend and its dreadful manifestations. many have come out in defence of women, and have put all their weight into making sure that the perpetrators and inspirators of these murders be legally held responsible. It seems that their concerted action has succeeded in stopping the propagation of such practices.

*Marie-Aimée Hélie-Lucas*  
*June 1996*



## So, what is a Fatwa?

The recent spate of acts of violence against women in several parts of rural Bangladesh are justified by the perpetrators of these crimes on the basis of fatwas given by a local imam or a maulvi or maulana. It has been rightly pointed out that violence against women is a crime that cannot be justified on this basis. In addition, and again rightly, it is pointed out that these self-appointed givers of fatwas have no authority for their proclamations. What these statements however fail to clarify is a fundamental misconception about fatwas themselves.

A fatwa was/is the formal opinion of a jurisconsult upon the legal issues involved in a factual situation. As one textbook elaborates "a fatwa is an opinion on a point of law rendered by a mufti in response to questions submitted to him by a private individual or a qadi". That the mufti/jurisconsult had/s to be a "competent legal scholar" should go without saying. And that the gentlemen who have been arrogating to themselves the privilege of pronouncing fatwas are not scholars in any field at all let alone competent or not is also clear. But what escapes most of us is that even were the fatwa - givers scholars and jurists and capable any pronouncement made by them would not have the force of law that is to say it could not be executed. Thus "the function of a mufti was essentially private and consultative and so a fatwa was not legally binding (unless it was) utilised by a qadi and incorporated into his decision". Since this is the traditional position it is hard to understand why the law enforcing authorities appear to be so loath to enforce the law of the land, or the political parties to condemn the unlawful behaviour of the fatwabaazes<sup>1</sup>. Can it possibly be that even the concerned ministry is equally ignorant on this issue?

Whilst on the subject of fatwas one has oneself a clarification or two to request from "concerned quarters". Why is the Government not utilising its powers under the Special Power Act section 16 or the Anti-Terrorist Act section 3 against the givers of illegal fatwas? Despite the public perception of these laws as black laws, these Acts continue to be retained (*or newly promulgated*) and used and justified on the grounds of State necessity. So it is a little surprising that in a situation which demonstrably calls for swift and uncompromising action the Government chooses to be so passive.

---

Source: Ain O Salish Kendra.

1. Deceitful giver of fraudulent *Fatwa*.

## **Selection of Fatwas issued in 1993-95...**

### **against use of contraceptives**

June 1993: 35 women in village in Serajgonj were ostracized because they used contraceptives.

November 1993: Two imams were suspended from their mosque duties because their wives used contraceptives.

### **against education**

January 1995: Children deterred from going to BRAC<sup>1</sup> schools. Imams refused to perform burial rites for children in BRAC schools.

February 1995: Schools were burnt following fatwas.

### **against women's development**

January 1994: 600 mulberry trees cultivated by women were cut down by Madrassah students.

March 1994: 10 women were divorced for working with NGOs and ostracised for working outside the home which is against Islam.

### **against freedom of speech**

May and June 1994: Religious extremists attacked or committed arson in several daily Bangla newspaper offices such as *Bhorer Kagoj*, *Aajker Kagoj*, *Jonokontho*. In June 1991: case filed charging editors of *Jonokontho* under section 295(c) with malicious and deliberate intent of hurting religious sentiment of the people. Warrants of arrests issued against editors.

### **Blasphemy Law**

June 1992: Jamaat-i-Islami tables a bill in Parliament to make blasphemy punishable by death.

---

1 BRAC is an abbreviation for Bangladesh Rural Advancement Committee

# Introduction

Hameeda Hossain\*

The surfacing of obscurantism or fundamentalist fascism is not particular to any region or religion. Such tendencies become visible when rational discourse gives way to the irrational, when tolerance of belief and diversity is thrown aside through fear and terrorism; when morality is controlled by the powerful. How much of this is set in motion by powerful manipulations to divide society and control the lives of people?

In recent years fundamentalist forces backed by both international finance and media as well as theocratic states have crossed battle lines with progressive movements against gender justice and women's autonomy. In the international arena these states have tried to block UN commitments to equal and universal human rights. They have created dichotomies along religious loyalties thus heightening tensions and conflicts along a communal divide. They have tried to negate the importance of class, linguistic and gender concerns, through a process of religious homogenisation. In some third world countries this dichotomy has falsely been projected as a struggle against imperialism, in order to draw blind support from those who oppose economic impositions from the North, particularly from the growing numbers of youth who feel disenfranchised and disempowered because their economic and political survival is imperilled by global policies.

South Asia has a common history of pluralist, cultural traditions which allowed for diverse political and economic systems existing over long periods of time. Momentary interventions by fundamentalist or communal forces have led to irrational divisions, to politics of violence and injustice.

Bangladesh has shared this tradition even as it emerged from a bloody war of liberation against Pakistan's attempt to impose theocratic, authoritarian controls. Its struggle was based on a commitment to humanist, secular and democratic values which would nurture tolerance, plurality and a peaceful resolution of conflicts. In the last 25 years of its

existence as an independent state, this commitment has been threatened by narrow sectarian forces, who have sought to control society through resort to religion.

As a legal aid and human rights centre Ain O Salish Kendra (ASK), has been concerned with the recent surfacing of intolerance by religious extremists manifested in an increasing violence and violation of human rights both in the region and within the country. The chronology of violations of legal and human rights committed in the name of religion in the last two years, in particular, illustrates the threats to civil society. The attacks have been directed against women, in particular, but also against other progressive groups.

The politics of intolerance and violence has not been unchallenged; even though governments maintain an expedient silence, fundamentalist forces are being resisted by women, human rights and other progressive groups, through public protests, legal defence of victims and through dissemination of information on the motives and actions of the fundamentalists. We have collected papers and essays to explain the implications of fundamentalist politics which is aggravating intolerance and terrorism in the society. The present selections of writings (some of which were presented at seminars or published earlier in local journals) as well as investigate reports into incidents of violence attempt an analyses of the different contours of the struggle between the forces of secularism and fundamentalism. Although most of these writings focus on recent occurrences in Bangladesh, we have also referred in passing to the political use of religion in Pakistan. This reference is useful because of the regional and international linkages and networking between fundamentalist forces.

The contemporary cross country links of religion based politics is very different from the connections made by early Islam which came to Bengal with Arab traders and Sufi saints. Salma Sobhan has written at length on "National Identity, Fundamentalism and the Women's Movement in Bangladesh" which was published earlier in V. Moghadem's edited volume entitled *Gender and National Identity, Women and Politics in Muslim Societies*. The present excerpt on "Reforms within Islam and Women's Emancipation in Bengal"<sup>1</sup> gives us an historical glimpse of how the 18th century reformist movement and the struggle for emancipation of the Bengali Muslim women was a movement against oppression.

When Bangladesh formed a part of Pakistan after partition in 1947, authoritarian regimes (either under martial law or as a civilian front of the military) relied upon the orthodox constituency to legitimise their political control. There was a convergence of interest as these controls were extended to the personal and cultural domain of women's sexuality,

---

<sup>1</sup> *Gender and National Identity*, edited by Valentine M. Moghadam, London, 1994.

mobility and autonomy. Sultana Kamal, a human rights and women's rights activist, gives an account of how military rule in both Pakistan and Bangladesh altered the structural basis of the state through constitutional abrogations and amendments<sup>2</sup>, and in doing so formed an alliance with fundamentalist force.

This had serious implications for women. In Pakistan, under Martial Law declared by General Zia ul Haq in 1977, *Hudood* ordinances relating to *Zina*, *Qisas* and *Diyat* became the basis for arbitrating women's lives. As a direct consequence of this, the state in Pakistan, arrogated to itself the tribal right of vengeance in personal matters and legalised the most barbarous forms of oppression against women. Its introduction of the death penalty for blasphemy has been acknowledged as a ruthless weapon for aggrandisement. The politics of religion has erupted in sectarian violence between different groups, defiance of existing constitutional rights and laws, and an attack on minority communities.

It is pertinent that Bangladesh in the course of the liberation struggle had rejected religion based politics, and parties with a religious agenda were banned following its independence in 1971; yet in subsequent years of military rules from 1975 to 1990, constitutional amendments have revived religious based parties such as the Jamaat-i-Islami (1976), eliminated secularism as a state principle (1977) and made Islam a state religion (1987). The fall of the military regimes in Bangladesh did not see the end of religious chauvinism. In fact, religious ideology is used today to create a syndrome of chauvinism, fear and vengeance as a basis for dividing loyalties.

Since early 1993 media reports from several villages in Bangladesh have highlighted the incidents of *fatwas*, issued by mosque Imams and Madrassah Maulanas which charge women with *zina*<sup>3</sup> (under Bangladesh's Penal Code women cannot even be charged with adultery). Reports have also been circulated of Imams punishing women engaged in income generation, education or other development activities<sup>4</sup>. *Fatwas* penalising women with stoning, flogging or social boycott have thus appropriated the right of judicial punishment and contravened the customary practice of *salish*, which has been used as a form of mediation in rural Bangladesh. ASK has followed media reports to maintain a

---

2 Pakistan is today an Islamic State, governed by the Shariah Act of 1991, whereas in Bangladesh Islam was made a state religion in 1987.

3 Over 23 cases have been reported. The punishment requires that women be stoned or flogged (with 101 stones or lashes). As a consequence a few of them committed suicide, some were forced into marriage, others had to flee from their village. Several others have been rescued by the intervention of women's and human rights organisations.

4 Imams have ostracised women who took loans from Grameen Bank, studied in BRAC schools or worked outside the house tending mulberry trees, etc.



chronology of *fatwa* decrees that led to suicide, death or other forms of violence. As it is published here, the chart also shows follow up action by state agencies, solidarity or legal action from women's and human rights groups.

The Imams have carried their message through the mosques in cities and villages to condemn development agencies which involve women in paid work, education or health programmes. They have held out death threats against freedom of speech of writers and journalists, who have professed their belief in democratic values. The chronology of incidents compiled from several daily newspapers substantiate these threats of censorship.

The fundamentalists have demanded introduction of a law prescribing the death penalty for blasphemy. The Bill drafted by the Jamaat-i-Islami is an exact copy of the amendments to the Penal Code which were introduced in Pakistan during the regime of General Zia ul Haq. A report from Amnesty International on Pakistan has given various cases of how the law was used for personal vendetta. *Newsline*, (vol. 7, no. 1) a monthly magazine published from Pakistan, reports for the first time on the vindictive use of the law against a woman. We also publish several reasoned discourses on the likely implications of the introduction of such a law in Bangladesh. These include presentations at seminars or meetings. Barrister Ishtiaq Ahmed, a senior advocate of the Supreme Court, who is known for his defence of democratic practices particularly the independence of the judiciary, very clearly indicts the Jamaat-i-Islami for introducing this bill as a vendetta for their defeat in 1971 and argues that the intention of such an enactment is political persecution, with no basis in law. Zaved Hasan Mahmud and Saira Rahman, both founder members of Law Review, a students organisation at the University of Dhaka, explore the origins of blasphemy in Christian practice and the decline in its usage as power passed to the temporal lord. Sara Hossain analyses the proposed law from a human rights perspective.

The accounts presented in this volume are by no means exhaustive. Certainly the political and cultural manifestations of fundamentalism need more in depth analyses. These accounts do not examine the economic causes of how new inequalities created in the globalisation process may have fed obscurantism. Nevertheless we feel it is important to publish even modest explanations of how such fascist controls may lead our society to anarchy. While religious sects such as Ahmadiyas are excluded from the hierarchy of believers, women's exclusion is engineered through religious injunctions on seclusion (*purdah*) and modesty, community control and retribution.

Adoption of the idiom of gender control and subordination is a political instrument for reinforcing traditional hierarchies in the

community in a process towards authoritarianism and injustice. Therefore, as Mirza Hasan shows, women's struggle for survival through income generation, and mobility through education or other forms of development undercuts manipulation power brokers.

This critical awareness has led women to challenge the controls being imposed on their lives by rallying support for the victims through legal aid, intervening in unjust community *salish*, public campaigns and advocacy for government action. Women's long term strategies are directed to the formulation of a uniform personal code, based on gender justice, and extension of the principles of democracy to the community and the family. In doing so they are demanding implementation of the society's professed commitment to social justice, equality and human rights. This is the thread that runs through the mainstream of political affirmation and commitment underlying Bangladesh's historical struggle for recognition of their language, for self rule and for democracy. In this struggle, women's resistance has been both personal and political.

---

\* Hameeda Hossain is a member of Ain O Salish Kendra.

Source: ASK "Attack on Fundamentals", Sangalp (Dhaka), Vol 4, August 1995.

# Politics of Religious Identity

Salma Sobhan\*

"Using religion as an excuse, men have tried to dominate women. Thus, I was obliged to enter into the fray."

*Rokeya Sakhawat*

If identity is defined as an awareness of self, national identity would appear to imply the awareness of self within a defined national context. It could also mean the use for political purposes -for example, mobilization for votes- of groups of people who identify themselves in a particular way. Identity, however, is not merely an internal awareness of self; it also has to do with an assertion of this self to those who are perceived as being outside this self. One aspect of this assertion is obviously to gather to oneself those whom one sees as being part of the corporate identity. The perception of belonging to the same can relate to any common factor; caste, class, religion, ethnicity, and gender are only the most obvious categories. However, there is not necessarily homogeneity within such groups. In this context gender is of particular interest. It is often found that those societies which most vigorously separate themselves externally from others on any one ground are also those in which, internally, gender segregation is likely to be present.

There are two manifestations of religious fundamentalism in Bangladesh -on the one hand, an orthodox or mainstream fundamentalism and a sort of syncretic fundamentalism on the other. There is also the issue of the politicization of religion which will need analysis. The historical origins of all three manifestations need to be traced briefly, as well as that of Bangladesh itself.

## **Historical background**

While Bangladesh itself came into existence as a sovereign, independent state only in 1971, we can trace in its various historical incarnations the surfacing and submerging of different perceptions relating to its identity. As part of the unpartitioned sub-continent, the area that is now Bangladesh and was once East Pakistan was originally

the eastern wing of a large province of eastern India -Bengal. Pakistan came into existence in 1947 when the British pulled out of India and the sub-continent became independent and was partitioned. The national struggle for independence from the British had originally united the sub-continent's Hindus and Muslims, but this common goal had not proved sufficient to keep the two communities together. Eventually a large section of the Muslim population in India, having struggled for autonomy within the context of an undivided India and having failed to reach agreement with the Hindu majority on this issue, had opted to form a separate state -Pakistan.

The formula for the creation of Pakistan, Muslim majority contiguous areas, meant, in practice, that the state of Pakistan consisted of two wings to the east and west of India but separated by several hundred miles of another country. The two wings of Pakistan soon found, therefore, that apart from religion they shared little in common. Further, for a number of reasons the west wing of Pakistan began to acquire dominance over the east wing. As a result the disaffected inhabitants of the east wing were soon asserting their ethnic Bengali identity against the predominantly Punjabi West Pakistanis where, earlier, they had asserted their religious identity against the Bengali Hindus. Pakistan broke up in 1971 after a bloody and bitter civil war. The west wing retained the name Pakistan, the east wing became Bangladesh.

### **The advent of Islam in Bengal**

In undivided India, Islam was a newcomer. The first Muslims came to India in the eighth century and reached Bengal in the thirteenth century. They came to a country that had already absorbed a variety of different beliefs and settlers.

In his study of religion and development in Bangladesh, Abecassis<sup>1</sup> reckons that in Bengal the first cultivators came from South Asia, bringing with them not only their skills, crop cultivation and their cattle (buffalo), but also their religious beliefs which emphasized the cult of the dead and grove worship. In 1000 BC, when people from the Gangetic plain began to spread into Bengal bringing with them, inter alia, Hindu beliefs and culture, these beliefs were subsumed rather than eradicated by them. The same happened to Buddhism nearly 1,000 years later when it reached Bengal. Abecassis quotes Ramkrishna Mukherjee: "*Buddhism contended itself with superimposing a new religion upon the existing tribal societies... from which it did not uproot animistic practices.*" Abecassis goes on to quote Maloney and others: "*Thus Brahminical Hinduism, Vajrayana Buddhism and Mahayana Buddhism from north*

---

<sup>1</sup> D. Abecassis, *Identity, Islam and Human Development*, Dhaka, University Press Ltd., 1990.

*India and Theravada Buddhism from Burma, all mingled... under the aegis of various kingdoms, while the peasant reverence for bamboo groves and ghosts of the dead continued at the village level." He adds, "The world view of the people at the time of the first coming of Islam was, therefore, the result of a continuous process of conflict and assimilation over the preceding millennia."*

Various Muslim' conquistadors' slowly established their rule in India. At the same time the religion of the conquerors was being spread by the traders and sufis who brought Islam with them. The peculiar configuration of Pakistan into its eastern and western wings on the east and west coasts of northern India in testimony that Islam spread over India less by conquest than by conversion. The Muslim rulers brought with them an administrative system and a language, but apart from the isolated zeal of some, for most of them it was not part of the policy to convert the indigenous population.

The Islam that was preached by the Sufis was not orthodox. It emphasized a spiritual union with God and did not require its newest adherents to jettison their traditional beliefs and practice totally. Thus, in its early days, Islam in Bengal became part of the syncretic tradition of the area. It was only in the wake of the Islamic revivalist or reformist movements, which started in India from the sixteenth century and spread to Bengal in the eighteenth and nineteenth centuries, that the conflict between religion and custom arose for the Bengali Muslims. And this conflict has been truly resolved.

Gunga-Jamuna is the name given to a particular type of silverware in Bengal. One side of the object is goldwashed, giving a lustre to the silver and providing a pleasing contrast. The name derives from the two mighty rivers of Bengal, the Ganges and the Jamuna. Where these two converge it is said that the different confluences have identifiably different colors, hence the name of the gold washed silver. The Muslim Bengali psyche, too, can be likened to this phenomenon, for within it Islam and customs converge and flow together like the intermingled streams of the Ganges and the Jamuna. While these two streams contribute to the richness of the culture, they are also the source of an ambivalence which can, in its worst manifestations, be likened to a sort of schizophrenia. The malaise started with the reformist movements in Islam.

### **The Muslim reformist movement in Bengal**

While the reformist movement in Bengal in the eighteenth century was aimed at cleansing from the body politic of Islam the syncretic practices it had absorbed, at the same time it had developed a very strong class bias which contributed to the organization of the peasantry against both the tyranny of the Hindu zamindar (landlord) and the British

colonial power. The reformers preached a return to the pristine and austere doctrines of Islam. But while the reformers called upon people to discard those practices and superstitions they regarded as pagan, they did not feel it necessary (nor even desirable) to try to cut off the masses from their ethnic roots. Haji Shariatullah (1781 to 1840) -one of the most dynamic of these reformers- even translated the Koran into Bengali.

The reformists tied the tenets of religious reformation to confrontation with the Hindu zamindars whose exaction of feudal dues relating to Hindu festivals were seen as un-Islamic by the reformers and more simply as onerous by the Muslim peasantry. Confrontation with the British colonial power was also part of the reformist platform, not least because it was they who, in the interest of the regular collection of revenue had, through legislation which turned erstwhile revenue collectors into landlords, created this zamindar class. Thus religious identity was strongly reinforced among Muslim Bengalis by a consciousness of their class oppression. These two identities coexisted with and contradicted each other, not even fusing in the later independence movement. The momentum of the reformist movement was felt even behind the veil.

### **Emancipation of the Bengali Muslim Women**

By the time the British had established themselves firmly in India and had begun to allow the inhabitants of the country a voice in running it, the Indian Muslims had dropped into second place in the race. This was because, after the abortive war of independence in 1857, there had been a conscious policy of discrimination against them, and also because they remained outside the mainstream education that was necessary to join the services of the Raj. Despite this marginalization, however, there was a sense of complacency about the status of Muslim women. Writers like Katherine Mayo (author of *Mother India*) had fostered such feelings. Whatever might have been the theoretical basis for this complacency, it has long been subsumed by reality.

The history of the emancipation of the Bengali Muslim women is inadequately recorded, not only in accounts of Indian women generally but also those of Bengali women. Reading some of these one might well suppose that the phenomenon had bypassed Bengali Muslim women altogether. That it did not owes not a little to the pioneering work of a handful of remarkable women, only some of whose names are known, such as those of Faizunessa Chowdhurani and Karimunessa Khan. There were others whose names have not survived, such as the Muslim woman who accompanied Miss Cook, an English social worker, on her rounds to bring Muslim girls to school. Even among these women, Rokeya Sakhawat Hossain's contribution is outstanding.

Rokeya Sakhawat Hossain was born in 1880, in Rangpur, a province of North Bengal, to a middle-class Muslim family. Her father was interested in his daughter's education, and had encouraged Rokeya in her reading. She was fortunate in being married to an equally forward looking man, Sakhawat Hossain, who not only encouraged her to read and to think for herself but also encouraged her to write. Rokeya was eventually to focus her energies on education, but she began by recounting a series of anecdotes designed among other things to highlight the absurdity to which observance of the institution of purdah was carried. There was a great furor and Rokeya was, predictably, accused of being un-Islamic, of selling out, and, of course, of being influenced by outsiders. What was unforgivable was that all the stories she wrote were true, and drawn from life. Rokeya, however, persevered with her writing but saw very soon that it was the younger generation to whom she could most successfully address herself. Accordingly she set herself the task of founding a school for Muslim girls.

Rokeya Sakhawat never 'came out' of purdah. Widowed young, she devoted her life to education and had a profound influence on a whole generation of women. She remains the prototype of a devout Muslim who saw clearly the dangers of obscurantism. About religion she said, *"Using religion as an excuse, men have tried to dominate women. Thus I was obliged to enter into the fray."* This statement remains valid today.

Once the mental breakthrough was made about education, Muslim women all over the sub-continent were as eager as women anywhere to avail themselves of educational opportunities which were available to them. What died harder were social taboos. These, however, were rationalized, and swept away by the momentum of the independence movement only to return, unfortunately, once the game was won.

At that stage, it should be realized, both Hindus and Muslims had gone on the defensive on the issue of the status of women. The uninhibited social intercourse between the British men and women gave a misleading impression about the degree to which the British woman was emancipated, while the unequal social status of Indian women reconciled liberal British consciences to their own presence in India. Consequently, the women's struggle was strengthened in the wake of the national movement for independence.

### **Politicization of Islam**

The consciousness of the vast Muslim peasantry of Bengali had originally been awakened by the reformists against the landlord or zamindar. This consciousness was turned towards the cause of political liberation from the British. The battle was fought on two fronts -not only for freedom from the British, which as time went on became a foregone

conclusion, but also for freedom from Hindu domination. Muslim peasant against Hindu landlord became the basis of a mobilization that merged class and religion. Thus, during the struggle for independence from the British, much of Muslim Bengal asserted its religious identity very strongly. Part of this assertion was the acceptance by such Bengalis that their language belonged to the Hindus of Bengal, though spoken by both Muslim and Hindu Bengalis. Similarly Urdu, the vernacular of Delhi and Lucknow, (the political and cultural center of the Mughal dynasty overthrown by the British) was spoken both by the Hindus and Muslims of that region, but Urdu for a variety of political reasons was espoused as the language of the Muslims of north India. Pockets of Urdu-speaking Muslims all over India, even south India at Hyderabad and Mysore especially tended to reinforce this perception.

In the heyday of the Mughal Empire, Persian, the language of governance, was used by the upper class, Hindus and Muslims alike as later English was to be. Urdu (basically a mixture of Sanskrit, Arabic, Persian, and Turkish) began to be seen as a survival from the days of Muslim supremacy in India and politically sponsored as the language of Indian Muslims. Greetings and salutations became consciously Muslim. This view of the language was not appreciated in East Pakistan, where Bangla was in common use. It soon became clear that keeping Urdu as the sole national language would give powerful groups in West Pakistan an advantage, as it was more widely spoken there. It also alienated the Bengalis, whose mother tongue was Bangla.

Despite these efforts to bridge regional and linguistic dissimilarities, it was not a homogeneous movement for all. The call for an independent Muslim state, for example, was opposed by the fundamentalists on the grounds that nationalism was un-Islamic. It is not without significance that there was also a call for a United Bengal that would be a part of neither India nor Pakistan.

Throughout the period between 1947 and 1971, East Pakistan was strongly pulled by its ethnic and linguistic roots. The language movement, which reached its culmination just five years after the creation of Pakistan, was the most dramatic manifestation of these forces.

---

\* Salma Sobhan, a Barrister, is currently executive director of Ain O Salish Kendra, Dhaka.

Source: ASK "Attack on Fundamentals", Sangalp (Dhaka), Vol 4, August 1995.



# Bangladesh: Violence and Discrimination in the Name of Religion

Human Rights Watch

On July 29 1994, militant Islamic groups in Dhaka, Bangladesh, intend to hold a major demonstration called Dhaka Gherao or "Surround Dhaka" to demand restrictions on non-governmental organizations (NGOs); the execution of writer Taslima Nasreen and intellectuals, journalists, and those in the government who are helping her; and changes in the government. It promises to be one of the largest demonstrations in Dhaka in years, taking place in the context of a growing number of politically-motivated crimes committed by these groups and the failure of the Bangladesh government to prosecute them.

Throughout Bangladesh women, religious minorities, journalists, writers, and development workers are being violently attacked in the name of religion. In an attempt to make political gains or settle personal score, chauvinistic religious organizations and self-proclaimed religious scholars are issuing fatwas (religious edicts) urging Bangladeshis to attack or kill those whom they consider un-Islamic.<sup>1</sup> Such fatwas have called for women to be stoned to death for committing adultery, members of the Ahmadi minority to be declared non-Muslim for their 'un-Islamic' practices, presses to be destroyed for 'hurting the religious sentiments of the people', organization to be destroyed for promoting gender equality.

As a result, from January 1994 to the present, women in Farhadnagar Union, Begumganj Thana, Chohelgachi Union, Jessore, and Kasba have been verbally and physically attacked for allegedly committing adultery; and NGO in Sylhet and education center in Bogra, and secular presses in Bogra and Dhaka have been set on fire; incom-generating programs for women have been sabotaged in Kishorganj; and journalists and authors have been censored, jailed, or physically attacked for 'blasphemous'

---

1 A fatwa is a response or practical solution issued by a scholar of Islamic law. The dispensation of fatwa is ostensibly guided by established procedural rules and conventions. For example, a fatwa is only binding on those who accept the scholar as a jurisconsult. In the case of Bangladesh, many of the fatwas issued are not underpinned by any of the established procedural rules and conventions.

writings in Dhaka and Sylhet. A number of these cases are describe below.

The government is complicit in such activity because it systematically fails to denounce investigate, prosecute, or punish crime committed in the name of these fatwas or in response to the instigation of militant leaders. It has also failed to take action against those who issue fatwas that are a direct incitement to violence. Such failures by the state are in clear violation of the Constitution of Bangladesh and the International Covenant of Civil and Political Rights (ICCPR).<sup>2</sup>

Violence in the name of religion, while on the rise in Bangladesh, is not a spontaneous expression of religious fervor. Rather, it is the logical result of an ongoing series of opportunistic government policies which seek to placate religious extremists for political ends.

### **Attacks on NGO's**

On June 30, 1994, the Jamaat-i-Islami and another small fundamentalist party called a nationwide strike or hartal in Bangladesh from 6:00 A.M. to 2:00 P.M. demanding, among other things, the banning of "anti-Islamic" newspapers and an end to NGO activities. On that day, a Bangladesh Women's Health Coalition (BWHC) clinic in Zakiganj, Sylhet was set on fire by a mob of some 2,000-3,000 people, led by the sons of a local pir or holy man. They attempted to lock the clinic's medical officer, Dr. Mohammed Sultan Ahmed, inside to burn him alive, but one man relented and let him out the back. The entire clinic was gutted, and an adjoining NGO, Friends in Village Development of Bangladesh (FIVDB) was badly damaged.

BWHC and FIVDB immediately filed charges in the local thana (subdistrict) under the Control of Terrorism Act against twenty-five people identified as having been involved in the attack. On July 1, police arrested ten of the twenty-five, but they were released the following morning, reportedly after a call from the Prime Minister's office. The police have taken statement from eyewitness, but as of July 20, there has been no further progress in the case.

None of the English-language papers in Dhaka covered the attack, but two Bengali papers printed full articles. The director of the NGO Affairs Bureau of the Bangladesh government urged BWHC and FIVDB to go back to Zakiganj and start over, but the two NGOs said they would return only if the government provided clear guarantees for their safety and if there were a clear indication that the villagers wanted them back. On

---

<sup>2</sup> While Bangladesh is not a party to the International Covenant on Civil and Political Rights, the covenant sets standards against which the behavior of governments should be measured.

July 14, there was to be a meeting of local people in the Zakiganj bazaar to discuss reopening the two projects, but the meeting place was taken over by fundamentalists before the villagers arrived.

The attacks on BWHC and FIVDB are part of a pattern of attack on NGOs, including on the two largest and best-known in the country, the Bangladesh Rural Advancement Committee (BRAC) and the Grameen Bank. As noted above, NGOs providing health and education service appear to be particular target, in part because those service are a direct challenge to the power and income of local religious leaders: NGO school provide an alternative to Islamic madrassah and health clinics provide more effective remedies than the talismans and holy water offered by local pir.

BRAC and the Grameen Bank, however, appear to have been targeted partly for their programs for women and girls, partly because they have been the recipient of funds from western donor agencies seen by the fundamentalists as covert agents of Christian proselytization. Many young girls are enrolled in BRAC's rural education centers; some of these schools were burned in February 1994 in Batdighi village, Nandigram subdistrict, Bogra, after fundamentalists claimed that the students were being converted to Christianity. Earlier, between January 15 and 18, 1994 in Mahinand Galailo village, Sadar subdistrict, Kishorganj, local imams issues fatwas to prevent children going to BRAC schools. In the same area, in a food-for-work program in which local women were growing mulberry trees for silk production, the trees were cut down after instigation from local imams.

Some 250 members of NGO's belonging to the Association of Development Agencies of Bangladesh (ADAB) met in mid-July to discuss what to do about the mounting attacks on NGOs. On July 15 and 16, ADAB organized a training session for some sixty NGO people to inform them of the current situation, educate them about their legal rights and mobilize resources to withstand attack.

### **Attacks on Editors, Journalists and Writers**

The writer Taslima Nasreen is only the best-known of a number of writers and editors under threat from fundamentalist group, including the Jamaat-i-Islami political party and the fundamentalist newspaper: Inquilab, Sangram, and Millat. These groups have set fire to newspaper offices, intimidated newspaper sellers and offered rewards for the murder of well-known editors and writers. None of these actions has been carefully investigated or prosecuted as a criminal offense by the Bangladesh government.

### **The Case of Taslima Nasreen**

Taslima Nasreen has become the focus of international attention because of the warrant issued for her arrest on June 4, 1994 on charge of having violated Section 295(a) of the Penal Code, acting with "malicious and deliberate intent to hurt the religious sentiments of the people." She remains in hiding in Bangladesh.

Nasreen, 31, became famous for her novel, *Lajja* (Shame), published in February 1993 during Bangladesh's biggest book fair. The book told the story of a Hindu family in Bangladesh that was attacked by a Muslim mob in the riots that broke out in Bangladesh following the destruction by Hindu fundamentalists of the 16th-century Ayodhya mosque in India in December 1992. The Bangladesh government banned the book in July 1993 on the grounds that it was creating communal tension, and radical Muslim groups began to accuse Nasreen of blasphemy. While many intellectuals in the country did not particularly admire Nasreen as a writer and felt she was less interested in exploring a sensitive topic than determined to sell as many books as possible, they nevertheless came to her defense and protested the ban as an unacceptable violation of freedom of expression.

On September 16, thousands of people attended a demonstration organized by a militant group called the Council of Soldiers of Islam in Sylhet and called for Nasreen's execution. Threats against Nasreen intensified in May 1994, after the English-language newspaper in Calcutta, *The Statesman*, published an interview in which she was quoted as having said the Qur'an should be revised. Two days later, it published a letter to the editor from her, saying she had been misquoted. Nasreen also sent statement to several papers in Bangladesh, trying to correct the record. The three main fundamentalist newspapers in Bangladesh, however, accused her of having called for a revision of the Qur'an, and on June 4, the Chief Metropolitan Magistrate of Dhaka issued a warrant for her arrest on charges of having violated Section 295(a) of the Penal Code. The Jamaat-i-Islami stepped up demands for her execution, and on June 10, at a public meeting, a leading imam, Maulana Nasrul Islam, announced an award of Tk 100,000 (about \$2,500) for her assassination. Lawyers, intellectuals and thirty-one religious scholars came to her defense and demanded that the government protect Nasreen and her family. But calls for her hanging continued from groups such as Touhidi Jagrata Janata, the Young Muslim Society, the Committee for Resistance of Atheists and Apostates, the Ulama Sangram Parishad of Chittagong and leading members of the Jamaat-i-Islami. These groups held protest meeting on June 7 and 13 in Dhaka and added their demands for Nasreen's execution to the list of issues to be raised in the June 30 strike (see discussion of NGOs, above).

On June 10, the home of Nasreen's father, Dr. Rajab Ali, was attacked three times by a group of men; the police then posted a security guard outside his house, but according to the Bangladesh press, took no action against the culprits. Three days later, Nasreen's brother filed a case in Khulna against one imam under Section 506 of the Penal Code for inciting violence by offering a reward for her murder. The judge ordered a police inquiry, but two days later, the police reported they could not proceed with the inquiry because they had received no order from the court.

### **Attack on Janakantha and Other Newspapers**

On May 20, 1994, following Friday prayers in Bogra, a procession of religious scholars, Ulema Parishad, set fire to the offices of two Bengali newspapers, including Janakantha, alleging that they were printing anti-Islamic articles. The marchers demanded the execution of Taslima Nasreen and a ban on four newspapers: Bhorer Kagoj, Sangbad, Janakantha, and Bangla Bani. The government took no action against the arsonists.

On June 3, 1994, after Friday prayers at the Baitul Mukarram mosque in Dhaka, a group from a small militant organization, the Touhidi Jagrata Janata (Awaken the People in the Unity of God), threw bricks at police and the offices of the Janakantha and Banglar Bani newspapers. The Jubo Command, the youth group of the militant Freedom Party, also took part. Police arrived on the scene and tried to break up the demonstrators using tear gas and firing shots into the air, but no one was arrested. The attacks generated widespread protest among Bangladesh intellectuals, journalists, lawyers associations, human rights organizations and academic.

Two days later, the Janakantha offices received anonymous threats by telephone. The next day, a leading fundamentalist figure, Maulana Mannan, publisher of the Inquilab newspaper and former Minister of Religious Affairs, filed suit against Janakantha for publishing an article on May 12, claiming the Mannan had misused a grant of some \$4.5 million received from Iraq while he was minister. He later filed suit against another newspaper, Ajker Kagoj, that had made similar accusations.

On June 8, Borhanudin, executive editor of Janakantha, and Toab Khan, advisory editor, were arrested in Motijheel district, Dhaka, and charged under Section 295(a) of the Penal Code with publishing an article with "malicious and deliberate intent of hurting the religious sentiments of the people." Warrants were issued for the arrest of two other editors, ATM Shamsuddin Ahmed and Atiqullah Massood, and on June 11, petitions for bail for all four were rejected. The next day, a judge ordered the editors freed, pending dispositions of their appeal for bail, but on

June 18, the Chief Metropolitan Magistrate of Dhaka ordered ATM Shamshuddin Ahmed detained. Between June 20 and July 3, separate bail petitions were submitted on behalf of the editors to the Supreme Court and Toab Khan and ATM Shamshuddin were granted bail.

On June 20 in Sylhet, a suit was filed against Shafiq Rehman, the Dhaka-based editor of the Bengali weekly *Jai Jai Din*, also under Section 295(a), for a story published on November 9. That night, three bombs were thrown against his home in Eskaton Gardens, Dhaka. The case was not investigated by police.

Kazi Shaheed Ahmed, editor of *Ajker Kagoj*, was the target of a bomb attack on July 22, 1994. According to the police "unknown miscreants" threw a bomb at his house as he returned from work. It exploded harmlessly in the garden.

### **Background to attack**

The trend toward increasing religious intolerance in Bangladesh is partly the result of a series of government policies which have promoted chauvinistic religious organizations in an attempt to gain popular legitimacy. While the constitution of Bangladesh guarantees a series of fundamental rights, a history of government policies and practices have undermined the ability of the state to guarantee such rights. An example of such policies is the current move to make punishments for acts of blasphemy more severe.

The secretary-general of Bangladesh's main religious political party, the *Jamaat-i-Islami* introduced a private member's bill in parliament in July 1992 (Penal Code [Amendment Act 1994]) which seeks to make acts which "defile" the Qur'an or the name of the Prophet Muhammad criminal. Under this bill, the Penal Code would be amended such that "whoever willfully damages, or desecrates the Holy Qur'an or an extract thereof or uses the Holy Qur'an or any extract thereof in a derogatory manner shall be punished with imprisonment for life;" and "whoever by words either spoken or written, or by signs or visible representations, or by an imputation, immuendoso [sic] or insinuation, defiles, directly or indirectly, the sacred name of the Holy Prophet Muhammad (peace be upon him) shall be punished with death, or imprisonment for life and shall also be liable to a fine." The bill has been reviewed by the Ministries of Law and Religious Affairs and may be tabled in the current session of Parliament.

On July 27, a forum of noted intellectuals and professional in Bangladesh urged the government to resist enactment of such a law because it could be used as a tool for repression.<sup>3</sup>

---

3 "Bangladesh Forum Vows to Forestall Blasphemy Law," Reuters, July 27, 1994.

The justification for the introduction of this bill is that it will prevent actions which would "cause great hurt to the Muslim people of Bangladesh, and thereby give rise to the possibility of a disruption of law and order and of social order." Similar arguments were used in Pakistan in the 1980s to justify amendments to Pakistan's penal code. These amendments similarly strengthened punishments for blasphemy and insults to the sentiments of Muslims<sup>4</sup>. The current Pakistani "blasphemy laws" provide state sanction for religious intolerance. The laws are applied selectively at the urging of chauvinistic religious groups. In effect, the law is discriminatorily applied against women, religious minorities, and those who critique the status of certain religious groups. The result has been state protection for a consistent pattern of violent attacks against particular groups in the name of religion<sup>5</sup>. According to the Human Rights Commission of Pakistan:

Allegations of blasphemy were hardly ever made previous to the amendments introduced in 1980.... The severity of the punishment... makes [fanatical elements]... eager to become ready agents of the presumed divine wrath themselves... [Religious intolerance] finds acquiescence if not active encouragement, in the government's voluble invocations of Islam... Crimes are committed without fear of official retribution or social disapproval and in the knowledge that any-voices of isolated protest will not in the given atmosphere get far<sup>6</sup>.

Human Rights Watch is not opposed to religious laws per se, provided that human rights are respected and equality and due process before the law is upheld. However, the proposed amendment to Bangladesh's penal code regarding blasphemy is in clear conflict with these principles. Rather than promoting public order such an amendment (with punishments of life imprisonment and the death penalty) will stifle freedom of expression and discriminate against particular groups.

As the example of Pakistan illustrates, such a law contributes to a climate of fear, intimidation, and intolerance in the name of religion. Today in Bangladesh, even without amendments to the penal code to strengthen punishments for blasphemy, a climate of intolerance exists. The proposed amendments would exacerbate such a climate by giving the state a legislative shield to allow individuals to issue fatwas, which urge Bangladeshis to attack targeted individuals and groups with impunity.

---

4 Bangladesh was part of Pakistan until 1971 and thus the two countries share many laws. The section of the penal code Bangladesh is seeking to amend (section 295) is the same section Pakistan amended in the 1980s.

5 Asia Watch, Vol. 5, Number 13, "Persecuted Minorities and Writers in Pakistan," September 19, 1993

6 The Human Rights Commission of Pakistan, *The Blasphemy Episodes*.

The government of Bangladesh must prosecute and punish those responsible for fatwas which urge violent action against individuals and groups. It must also halt the trend of implementing discriminatory laws in the name of religion which undermine fundamental rights guaranteed in its Constitution. A crucial step in this process is to ensure that the amendment to strengthen punishment for blasphemy is not passed.

### **Political background**

Initially, religion did not occupy an official role in the institutions of governance in Bangladesh<sup>7</sup>. In 1971 Bangladesh separated from Pakistan in a bloody civil war and sought to assert its difference by promoting its Bengali, rather than Muslim, identity<sup>8</sup>. Religious parties were banned, and the government established Bangladesh as a secular People's Republic. The Awami League under the leadership of Sheikh Mujib led the movement for independence against Pakistan and formed Bangladesh's first independent government in 1972. The Awami League won a massive mandate from the people of East Pakistan (now Bangladesh) in 1970 and again in 1973, in Bangladesh's first popular elections<sup>9</sup>. Mujib lost considerable support as a result of mismanagement of the economy, government corruption, and the inability to prevent a massive famine that hit Bangladesh in 1974. In early 1975 he dissolved all political parties and attempted to install a one-party state. Later that year, Mujib and much of his family were brutally assassinated by a group of junior army officers, and a series of coups and counter-coups followed. In this milieu of political instability, Zia-ur-Rehman, the Chief of Army Staff, assumed control of the country. He promoted a pro-American, pro-Islamic agenda for the country and began a process of the de-secularization of Bangladesh. The Bangladesh National Party became the political front for his government.

In 1981, Rehman was assassinated and General Ershad, the Chief of Army Staff, took power in a military coup. Ershad continued the trend of state-sponsored Islamization of Bangladesh, despite widespread resistance. In 1983, Ershad suggested that Bangladesh be declared an

---

7 Independent Bangladesh is overwhelmingly Bengali speaking and has a Muslim majority. It has a sizeable Bengali Hindu population (10 per cent) and a significant tribal minority. While most Muslims in Bangladesh are from the Sunni sect, Islam is practiced in many different ways throughout the country. In rural areas, where most Bangladeshis reside, Muslim practices are a syncretic fusion of Hinduism and Islam. In urban centers, orthodox religious groups, have sought to promote a rigid canonical interpretation of Islam grounded in a conservative interpretation of the Shari'ah.

8 For example, the national anthem of Bangladesh was written by the great turn of the century Hindu Bengali poet Rabindranath Tagore.

9 In the 1973 elections the Mujib government received 73% of the vote.



Islamic state. Student groups and much of the secular opposition denounced this suggestion as antithetical to the founding principle of Bangladesh. A number of opposition leaders issued a statement which warned that the declaration of an Islamic state would lead to civil discontent and strife between communities.

In 1987, the political opposition sought new elections under the auspices of a caretaker government. But Ershad went ahead with elections under his own control in March 1988 and won. It was a hollow victory as the opposition parties boycotted the elections and only three percent of the electorate voted.

The first act of parliament introduced and passed by the new Ershad government was act XXX of 1988 which added section 2A to the constitution which declare: "The state religion of the Republic is Islam, but other religions may be practiced in peace and harmony in the republic". Protests were held in opposition to this move throughout Bangladesh by the main opposition parties, student group women's organization, teachers' federations, and the Supreme Court Bar association. Many of these groups viewed the constitutional amendment as "a cynical political act, a move to contain the secular opposition and make inroads into the fundamentalist constituency."<sup>10</sup>

In 1990, a strong movement for democracy forced Ershad to step down and hold elections. In these election the BNP led by General Zia's widow Khaleda Zia, won with thirty-one percent of the popular vote. Hasina Wajid, the leader of the Awami League and daughter of Mujib became the leader of the opposition with twenty-eight percent of the vote. General Ershad received twelve percent of the vote. The religious party, the Jamaat-i-Islami received six percent.

Despite its relatively weak showing in the 1990 election, religious parties in one form or the other have been active in Bangladesh throughout its short history. After independence when religious parties were officially banned, the Jamaat-i-Islami was active in social welfare programs, and in activities based in mosques and run through the Bangladesh Islamic Center. Moreover, it established centers for Islamic research to promote a religious agenda in Bangladesh. Some of these groups have been particularly active in attacking groups who promote gender equality. After Zia lifted the ban on religious parties the Jamaat became an active political force and polled 6 percent of the vote in the last election. Moreover, it exponentially increased its membership base over the past twenty years.

---

<sup>10</sup> Naila Kabeer, "The Quest for National Identity: Women, Islam and the State in Bangladesh," in ed Deniz Kandiyoti, *Women, Islam and the State*, p. 133.

For many year, the government of Saudi Arabia has actively funded conservative religious organization in Bangladesh. By offering fund for building madrassahs and mosques or offering scholarships and vocational training which are administered through Bangladesh religious organizations, the latter have been able to expand their support base. Their movement into the provision of health care and education have brought them into direct competition with Bangladesh development NGOs.

### **Conclusions and recommendations**

The Bangladesh government is complicit in the crimes committed by militant religious groups to the extent that it fails to denounce, investigate, prosecute or punish those crimes. It violates the rights to freedom of association when it allows attacks on NGO's to go unpunished, and it violates the right to freedom of expression when it capitulates to the demands of militant groups by banning book and issuing warrant of arrest for writers and journalists. Human Rights Watch/Asia calls on the government of Bangladesh to take steps to ensure that the perpetrators of these crimes are brought to justice. It must also take steps to ensure that the targets of inflammatory fatwas, such as NGOs, writers, editors and other are given full protection. The government should reaffirm its commitment to fundamental rights guaranteed by international standards and by its own constitution. In particular, it should publicly oppose the private members bill to strengthen punishments for blasphemy and ensure that no laws on blasphemy are used to restrict freedom of expression or discriminate against individuals or groups in Bangladesh.

---

Source: Human Rights Watch/Asia (formerly Asia Watch), 29 July 1994.

Human Rights Watch is a nongovernmental organization established in 1978 to monitor and promote the observance of internationally recognized human rights in Africa, the Americas, Asia, the Middle East and among the signatories of the Helsinki accords.

#### ***Human Rights Watch/Asia***

485, Fifth Avenue  
New York, N.Y. 10017 - 6014, USA.

## **A Note on Recent Fundamentalist Activities in Bangladesh**

A. The priority for Bangladesh is survival and development. The Government has emphasised that strategies for poverty alleviation, education and women's development are crucial for national development. It is equally crucial that such development be based on democratic norms and will protect basic human rights, particularly the rights of women. The Prime Minister Begum Khaleda Zia has herself asserted that guarantee of women's rights is essential to Bangladesh' development.

B. In the name of custom or religious law, fundamentalists have directed campaigns against women, minority communities, development agencies, journalists, writers and the press which have clearly violated the law of the land. Through terror and violence they are trying to create an impression that they have a strong, populist support, whereas it is evident from the vocal protests against them that the people of Bangladesh want to live in peace, stability and tolerance.

1. Since January 1993 the fundamentalists have issued fatwas (decrees) to order the stoning or whipping of women in villages allegedly for committing adultery. Under the Bangladesh law women cannot be accused of adultery.

2. Fundamentalists have subverted development and poverty alleviation programs undertaken by development agencies by setting fire to BRAC's rural non-formal primary education centres, in which young girls are enrolled in large numbers; cutting down mulberry trees which provide a source of income generation for poor women silk producers, attacking NGO offices and workers, indicting poor women who take loans from Grameen Bank to engage in small business and production. They have directly attacked BRAC, which is the largest development agency and Grameen Bank, whose credit program for the poor is world famous. Two fundamentalist newspapers, Inquilab and Sangram have consistently reported against the work of development agencies.

3. Fundamentalists have in successive years organised populist rallies that attacked the Ahmadiya mosque and demanded that the Ahmadiya community be declared as non-Muslims.

4. Fundamentalists have sought to intimidate progressive newspapers by attacking and burning newspaper offices, demanding the execution of well known writers and journalists and a ban on several progressive newspapers. They have burnt their books and newspapers in public and have declared a price for the assassination of individual writers, such as Taslima Nasreen. They have also resorted to intimidating the newspaper sellers and hawkers to prevent them from selling progressive newspapers.

5. Fundamentalists are now pressing for the introduction of a law to make blasphemy a criminal offense punishable by death. It was reported on 23 June that such a bill may be introduced in the present session. Maulana Mohd Nizami, secretary general of the Jammāt-i-Islām, in an interview given to Evidence, an English language weekly has said that he had introduced the Bill in Parliament in July 1992.

6. No action has been taken by the government against the fundamentalists for threatening law and order, or taking law into their own hands. Newspapers which are spreading sectarian hatred and inciting violence against development agencies have not been issued any warnings or disciplinary action; those who set fire to the Janakantha and two other newspapers or NGO offices have not been prosecuted; individual maulanas who publicly offered rewards for the assassination of writers are not being dealt with according to the law. Instead warrants of arrest have been issued against writers and journalists, including Taslima Nasreen, four editors of Janakantha namely Toab Khan, Mohd Atiqullah Khan Masood, ATM Shamsuddin and Borhanuddin Ahmed. A report from the Ministry of Women's Affairs, which was set up to promote women's development has gone so far as to criticise the UNDP report on Women's Empowerment (which proposed equal rights in inheritance, direct representation, and stronger women's organisation) as contradicting cultural and religious traditions.

7. On 30 June the fundamentalist groups, including the Jamaat-i-Islami decided to show their strength by calling a countrywide strike from 6 am to 2 pm.

Acts of violence committed by the fundamentalists during the day were monitored by human rights groups and reported in leading national dailies. Some incidents are reported below:

- In Dhaka and other places they carried rods and even lethal weapons notwithstanding a ban by carrying such weapons. At several road crossings they exploded bombs and used force to try to break the police cordon. They congregated with full strength at Baitul Mukarram, the

main mosque and not only obstructed persons from going in to pray but even beat up two or three individuals. Abdus Salam, a banker, filed a general diary at the police station because he was attacked and burgled at the mosque, when he had gone to say his prayers. They attacked journalists and photo journalists on duty, and snatched newspapers away from the hawkers.

- In Chittagong 10 persons were injured in a bomb explosion caused by fundamentalist groups. Police arrested 35 persons.

- In Aatgram village, Habiganj thana, Sylhet district, a fundamentalist procession set fire to offices and health clinic of FIVDB and Health Medical Clinic.

- In Balaganj thana a BRAC office was attacked.

These activities have created alarm and apprehension amongst the public. As a counter to the fundamentalists, large number of students, cultural groups, women's organisations, political parties called a counter strike upto 6 pm on 30 June.

8. Bangladesh stands today at the crossroads. The goal of its successful struggle for independence from Pakistan which culminated in 1971 and its struggle against autocracy which restored a parliamentary system of government are being threatened by the surfacing of fascist fundamentalists. These forces had collaborated with the Pakistan army against the struggle for independence. In the name of religion these forces are again trying to subvert progress towards democracy and development.

9. The aspirations for a humane, democratic tolerant society where irrespective of religion, ethnicity and gender, people can exercise their fundamental rights, where development can lead towards equality and stability will be negated if such fascist activities are allowed to continue. There is a rising tide of protest against fascist activities. We urge all friends in the country and outside, all those concerned with ensuring human rights, to help the majority assert their fundamental human rights as citizens.

---

Source: Document 1.0 in:

Documents relating to recent activities and statements of the fundamentalists in Bangladesh, May-June 1994 (Unpublished papers)  
A.S.K. (Dhaka)

# The Red Herring

Salma Sobham

To paraphrase Voltaire "If Taslima Nasreen did not exist, the Jamaat would have had to invent her". The focus by the international media and national and international human rights and feminist activists on her plight - the threat to her life and the warrant for arrest for a statement which she denied having made - was very necessary and needs to continue despite her recent surrender to the court and release on bail. However posing this issue in terms of yet another manifestation of Muslim intolerance, rather than seeing it as the deliberately orchestrated assault by fanatics and zealots it was, played into the hands of obscurantists who use religion for political purposes. A political party of the religious right, the Jamaat e Islami, has been the prime mover in this matter. To understand the significance of what has been happening in Bangladesh over the last few months it is necessary to explain the background to all these happenings.

While the Jamaat has very little public support and has gained few seats in fair elections they wield an influence out of proportion to their numbers because successive governments have pandered to their claims for fear of being seen to hurt public sentiment instead of challenging the Jamaat's claim to speak for Islam.

The Jamaat never supported the Muslim League before 1947 during the struggle for independence from the British. The Jamaat opposed the Muslim league's demand for a home land for the Muslims in India. However once Pakistan came into existence they started to campaign for political power in the new state by demanding the introduction of Islamic Law the contents of which would be defined by their theologians.

Pakistan had two wings, the west wing which alone constitutes present day Pakistan and an east wing, East Bengal in undivided India, which attained sovereignty in 1971 after a war of liberation against the western wing. The new state was Bangladesh. All wars are brutal. This was particularly so because of the political use of religion to marshal forces

against the Bengalis. The Pakistani army was mobilised against the citizens of East Pakistan. The Jamaat not only collaborated with the army but they were directly responsible for many atrocities. They were thus totally discredited when Bangladesh became independent. This experience crystallised the determination in Bangladesh never to allow religion to be used for political purposes and secularism was written in as a fundamental principle of the new Constitution.

It is beyond the scope of this article to catalogue the strategies of the Jamaat to become politically acceptable again. Ironically the principles of freedom of speech and democracy enabled them to start making a comeback. In this they were helped by the removal of the principle of secularism from the Constitution in 1979, the removal of prohibition on the use of religion for political ends, and finally the introduction of Islam as the State religion in 1988. In the political movement against General Ershad's autocratic regime in 1990 the Jamaat did not make its earlier mistakes but joined in the mass demonstrations against Ershad's government. As usual they did not, win many seats in parliament but they were again in business up front.

In 1992 a member of the Jamaat tabled a bill to amend the Penal Code to allow for draconian punishments to be inflicted on persons presumed to have spoken disrespectfully of the Prophet Muhammed and the Quran. This tabling was not publicised until mid 1994. The bill has been copied word for word from a bill passed in Pakistan in 1986. Thus the campaign for a so-called blasphemy law (*so-called because disrespect to the Prophet Muhammed however provocative and injurious to the sensitivities, is not blasphemy as Muslims do not arrogate divine status to the Prophet*) which appeared to have started because of Taslima's alleged utterances was, in fact, one that would have had to be mounted sooner or later debate. Without having whipped up a sufficient public hysteria to intimidate the Parliament there was little chance of the successful passage of the bill through the legislative process. Which is why one started off with Voltaire's famous aphorism.

Let us look at the sequence of events. Taslima was already being targetted by fanatics because her novel 'Lajja' on the communal riots in Bangladesh in 1992 showed that Bangladeshi Hindus had been targetted in retaliation following the destruction of the Babari Mosque in India by Hindu fanatics. The book was banned by the Bangladesh government. "In order to preserve communal harmony". It was used by a communal Indian political party the BJP which had instigated the destruction of the mosque. They got it translated into several Indian languages and started a massive promotion campaign to create a hysteria among the Muslims in India. This further exacerbated the government who confiscated her passport. All this was very useful to the Jamaat. Their opportunity came when having successfully got her passport back Taslima on a visit to India

was misquoted in an interview with the Statesman. Her interview was not reported in Bangladesh and she issued a refutation immediately afterwards. However the extreme rightist paper Inquilab ran the alleged statements and launched their campaign for the introduction of a blasphemy law using Taslima's alleged remarks as a basis for their campaign.

The question may be asked: why campaign for a blasphemy law? The law is really a law against free speech. It has nothing to do with religion. It is worth noting that the Jamaat transliterates the word blasphemy into Bengali rather than using the religious (*Arabic*) term Kufr which has a very clear connotation and would not cover the occasions for which the Jamaat would use the law. The answer is that the Jamaat is after power and anything which brings this within their grasp is grist to their mill. The women's movement is under continual attack from the Jamaat who are well aware that if they can control one section of society they will be able to shackle all of society.

The point to be borne in mind is that Taslima was central to the Jamaat's campaign not because their religious sentiments were outraged but because to them free speech is an outrage. It was unfortunate that the so much of international media accepted uncritically statements about the nature of Islam made by those who are engaged in using religion to further personal agendas of political control.



# **Fatwas to obstruct women's development and education**

## **Chronology of incidents and statements relating to the activities of the fundamentalists in Bangladesh 1993 - 1994 (compiled from press reports in Bangladesh)**

### Case no. 1

June 1993, at Badekusha village, Ullapara thana, Srajganj District.

#### **Fatwa leading to ostracisation of 35 women.**

Local imams and village elders issued a fatwa that contraception was against the sharia and that 35 village women who practiced contraception should be ostracised by the village.

### Case no. 2

10. 8. 1993, at Najarkanda village, Ajmiriganj thana, Habiganj District.

#### **Fatwa leading to divorce.**

The vice principal of the Madrassah and local maulanas issued a fatwa that the marriage of a village resident, Khaleq, should stand dissolved because his wife had spoken disparagingly about the local Imam.

### Case no. 3

14. 11. 1993, at Bahipara village, Rohunpur union, Gomastapur thana, Chapainawabganj.

#### **Fatwa to suspend two Imams from their duties.**

Maulanas Abdul Samad and Ismail, in the presence of a few village elders, pronounced a fatwa to relieve two Imams from their duty of leading prayers because their wives practice contraception.

(Source: Bhorer Kagoj 14. 11. 1994)

### Case no. 4

12. 12. 1993, at Sadar village, Kachua thana, Chandpur allegations made in a meeting that KIDP (an NGO) uses food for work to convert villagers to Christianity. (Sangram 13. 12. 1994)

### Case no. 5

15/18. 1. 1994, at Mahinand Galailo village, Sadar thana, Kishorganj.

#### **Schools attacked, mulberry trees cut down.**

At a meeting of Maulanas and Imams under the leadership of Maulana Menoo, fatwas were issued to prevent children going to BRAC schools; not to perform burial rites for children studying in

BRAC schools; fatwas to cut down 6000 mulberry trees grown by women in food for work programme. Madrassah boys chop down mulberry trees reared by women as part of food for work program. NGO field workers attacked by Madrassah boys at instigation of fatwas.

(Source: Bhorer Kagoj 25. 4. 1994)

Protest:

Cases filed. Protests by local groups and in Dhaka. Newspaper reports and editorials.

Case no. 6

February 1994, at Batdighi village, Nandigram thana, Bogra District.

**Fatwa instigating arson in BRAC schools.**

25 BRAC non formal education schools burnt down on instigation by fundamentalists that children were being converted to Christianity.

Protests:

In some places BRAC has filed cases. Women's groups and human rights groups carried out investigation and hold public meetings in protest. Reports and editorials in most newspapers.

Government Action:

District Commissioner calls public meeting and asks Imams to apologise.

Case no. 7

March 1994, at Durgapur, Nisindara, Hakgram villages in Kahalu, Nandigram, Shibganj thanas of Bogra district.

**10 women divorced and 60 families made outcastes.**

An imam issued orders to the husbands of 10 women to divorce their wives who worked with NGOs. 60 families were declared outcastes for the same reason.

(Source: Sangbad 20. 3. 1994)

Case no. 8

21. 3. 1994, at Bogra.

**Women in 12 villages confined to their homes.**

Fatwas issued by Imams in 12 villages of Bogra, to confine working women inside their houses on the grounds that "working outside the home was against Islam".

Case no. 9

23. 3. 1994, at village Doloipara, Jaintapur thana, Sylhet.

**Work of volunteer agency stopped.**

Ashir Maulvi and Maulana Abdulla Yusuf instruct that Mohd Abdulla Rashid an employee of FIVDB be punished by shaving his head, beating him with shoes and fining him Tk 25,000.

(Source: Bhorer Kagoj 26. 3. 1994)

Case no. 10

24. 3. 1994, at Bandaikhara village, Kahalu thana, Bogra zilla.

**Fatwa against use of BRAC medicines leads to death of three patients.**

Local ulema and fundamentalist groups issued fatwa to stop 26 tuberculosis patients from taking medicines given by BRAC, which was alleged to be anti-Islamic. 3 patients died as a result.

(Source: Sangbad 27. 3. 1994)

Protests:

BRAC filed a case against the fatwabaz. News reports and editorials, investigation by human rights and women activists, followed by protest meetings in Bogra and Dhaka.

Government Action:

District Commissioner and local administration called a public meeting where the Imams admitted that they were wrong. Enquiry by Government, puts blame on the Imams, not made public.

Case no. 11

March 1994, at Deogram village, Kahalu thana, Bogra.

**Fatwa against NGO workers.**

Local maulana issued a fatwa that Farida Begum, her husband Halaluddin and Rasheda Begum be whipped 101 times, because Farida was a health worker employed with BRAC and Rasheda Begum had taken a loan from Grameen Bank. After Farida's father in law died, the Maulana refused to perform the burial prayers.

(Source: Janakantha 28. 3. 1994)

Case no. 12

3. 4. 1994, at Deogram village, Kahalu thana, Bogra.

**Women development workers beaten and divorced.**

Nasimun, a development worker was divorced by her husband and beaten because she worked with an NGO. Another development worker Najma was declared an outcaste.

(Source: Bhorer Kagoj)

Case no. 13

9. 4. 1994, at Mohamaniya village, Chagalnaiya thana, Feni.

**Fatwas to stop women from voting.**

A fatwa from deceased Pir al Haj Maulana Mohd Ismail that women should observe purdah and not go to vote has prevented women from voting for the last two decades.

(Dainik Bangla 10. 5. 1994)

Protests:

Statements by women's organisations, investigations by human rights organisations. Writ petition filed in High Court in June in which a Rule was issued on the local DC to show cause as to why elections, in which women were prevented from voting, should not be cancelled.

Case no. 14

17. 4. 1994, at Nurpur village, Mithapukur thana, Rangpur.

**Development worker chased away from his village.**

Mukul Chandra, a development worker, was beaten and forced to leave his village.

(Source: Sangbad 20. 4. 1994)

Case no. 15

1. 6. 1994, Mehdigonj, Rangpur.

**Protesting freedom fighter beaten at Idd prayers.**

Munir Hussain, a freedom fighter, who protested against a fatwa given by an Imam at Idd prayers was beaten at the Imam's instigation. He had to flee his home and his wife was threatened against taking legal action.

(Source: Sangbad 1. 6. 1994)

Case no. 16

June, 1994, at Maldeh colony, Rajshahi.

**Fatwa stops children from attending BRAC schools.**

Maulanas issue fatwas to prevent children from going to BRAC schools because they will become non-believers/non-Muslims.

(Source: Bhorer Kagoj 2. 6. 1994)

Case no. 17

3. 6. 1994, at Nijdhurunga village, Baloganj thana, Sylhet.

**Fatwa to close BRAC schools.**

Fatwa issued that children should not study in BRAC schools because the whole village will become Christian. On 29 May some of the Maulvis came to the school grounds and verbally abused the teachers.

(Source: Janakantha 24. 6. 1994)

Protest:

On 31 May a general diary was recorded in the police thana. On 3 June, Abdur Rauf, the Union Parishad Chairman called a public meeting, where the fatwabaz submitted a petition to the TNO.

Case no. 18

June 1994.

**Draft of new "NGO" act.**

Reports appeared in the press of a gazette notification of a draconian new draft law to control voluntary organisations. Draft withdrawn following its denunciation by coalition of NGOs.

Case no. 19

30 June, during the strike called by the fundamentalist groups, some **identified groups attacked 100 Non Formal Primary Education schools run by BRAC in different villages**, the FIDVB office in Sylhet and Women's Health Coalition Medical Centre in Sylhet.

---

Source: Document 5.2 in Documents relating to recent activities and statements of the fundamentalists in Bangladesh. Dhaka: Ain O Salish Kendra, May and June 1994

# **Persecution of journalists and writers in May and June 1994**

## **Chronology of incidents and statements relating to the activities of the fundamentalists in Bangladesh (compiled from press reports in Bangladesh)**

For the last two years fundamentalist groups, including the main fundamentalist political party, Jamaat-i-Islam and three newspapers Inquilab, Sangram and Millat have issued threats against journalists and writers demanding their execution, published reports of rewards offered for their murder, and attacked them physically. A few examples are given below of such attacks.

Case no. 1

20. 5. 1994, at Bogra.

### **Arson in two newspaper offices.**

After Friday prayers, a procession of Ulema Parishad set fire to the offices of 2 Bengali newspapers, alleging anti Islamic writings. The processionists demanded execution of feminist author Taslima Nasreen and ban of four newspapers: Bhorer Kagoj, Sangbad, Janakantha, Banglar Bani.

(Source: Bhorer Kagoj & Janakantha 21. 5. 1994)

Protests:

Statements, processions, meetings by leading writers, professionals and political groups demanding enquiry into violence and action by law enforcing agencies.

Government Action:

None.

Case no. 2

3. 6. 1994, at Dhaka.

### **Attack on three newspaper offices.**

After Friday prayers, "Touhidi Jagrata Janata" attacked Janakantha, Banglar Bani broke doors and windows, in presence of Jubo Command. Procession from the Baitul Mukarram mosque threw bricks at the police and the newspaper offices. A bomb was exploded. 1 photographer, 4 police and 4 passersby hurt.

(Source: Aajker Kagoj / Daily Star / Janakantha 4. 6. 1994)

Government Action:

Police used tear gas and fired shots. No subsequent government action.

Case no. 3

1994, at Dhaka.

**Copies of newspapers at hawker stands destroyed.**

Groups of young men seized copies of Janakantha from hawkers and set them on fire.

(Source: Aajker Kagoj 5. 6. 1994)

Protests:

Country wide protests against burning of newspaper offices. Public meetings demanded arrest of those guilty of arson. Daily Star editorial condemning the attack.

Government action:

None.

Case no. 4

3. 6. 1994 - 13. 6. 1994 all over the country.

**Protests against attack on Janakantha:**

Meetings, statements, processions all over country by leading intellectuals, Bangladesh Sangbad Patra, federation of journalists (BFUJ, DUJ), political parties, Muktijuddha Sangsad Command, Ghatak Dalal Nirmul Committee, Sammilito Sanskriti Jote (Combined Cultural Organisations) Islami Ulama Parishad, Islami Biplobi Andolon, Bangladesh Mahila Parishad, lawyers association, human rights organisations and NGOs, Jatiya Sammanay Committee, Mass Communications Dept of Dhaka University.

Case no. 5

6. 6. 1994, at Dhaka.

**Damage suit filed against Janakantha by Inquilab.**

Inquilab filed a damage suit in the SDhaka sub judge's court, against editor of Janakantha for 12 crore, 79 lakhs, 83 thousand damage for alleging that Maulana Mannan, publisher of Inquilab had misused a sum of 18 crores he had received from Iraq while he was Minister of Religious Affairs.

(Source: Sangbad 6. 6. 1994)

Bomb threat.

**Telephonic bomb threats to Janakantha a daily newspaper.**

(Source: Janakantha 7. 6. 1994)

Case no. 6

\* 7. 6. 1994, Dhaka.

**Demand for law against blasphemy.**

Jamaat i Islam Maulana Abdul Kalam Mohammad Yusuf demanded stringent punishment for blasphemy, and that parliament should pass

a law on blasphemy to provide for death penalty.

Resolutions against freedom of speech.

A meeting of "Tammadun Majlis" attended by Education Minister Jamiluddin Sarkar, Open University VC Dr Shamsheer Ali and Dewan Mohd Azraf, resolutions were passed to demand a law against blasphemy, action against Talima Nasreen and control of NGOs.

Case against Ajker Kagoj.

Maulana Mannan filed a case against editor and publisher of Ajker Kagoj, a Bengali newspaper, in Press Council denying the accusation against him of misusing an Iraqi grant of Tk 18 crore received while he was Minister of Religious Affairs.

(Source: Janakantha 8. 6. 1994)

Case no. 7

8. 6. 1994, at Dhaka.

**2 editors of Janakantha arrested, warrants against 2 others.**

Executive editor Borhanudin and advisory editor Toab Khan arrested in case filed by the Officer in Charge of Motijheel Thana in the Chief Metropolitan Magistrate under section 295 (a) for publishing an article on 12. 5. 94 with "malicious and deliberate intent of hurting religious sentiments of the people". Their bail petitions were rejected and warrants issued against ATM Shamshuddin Ahmed, assistant editor, and Editor Atiqullah Masood.

(Source: Daily Star 9. 6. 1994)

Court/Government Action:

Bail petition of four editors rejected by court on 11 June.

(Source: Inquilab / Janakantha 12. 6. 1994)

\* 158 journalists arrested in the last one year.

Case no. 8

9. 6. 1994, at Dhaka.

**Jamaat secretary demands introduction of law on blasphemy.**

Maulana Nizami, secretary general of Jamaat-i-Islami demands the introduction of a law against blasphemy.

(Source: Inquilab 9. 6. 1994)

Jamaat front asks for severe punishment for blasphemy, strike call.

The Touhidi Jagrata Janata asks for severe punishment for blasphemy by Janakantha.

(Source: Inquilab / Daily Star 10. 6. 1994)

Committee fo Resisting Anti-Islamic activities and Young Muslim Society call for half day strike to press for ban on newspapers.

Case no. 9

10. 6. 1994, at Dhaka.

**Jamaat threatens strike on 30 June.**

Shaikhul Hadis Maulana Azizul Haq accused the NGO's of destroying

Islam, the country and its independence. Jamaat-i-Islam threatens strike on 30 June if newspapers are not banned and if NGO activities are not stopped.

(Source: Purbanchal / Sangbad / Bangla Bazar Patrika / Bhorer Kagoj 11. 6. 1994)

Jamaat-i-Islam announces that prayers will not be said at the death of an atheist, or those who vote for Qadianis will have to be divorced.

Government action:

Gazette notification reported in the press of a draft act to control NGO activities.

No government action taken against incitement to violence.

Case no. 10

12. 6. 1994, at Dhaka.

Court Action:

In petition for anticipatory bail, Judge ordered free movement of editors until disposal of petition.

(Source: Financial Express 13. 6. 1994)

Case no. 11

20. 6. 1994, at Sylhet.

**Warrant of arrest against editor Jai Jai Din weekly under section 295 (a).**

Individual case filed against Shafiq Rehman, editor of a popular Bengali weekly Jai Jai Din, accusing him of publishing a story on 9 November with "malicious and deliberate intent to hurt the religious sentiments of the people". A similar case filed in Rangpur had been rejected by the Court.

(Source: Sangbad 20. 6. 1994)

Case no. 12

21. 6. 1994, at Dhaka.

**Bomb explosions at editor's house, telephonic threats.**

On the night of 20 June, three bombs were hurled just outside the home of Shafiq Rehman in Eskaton Gardens, Dhaka, causing small explosions.

(Source: Daily Star / Bhorer Kagoj 21. 6. 1994)

Court / Government Action:

18. 6. 1994: Chief Metropolitan Magistrate, Dhaka rejected the bail petition submitted on behalf of ATM Shamsuddin Ahmed, editor of Janakantha and he was taken into jail custody.

(Source: Bangla Bazar Patrika 19. 6. 1994)

Between 20. 6. 94 and 3. 7. 1994:

Separate bail petitions submitted on behalf of the editors of Janakantha to the Supreme Court. Toab Khan given bail on 20. 6 and ATM Shamsuddin Ahmed on 3. 7. 1994.

---

Source: Document 5.3 in Documents relating to recent activities and statements of the fundamentalists in Bangladesh, May-June 1994 (Unpublished papers) A.S.K. (Dhaka).



## **Facts Relating to the Charges Against Taslima Nasreen**

1. On 9 May The Statesman of Calcutta published an interview of Taslima Nasreen where she was quoted as having said that the Quran should be revised.
2. On 11 May The Statesman published a rejoinder from Taslima Nasreen denying the earlier statement and explaining that her words were misconstrued.
3. On 18 and 25 May Taslima Nasreen again clarified to several newspapers in Bangladesh, including Aajker Kagoj, Bhorer Kagoj, Janakantha, Banglar Bani and Inquilab, that she had not made the alleged statement regarding the Quran.
4. Nevertheless inflammatory reports continued to be published daily in the Inquilab, Sangram and Millat, repeating the allegations that TN had called for a revision of the Quran. Public meetings organised by the Jamaat-i-Islami and other religious right parties continued to call for her hanging.
5. On 4 June a warrant of arrest against TN was issued by the Chief Metropolitan Magistrate, Dhaka in a case filed by the Officer in Charge, Motijheel Thana, under sanction of the Ministry of Home Affairs, under section 295 (a) of the Penal Code on charges of "maliciously and deliberately hurting the religious sentiments of the people".
6. On 9 June, daily newspapers (Aajker Kagoj, Sangbad) ran TN's letter to the Speaker, in which she again explained that she had not asked for a revision of the Quran but for a change of Shariah Laws.
7. Ongoing agitations by Jamaat-i-Islami and other organisations continue to demand the execution of TN and other writers and journalists, banning of newspapers and introduction of a bill to make blasphemy punishable by death. On 10 June at a public meeting Maulana Nazrul Islam announced an award of Tk 100,000 for assassination of TN and gave his contact address. No police case was filed against him for incitement to violence.

8. On 13 June, TN's brother filed a case in Khulna against Maulana Nazrul Islam under section 506 for criminal intimidation. The magistrate ordered a police enquiry.

9. A private individual filed a case against TN under section 295 (a) even though no prior government sanction had been obtained. The magistrate issued a warrant of arrest.

10. In the rising hysteria of agitation planned by the religious right and the Jamaat-i-Islami, when newspapers have been set on fire, and not government action has been taken, when warrants of arrest have been issued against an editor (Shafiq Rehman of Jai Jai Din) followed by bomb explosions at his home, it is difficult to be confident that TN will be protected and her personal security assured when even publicly announced death threats or deliberately provoked violence are met with inaction.

11. Protests have been voiced against the activities of the religious right by national women's organisations, cultural and students and human rights groups. The foreign press and human rights groups in many countries have expressed grave concern at the increasing evidence of violations of human rights and have started putting pressure on their governments in Europe and the US.

# **Urgent Appeal**

## **6 June 1994**

### **Arrest warrant issued against Taslima Nasreen for "insult to religion"**

The Chief Metropolitan Magistrate, Dhaka issued a warrant of arrest on 4. 6. 1994 against the celebrated writer Taslima Nasreen, in connection with a case filed under section 295 A of the Penal Code.

Section 295 A defines the offence of "deliberate and malicious acts intended to outrage the religious feelings of any class or citizens by insulting its religion or religious beliefs". This offence is non-bailable and punishable by a maximum of two years imprisonment. The police are currently searching for Taslima Nasreen.

The Officer in Charge, Motijheel Police Station, Dhaka, filed Complaint Case No. 1315/1994 following a sanction letter issued by the Ministry of Home Affairs.

#### **The Allegations**

The main allegation in the case relates to a statement attributed to Taslima Nasreen in an interview published on 9.5.1994 in the Statesman newspaper of Calcutta, that "The Koran should be revised thoroughly". It accuses her of having, through this statement, "made antagonistic, insulting, ill-motivated and acrimonious statements against the Holy Koran and thereby hurt the religious sentiments of the majority Muslim population of Bangladesh". Other allegations relate to a rejoinder issued by Taslima Nasreen to the Statesman article in which she spoke of "moving beyond the texts if we want to progress".

#### **Rejoinder to The Statesman, Calcutta**

Taslima Nasreen had in fact issued the following rejoinder (11. 5. 1994) to the Statesman:

"I would like to clarify two comments attributed to me which appeared in the interview I gave to your correspondent. I do not hold the view that "the Koran should be revised thoroughly" because I think it is impossible to revise the Koran. As I said in the interview, "anyone who proposes to bring in

changes is a kafir". Why should we try to change a text which is sacred by many?

### **Rejoinders to Bangladeshi newspapers**

Following republication of The Statesman's interview in part in several national newspapers, Taslima Nasreen again immediately issued rejoinders from 18. 5. 1994 onwards in all the leading daily newspapers. She reiterated that she had spoken specifically of the reform of shariat law on the principle of ensuring equality between men and women.

### **Background**

Despite Taslima Nasreen's categorical denials, certain vested interest groups, including on misattributing certain comments to her. Such groups, including the Jamaat-e-Islami, have been actively stirring up a campaign of hatred and villification against Taslima Nasreen, based on their deliberate misrepresentation of her statements. They have held demonstrations and public meetings calling for the trial and hanging of Taslima Nasreen and for the enactment of a blasphemy law.

Earlier threats to her life by other extremist groups had resulted in the provision of round the clock police protection to Taslima Nasreen. Recently, following her return from a journey abroad, the police protection was withdrawn, without any reason.

### **Conclusion**

Taslima Nasreen's denials of the statements misattributed to her have been published in newspapers abroad and in Bangladesh. She has adequately clarified that her comments related to the need for reform of shariat law in a changing society.

Such sentiments have been reflected in the Constitution of Bangladesh, and in the reforms of shariat law enacted both in Bangladesh and in many other countries with a Muslim population. They also reflect longstanding demands for reform of personal law by the women's movement and by human rights organisations in Bangladesh.

### **Appeal**

Please telegram immediate appeals to the Government of Bangladesh requesting:

- the withdrawal of complaint case no. 1315/1994;
- steps to ensure the personal security of Taslima Nasreen

## *Urgent Appeal*

---

1. Prime Minister Khaleda Zia  
Government of Bangladesh  
Prime Minister's Secretariat  
Dhaka, Bangladesh

2. Minister of Home Affairs  
Ministry of Home Affairs  
Government of Bangladesh  
Bangladesh Secretariat  
PS Ramna  
Dhaka, Bangladesh

## **Translation of a letter written by Taslima Nasreen to the speaker on 7 June 1994**

The Honourable Speaker  
National Parliament of Bangladesh

Sir:

Recently the government has filed a case against me. Their charge against me is that, in an interview published in Calcutta's *The Statesman* on May 9, 1994, I have asked for the Quran to be changed. I would like to state, that on no occasion have I ever asked for a change in the Quran. Nowhere in the 21 books written by me have I made such a suggestion.

The young reporter from *The Statesman* who conducted the interview with me, was not a Muslim and did not understand the difference between the Quran and the Shariah law. That is how she confused what I said about the need to change the laws relating to women and attributed a wrong statement about changing the Quran. Her question to me was: "In the thirties, the renowned Islamic philosopher and poet Allama Iqbal had spoken about the need to change Shariah laws. What is your opinion?" In reply I said: "I don't want a minor change in the Shariah laws. In 1961 some changes were introduced in the Shariah laws, (through the Muslim Family Laws Ordinance 1961). What I would like is a modern uniform civil code to replace the old laws, so that we can ensure equal rights for women and men". This is not my demand alone, most women's organisations of the country have been making similar demands for some time.

The *Statesman's* inexperienced reporter mentioned the Quran instead of Shariah. I am fully aware that the Quran cannot be changed, and I said this in answer to a previous question: "No one can change a single word in the Quran". This answer has also been printed in the same interview.

The interview published on 9 May 1994 was full of errors. I sent a rejoinder to draw the attention of the editor the next day and this was published in *The Statesman* on 11 May, 1994. The main point I want to assert is that at no time and no where have I asked for a change in the Quran.

(continued on next page)

To protest the interview and to clarify my position I sent my statement to newspapers in Bangladesh, and this rejoinder appeared in several newspapers on 25 May. It is with deep regret that I note that even after my rejoinder contradicting the interview published by The Statesman, appeared in the papers, some groups have been motivated to threaten violence against me. Instead of taking steps to control their open incitement to violence, of investigating the matter, the government has filed a case against me. I would like to protest this action, which is a violation of an individual's fundamental human rights.

Those who are spreading false propaganda against me and demanding extra legal measures, have not only publicly threatened my life, but have made direct attacks on my family.

I would appeal to the government to withdraw the case filed against me for a statement which I have denied having made. At the same time I would appeal to the government to ensure the security of my family and myself.

I earnestly hope that this explanation will clear the misunderstanding which has given rise to such a provocative situation. I would once again assert that I have no intention of hurting anyone's religious sensibilities.

*Taslima Nasreen*  
*7 June, 1994*

# Sentenced to Death

Taslima Nasreen

Yesterday at a rally at the National Mosque here in the capital of Bangladesh a crowd of 10 000 Muslim fundamentalists called for my death.

The group that initiated the fatwa or death sentence, the council of soldiers of Islam, has been joined by other fundamentalist groups demanding that the Government ban my books and put "blasphemers" like me to death.

Fundamentalists put another novelist on notice

My most recent book "Lajja" ("*Shame*"), was about a Hindu family persecuted in Bangladesh after the destruction of the Ayedhya Mosque in India in December 1992. In India, fundamentalist Hindus killed innocent Muslims; in Pakistan and Bangladesh, fundamentalist Muslims, persecuted Hindus and burned their temple. This summer, after 50 000 copies of the novel had been sold, the Government banned it under pressure from the fundamentalists, saying it was "creating misunderstanding between communities."

But I will not be silenced. Everywhere I look I see women being mistreated, and their oppression justified in the name of religion. Is it not my moral responsibility to protest? Some men would keep women in chains veiled illiterate and in the kitchen. There are 60 million women in my country; not more than 15 percent of them can read and write. How can Bangladesh become a modern country and find its place in the world when it is dragged backward by reactionary attitudes toward half its people?

It is my conviction that politics cannot be based on religion if our women are to be free. Bangladesh must become a modern secular state; family laws based on Islamic principles should be replaced by a uniform code insuring the equal right of women.

The country has laws against religious courts and their fatwas. But they are ignored. This year, in the village of Chatakchara a young woman



was stoned to death on orders from a local court because she had married again after a divorce. In Kalikapur village, mullah accused another young woman of fornication and sentenced her to a public flogging with 101 lashed of a broom. She died soon after, allegedly a suicide. There are other such cases, girls from poor families in isolated areas, illegally sentenced by extremist interpreters of Islamic law.

For speaking out against such crimes, I too have been condemned to death. Why does the Government not prosecute the fanatics who institute these fatwas? Many believe it is because the administration has come to power with the help of fundamentalists.

The authorities confiscated my passport in January; when I tried to get it back, they said I couldn't have it because I write against religion. In September, when the newspapers reported that fundamentalists had put a price on my head, I had to go to court and .....to get police protection. *(The reward, about \$1.200, has apperently been rescinded, but the fatwa still stands.)*

Is our Prime Minister, Khaleda Zia, afraid to stand up to the fundamentalists? Does she not seen that by placating them, she allows them to grow. Stronger, and the time will come when they turn upon her too?

Bangladesh is my motherland. We gained our independence from Pakistan at the sacrifice of 30 million lives. That sacrifice will be betrayed if we allow ourselves to be dominated by religious extremism. Bangladesh should stand for women's equality and harmony between people of different faiths.

The mullahs who would murder me will kill everything progressive in Bangladesh if they are allowed to prevail. It is my duty to try to protect my beatiful country from them. I call on all those who share my values to help me defend my rights. By doing so they will help save Bangladesh.

*Dhaka, Bangladesh*

# **Fundamentalist agitation and government action against Taslima Nasreen**

**Chronology of incidents and statements relating to the activities  
of the fundamentalists in Bangladesh  
(compiled from press reports in Bangladesh)**

1994:

9. 5. 1994 at Calcutta.

The Statesman publishes interview of Taslima Nasreen, in which she is reported to have asked for a change in the Quran.

11. 5. 1994 at Calcutta.

Taslima Nasreen's rejoinder denying that she asked for a change in the Quran published in the Statesman.

18 and 25. 6. 1994 in Dhaka.

Leading daily newspapers publish statement that Taslima Nasreen to explain that she did not ask for a change in the Quran.

17. 5. 1994 onwards until end of June 1994.

Campaign against TN for interview in Statesman.

Coordinated agitation by different fundamentalist groups to demand execution of Taslima Nasreen for her interview in The Statesman and her trial for blasphemy as well as "other apostates", banning of their books, closure of Janakantha and other newspapers, stop NGO work, introduce blasphemy law.

(Details as under)

18. 5. 1995 at Dhaka and Chittagong.

Protest against TN and Janakantha.

\* Statements issued in Dhaka by Jamaat-i-Islami, Islami Chattra Shibir (Jammat's student front) Mufti Fazlul Haq Amini (Ulama Committee) Khelafat Andolon, Islami Shashan Andolan (Movement for Islamic Rule) to protest against Taslima Nasreen and Janakantha for writing disrespectfully about the Quran and in Chittagong by Islami Shahitya and Gabeshna Parishad (Islamic Cultural and Research Parishad).

(Source: Inquilab 18. 5. 1994)

**Inquilab daily reprints Statesman's interview of Taslima Nasreen.**

19. 5. 1994 at Dhaka, Chittagong, Jessore.

Demand to punish TN and others.

Protests demanding exemplary punishment for Taslima Nasreen, Janakantha editors and NGOs by Jamaat-i-Islami secretary general Maulana Mohd Nizami, Touhidi Jagrata Janata, Progosh, Islami Oikkya Andalon, Muslim Oikkya Front in Dhaka, Khelafat Andalon in Chittagong, Khelafat Majlis and Islami Chattra Shibir in Jessore.

(Source: Inquilab 20. 5. 1994)

25. 5. 1994 at Barisal, Charfashon (Bhola), Dhaka, Faridpur, Jessore, Maulvi Bazar, Rajshahi.

Islamic Chattra Shibir.

Islamic Chattra Shibir, Madrassah Chattra Andolan, Touhidi Jagrata Janata demands arrest and hanging of Taslima Nasreen.

(Source: Sangram 3. 6. 1994)

29. 5. 1994 at Dhaka.

68 university teachers.

68 university teachers demand introduction of a law against blasphemy.

(Source: Sangram 30. 5. 1994)

3. 6. 1994.

Resistance day against TN and journalists.

Islamic Chattra Shibir organise Resistance Day against Taslima Nasreen, journalist and NGOs and demand her hanging.

(Source: Sangram 3. 6. 1994)

4. 6. 1994 at Dhaka.

Warrant of arrest against Taslima.

Warrant of arrest against feminist poet and writier Taslima Nasreen issued by Chief Metropolitan Magistrate, Dhaka in case filed by Officer in Charge Motijheel Station under section 295 (a), Penal Code on charges of "maliciously and deliberately hurting religious sentiments".

(Source: Ajker Kagoj / Janakantha 5. 6. 1994)

162 teachers of BAU.

162 teachers of Bangladesh Agricultural University demand for exemplary punishment of TN for her interview and enactment of law against blasphemy.

5 to 8. 6 .1994 at Dhaka.

Police search.

Police search for Taslima Nasreen.

(Source: Leading daily newspapers)

5. 6. 1994.

Shaikh Hasina.

Shaikh Hasina comments that she does not approve of criticism of

religion but thinks agitation against Taslima Nasreen has been started to divert attention from real political issues.

(Source: Daily Star / Bangla Bazar Patrika 6. 6. 1994)

6 to 11. 6. 1994 at Dhaka.

Protest statements in support of TN:

Lekhok Shibir, Taslima Pakkhya, Samajtantrik Chattra Front, Progati Lekhok Shilpi Sangsad, Jatiya Sramik Jote, Women's Development Forum, Nari Pakkhya, Garments Sramik Front, 52 lawyers, 31 Ulemas, 22 intellectuals protest agitation and demand withdrawal of case against her and due protection be given to her and her family.

(Source: Leading national newspapers)

7. 6. 1994, at Dhaka.

Taslima's letter to speaker.

Taslima Nasreen's letter to the Speaker explaining that she had not asked for a revision of the Quran but for a change of laws.

(Source: Sangbad 9. 6. 1994)

Speaker rejects notices submitted by 3 Jamat MPs on Taslima.

Speaker does not allow discussion in the Parliament on Taslima Nasreen since the matter is subjudice.

7. 6. 1994 / 13. 6. 1994.

Strike call in demand for TN's death and blasphemy law.

Touhidi Jagrata Janata, Maulana Mohd Nizami and Dilwar Hossain Saidi of Jamaat i Islam, Maulana Mufti Amini of CRASA, Young Muslim Society, Committee for Resistance to Atheists & Apostates (Shaikhul Hadis Maulana Azizul Haq) Khelafat Andolon, Muslim Nari Adhikar Progosh, Seerat Mission, Ulama Committee, Jamiutul Ansar, Jamiya Arabia, Islamic Shashan Andolon, Ulama Sangram Parishad (Chittagong) hold protest meetings to demand call for half day strike on 30. 6. 1994 to press for arrest and hanging of Taslima Nasreen, ban on newspapers and NGOs and blasphemy law.

(Janakantha / Daily Star / 8. 6. 1994 - 9. 6. 1994, Inquilab / Daily Star 10. 6. 1994, Bhorer Kagoj 11. 6. 1994, Sangram 13. 6. 1994, Bangla Bazar 13. 6. 1994)

Masjid Mission criticizes Shaikh Hasina for her statement in support of Taslima Nasreen.

(Source: Sangbad 7. 6. 1994)

Concern expressed by human rights organisation and diplomats.

(Source: Aajker Kagoj 8. 6. 1994)

Amnesty International expresses concerns regarding TN. Diplomats in Dhaka seek information from the Ministry of Foreign Affairs.

Government Response:

Ministry of Foreign Affairs says that TN has been arrested according to law of the land. Attorney General in reply to a journalist's question says

that Taslima should surrender to the court according to the law of the land.

10. 6. 1994 at Mymensing.

Attack on home of TN's father.

The home and chamber of Dr Rajab Ali, father of Taslima Nasreen, was attacked three times by a group of men.

Government Action:

Police took no action against the aggressors, but a contingent was posted outside his house.

(Source: Bhorer Kagoj / Purbanchal / Sangbad / Bangla Bazar Patrika 11. 6. 1994)

11. 6. 1994 at Khulna.

Award of Tk 100,000 offered for Taslima's execution.

Jamaat threatens strike on 30 June.

Maulana Nazrul Islam of Khulna offered an award of Tk 100,000 for killing Taslima Nasreen, and gave his contact address. Strike call by JI.

11. 6. 1994.

Home secretary interviewed by BBC.

Denies any persecution by government, asks Taslima to surrender to the court.

(Sangbad 12. 6. 1994)

13. 6. 1994, Khulna.

Taslima's brother files case.

Taslima Nasreen's brother files a case in Khulna court against Maulana Nazrul Islam under section 506 for inciting violence by offering a reward for her assassination. The judge ordered a police enquiry.

(Source: Sangbad 14. 6. 1994)

14. 6. 1994.

Death demand.

Islamic Chattra Shibir's demand day for death of TN in Cox's Bazar, Choumohoni, Chittagong, Dhaka (Baitul Mukarram) Jalakathi, Jeniadah, Kushtia, Matlab, Moulvi Bazar, Meherpur, Sylhet, Sathia.

(Source: Sangram 15. 6. 1994)

15. 6. 1994 at Khulna.

Police stall on enquiry into death threat.

Khulna Police say they are unable to proceed with enquiry in case filed by TN's brother because they did not receive Court order.

(Source: Sangbad 16. 6. 1994)

16. 6. 1994 at Sylhet.

Reward for TN.

Shah Waliullah, a fundamentalist group located at 28 Purbasha Taltola,

offered a reward of Tk 50,000 for arrest of Taslima Nasreen.

(Source: Aajker Kagoj 17. 6. 1994)

at Dhaka Announcement of formation of Committee to Resist Anti-Islamic and Subversive Activities (CRASA) under joint convenors Maulanas Mohiuddin Khan and Fazlul Haq Amini.

(Source: Sangram 17. 6. 1994)

17 / 18. 6. 1994 at Dhaka.

Protests against persecution of TN.

Jatiya Samajtantrik Dal and 126 doctors protest against persecution of Taslima Nasreen.

(Sangbad 18. 6. 1994 Bhorer Kagoj 19. 6. 1994)

17-19. 6. 1994 at Dhaka.

Fundamentalist campaign for strike call.

Khatib of Baitul Mukarram calls for stringent punishment for TN.

Protest meetings to demand death of author TN and other apostates and enactment of law on blasphemy and strike call for 30 June, held by Dhaka City Madrassah at Baitul Mukarram, Nizami Islam Party, Dhaka Chowk Bazar Masjid, CRASA, Majlis Hefazat Islam, Ulama Parishad, Jatiya Nastik Nirmul Committee (Committee for destruction of atheists) Islamic Shashan Andolon, Jamaat-i-Islami, Islamic Chattra Shibir, Touhidi Jagrato Janata, Islamic Mahila Majlis and Students' Majlis, Jamiutul Ulema, Khelafat Andolon, Ahle Hadis, Kollol Sanskriti Sangsad, Organisation for Peace.

at Khulna-Islamic Shashan Andolon,

Rajbari-Imam Committee.

(Source: Sangram 18/19/20. 6. 1994)

19. 6. 1994 at Dhaka.

Advert for hanging of TN.

Ad for a Jubo Command (affiliates of Freedom Party) meeting in Sangram: "Demand death of TN and Janakantha editors.

(Source: Sangram 19. 6. 1994)

20. 6. 1994 - 29. 6. 1994 at Dhaka, Rangpur and other places.

People decide to counter fundamentalist activity.

Decision taken by different political parties, organisations of freedom fighters, cultural groups, students, women's human rights, professionals, theater, writers, poets, artists to resist the anti-independence communal fundamentalists and to demand a ban on religion based political parties.

Daily meetings and processions to protest activities of the fundamentalist groups led by JI and Islami Chattra Shibir and government's lack of action.

(Source: Aajker Kagoj / Sangbad / Janakantha)

21 / 29. 6. 1994 at Dhaka.

Fundamentalist campaign.

## *Fundamentalist agitation and government action against Taslima Nasreen*

---

Campaign by fundamentalist groups led by Jammat-i-Islam to support their strike call for 30 June.

(Source: Inquilab / Sangram)

23. 6. 1994 at Dhaka.

Poisonous snakes displayed at Jamaat meeting.

Snake charmers carrying poisonous snakes marched with fundamentalist parties from Baitul Mukarram Mosque to the Press Club in support of their strike call on 30 June for death of TN and Ahmed Sharif, ban on newspapers and NGOs and bill against blasphemy.

(Source: Inquilab 24. 6. 1994)

23. 6. 1994 at Dhaka.

Second warrant of arrest against TN.

A second warrant of arrest was issued by First Magistrate of the Dhaka Sessions Court in case filed by Jubo Dal Secretary Jainul Abedin Babul for TN for describing Muslims as barbarous.

(Source: Inquilab 24. 6. 1994)

Explanation by Home and Foreign Affairs Secretary.

Home Secretary and Foreign Affairs Secretary explains to the diplomats that TN has every right to defend herself in the court and she should protect herself from mob threats by surrendering to the court.

(Source: Banglar Bazar 24. 6. 1994)

4. 7. 1994.

Hearing in the Government case against TN fixed for 4. 7. 1994 was postponed until 4. 8. 1994.

---

Source: Document 5.4 in Documents relating to recent activities and statements of the fundamentalists in Bangladesh, May-June 1994 (Unpublished papers) A.S.K. (Dhaka).

## **Protest against activities of fundamentalists:**

6. 6. 94 Onwards: Protest against attack on newspaper office by Bangladesh Federation of Union of Journalists and others continued.

8. 6. 94: Demand to lift arrest warrant against Taslima Nasreen and to provide security to the author by 52 women's organisations under the sponsorship of Women's Development Forum, Nari Pakkhya, Taslima Pakkhya (women's groups), 22 leading intellectuals, 52 lawyers, Bangladesh Samajtantrik Dal, 126 doctors. Public rally under the banner of Oikhya Baddho Nari Samaj to protest activities of fundamentalists against writers, journalists, NGOs, call for blasphemy law. Bangladesh Mahila Parishad public meeting against anti-development and anti-women role of fatwabaaz. Two separate petitions submitted to the Prime Minister and Speaker of the National Parliament.

9. 6. 94 Onwards: Chittagong Mayor protests against arrest of editors. Other protests continue across country.

1. 6. 94 Onwards: Meetings, processions, statements and media articles by different groups: students, cultural, women, journalists, progressive political parties, etc to protest the fascist activities of the fundamentalists and to resist the strike call on 30 June.

---

Source: Document 6.0 in Documents relating to recent activities and statements of the fundamentalists in Bangladesh, May-June 1994 (Unpublished papers) A.S.K. (Dhaka).





# **Women**



# **Bangladesh: Fundamental Rights of Women Violated with Virtual Impunity**

Amnesty International

Fundamental rights of women, including the rights to life and the security of the person, to equality before the law, to freedom of expression, of association and religion, have over the past months been repeatedly violated by Muslim clerics and Islamist groups in Bangladesh. Amnesty International is concerned that the Government of Bangladesh has failed to take adequate measures to protect such rights, all of which are guaranteed by the Constitution of Bangladesh.

Imams (prayer leaders) of mosques and teachers in religious schools, acting alone or as part of village arbitration councils or salish, have sentenced women to be publicly flogged or stoned to death for having violated what the clerics understand as norms of Islamic law. Non-governmental organizations (NGOs) that seek to train women to become self-supporting have been targeted by Islamist groups as such organizations are seen by them to make women deviate from their Islamic life-style. Several of the NGO health centres and schools have been damaged or destroyed, and people associated with them have been attacked. Writers and journalists reporting on such issues have received death threats or have been attacked by Islamists; newspaper offices have been ransacked and newspapers burned. During mass demonstrations in June and July 1994, which initially agitated for the hanging of feminist writer Taslima Nasreen, Islamist groups expanded their demands to include the execution of all "infidel" and "apostate" writers and journalists, the banning of "un-Islamic" NGOs and publications as well as the introduction of a blasphemy law carrying the death penalty and declaring the Ahmadiyya a non-Muslim community.

The government, by not condemning such attacks against women, by not investigating them and by not bringing to justice those responsible for issuing death threats or carrying out attacks on individual women or women's organizations, appears to condone such acts. Moreover, in an apparent attempt to placate Islamist groups, the government has brought charges against several writers and journalists who had been

denounced by Islamists, alleging that they had "maliciously and deliberately hurt the religious sentiments of the people".

Amnesty International is concerned about the virtual impunity with which women's rights have been violated by Muslim clerics and Islamist groups in Bangladesh and calls on the Government of Bangladesh to strongly and publicly condemn such violations, to investigate every single reported case, to bring to justice all perpetrators of such violations and to take adequate measures to ensure the safety of anyone threatened with attack to prevent a recurrence of such violations.

**Keywords:**

Women / Impunity / Religious Intolerance / Corporal Punishment / Harassment / Armed Civilians / Non-Governmental Organizations / Writers / Extrajudicial Execution / Censorship / Trials / Torture/III-treatment / Religious Groups - Islamic / Religious Groups - Hindu / Women's Rights Activists / Academics / Doctors / Journalists / Editors / Students / Families / Juveniles / Children / Legislation/ Death Penalty / Civil Unrest / Elections / Demonstrations / Strikes / Political Background /

*October 1994.*

---

**Note:**

This report summarizes a 23-page document, "Bangladesh: Fundamental rights of women violated with virtual impunity" (AI Index: ASA13/09/94), issued by Amnesty International in October 1994.

For Further Information:

***Amnesty International***

International Secretariat,  
1 Easton street, London WCLX 8DJ,  
United Kingdom  
(Tel +44-71-413-5500, Fax +44-71-956-1157)

# Undermining Women's Rights

Sultana Kamal\*

Since 1989 a pro-Islamic group calling themselves The *Khatme Nabuat* have demanded that the Government of Bangladesh declare the Ahmadiyahs non-Muslims. Another group under the name of the 'Soldiers of Islam' has declared an award of 50,000 takas (US\$ 1500) for execution of Taslima Nasreen, a strong feminist writer. Similar calls were made by another Islamic groups over the past few years accusing Sufia Kamal, Shamsur Rahman, Ahmed Sharif, Kabir Chowdhury and other well known and highly esteemed writers of blasphemy. Many of those accused have been involved in a progressive struggle in the social, cultural and literary fields. The members of the Committee for Trial of the War Criminals of 1971 led by Jahanara Imam were targets of similar threats.

In April 1992 a village arbitration council in Dohar Thana sentenced a young woman and her mother to 100 lashes each. She had been raped by an influential village elder. When the case was brought to *salish* (village mediation) the girl was unable to produce a witness and therefore the Imam decided that she had committed adultery. In early 1993, a young domestic maid servant in Dhaka was reportedly accused of having a sexual relationship with her employer and both of them were sentenced to 25 lashes each. In January 1993 Maulana Mannan supported by village elders pronounced a *fatwa* sentencing a young woman Nurjehan Begum to public stoning in Chattokchora village in Sylhet district. She was accused of contracting an illegal second marriage though, according to reports, her first marriage had been duly declared dissolved. Nurjehan's parents were also held responsible for her 'illegal' second marriage and sentenced to 50 lashes each and Nurjehan's second husband was subjected to stoning. Nurjehan survived the stoning but committed suicide in utter indignation.

Another Nurjehan was tried by village *salish* in Faridpur district on charges of adultery. Kerosene was poured over her and she was burnt to death. Feroza of Satkhira accused of a relationship with a Hindu boy was similarly sentenced to public flogging with 101 lashes. She died shortly

afterwards. In the last 3 years at least 23 cases of *fatwa* instigated violence have been reported in the media.

A number of NGO women workers were asked by local religious leaders to quit their job or else face excommunication. Hundreds of students belonging to progressive student organisations have been killed, assaulted and maimed by the student front of the Jamaat-i-Islami all over Bangladesh in the last 15 years.

Threats to intellectuals and others demanding the trial of war criminals of 1971 came directly from the fundamentalist political parties while individual women or development workers have been victimised by rural leaders and Imams who appear to have become more active in recent years.

All these acts are a clear violation of Article 11 of the Constitution of Bangladesh. But so far the government has taken no serious action to protect human rights against fundamentalist terrorism.

Although on the surface the above incidents do not appear to be related they manifest a common symptom of fundamentalist revivalism. *Salish*, a mediation process is usually constituted by conservative members of rural society often totally ignorant of the legal system. Powerful village leaders seek to reinforce existing social structures and censor those who do not fully conform with societally accepted behaviour patterns. They draw support from the religious preachings and statements made by members of certain political parties.

To analyse the nature and development of fundamentalism in Bangladesh, it is important to look into the political history of the country and the role of the religious parties during the Liberation War in 1971.

In 1947 India was divided on the basis of the two nation theory and the only bond between the two wings of Pakistan was a common religion. Pakistan's military rulers seized power in 1958 on the excuse of protecting the integrity of the country, the greatest threat to which was said to be Indian political and cultural expansion. As part of Pakistan, Bangladesh became the site for political and economic control and discrimination. Protest or resistance by the people of Bangladesh (east wing of Pakistan) was suppressed as unpatriotic, subversive, anti-state and disloyal to Islam. The peaceful resistance movement culminated in a mass upheaval in 1969 as a result of which the military government of Ayub Khan fell. Another military general -Yahya Khan- took over and conceded to the popular demand for general elections.

A free and fair election held in 1970 was a rare experience since civil rights had been disallowed under military rule since 1958. The Awami League was victorious and qualified to form the government of Pakistan.

The rulers of Pakistan could not accept the reality and with collaboration of certain West Pakistan based political parties, and some international forces refused to handover power to the elected representatives.

The people of Bangladesh had no option but to declare independence from Pakistan and fight a liberation war to free the territory. The occupation army committed the worst genocide including mass rape, loot, arson and ethnic cleansing as it is known today. The rightist religion based political parties were encouraged by the military rulers to use religion to frustrate the freedom fighters in Bangladesh and justify the military attack on the people.

During the liberation war, religion based political forces, who were the prime beneficiaries of the communal partition of India, actively collaborated with the Pakistani occupation army in the genocide in 1971. Specially in the rural areas where the foreign army found it difficult to penetrate, they abetted the killing of people, capturing women and forcing them into sexual slavery in army camps. They carried out psychological warfare against the liberation forces to demoralise the people who stayed back in the occupied territory by constantly and recklessly condemning the freedom fighters as traitors, enemies of Islam, and atheists. A survey of the newspapers and testimonies published during and after the liberation war by the then ruling government, international agencies and survivors of the war bear testimony to the role of the rightist politicians and fundamentalist political parties.

Just before Bangladesh's liberation in 1971, in the face of sure defeat, the fanatic religious groups formed para-military groups known as Al-Badar and Al-Shams who conducted operations to kill intellectuals, including hundreds of teachers, writers, scientists, physicians, journalists, and other social leaders. After December 1971, the leaders of such groups along with the killers fled from Bangladesh to Pakistan or to Middle Eastern countries including Saudi Arabia and Libya.

For about four years they remained invisible. But gradually they started creeping back into Bangladesh and engaged themselves in activities to gain power. They were supported by the military regime again, ironically enough to legitimise their accession to power in the name of defending religion, Muslim-Bengali identity and also the sovereignty of the country. (Internationally Pakistan and its Bangali allies received support from the US and China to counter Indo-Soviet influence in the region).

In Bangladesh the fundamentalists pursued political power by using the smoke screen of religion. For, it is easy to mislead people in the name of religious or ethnic identity which promoted a false sense of security and solidarity. The fundamentalist politicians block dissent and criticism by labelling resistance as Western, Indian, alien, imperialistic or immoral.



Governments, be they military, autocratic or democratic, may succumb to fundamentalist pressure, but election results show that people do not support fundamentalist politics. They have not been able to secure more than 6% seats in the Parliament. In 1991 they were able to gain 11% of the votes because of an alliance with the ruling party.

Military regimes in Bangladesh have patronised extreme religion based political parties and encouraged a political culture charged with strong communal, anti-secular sentiment. The main argument that was used to justify the killing of Sheikh Mujib was that he was pro-Indian and anti-Islam. One of the killers of Sheikh Mujib said in an interview with a foreign journalist that Mujib had prostituted Islam. Therefore, to hold on to power the new government had to find its ally in the fundamentalists.

This alliance between the fundamentalist fascists and military autocratic rulers has strengthened the former. General Ershad, declared Islam the state religion of Bangladesh in 1988. Earlier, in 1978 General Zia had already enacted the Fifth Amendment which replaced secularism and socialism from the Constitution with Absolute faith in Allah and social justice for all.

By mid eighties fundamentalist forces became influential in Government bureaucracy in sectors like education and the media. The government has made religious education compulsory at the secondary school level. Financial support<sup>1</sup> is given to religious schools, especially in the rural areas. Children between 6 and 12 years were indoctrinated. The curriculum in Governments' schools adopted a strong Islamic bias leading to an obsessive emphasis on conformity. Censorship and controls over free speech are means of enforcing conformity.

Attempts are being made to bring colleges and universities under the control of the fundamentalists. The most effective strategy used was to control admissions. On the one hand, because of better financial position and organised workmanship, they were successful in admitting their supporters in greater number and later converting others by offering physical and financial security in the hostels, etc. On the other hand, they have a well trained armed cadre who have resorted to killings and arson in the universities, leading to their closure. The memory and experience of their role in the killing of intellectuals in 1971 still terrorizes people. Nevertheless, the governments never stopped building Islamic universities and centres in different places of the country with international support.

Iraq, Iran, Lybia, and Saudi Arabia are the major sources of international financial support which promotes religious extremism in the subcontinent. In the post 75 era, a flow of petro-dollars into Bangladesh went directly to the fundamentalist groups, at times by-passing the government itself.

---

1 UNICEF has also been allocating funds for education to Madrassahs.

Besides international sources, the fundamentalists in order to generate funds for themselves have now entered business. They own banks, big and small enterprises, run private medical clinics. Hence they assume the position of business dealers, employers as well as service sellers. As employers they prefer Muslim employees. Offices have recess for prayer, all official functions begin with recitation from the Koran, many of their stores keep on playing religious lectures on cassettes which are more often than not anti-women and against other religions.

Radio and television are both public institutions but they are controlled by the government. Notwithstanding an agreement amongst leading political parties during the movement for democracy to make the two institutions autonomous, the Ministry of Information continues to control all programs. They transmit extensive religious programmes planned mainly by the Islamic Foundation. Long hours are devoted to religious preaching.

Issues like poverty, discrimination, exploitation, state affairs, women's status all were explained and justified by a religious code. People were even asked to pray to God for relief from draught. A military president of the country even got away with declaring that it was by God's grace that he was made the president of Bangladesh!

The fundamentalist media consistently attacks progressive forces who continue to support the values of a secular, democratic society which provided the inspiration for the war of Liberation. These newspapers vigorously engage in character assassination of intellectuals. One of these papers is owned by a major Islamic party which collaborated with the Pakistani Army. Another one belongs to an alleged collaborator in war crimes. The papers have wide relationship among the students in religious schools, colleges and universities. It also attracts readership among the general public as the language they use is crude and sensational. Anybody opposing the fundamentalists is declared a blasphemer and is threatened with punishment and death. Intellectuals are often compared with Rushdie and threatened with a similar fate.

The fundamentalists tend to infiltrate the military. The orientation of the military of Bangladesh has remained the same as that of the Pakistani military which had its base in anti-Indianism and communalism. Theoretically, from the defence point of view, it is only India against which Bangladesh needs to defend itself. Therefore defence strategy and orientation of officers is geared to save the country from India which again happens to be predominantly Hindu and is seen as an enemy of Islam. Bangladesh army normally gets advisers from Pakistan and Saudi Arabia.

These tendencies over the past few years have created a pasture ground for communal politics. Fundamentalists seek to control freedom

of speech. This has become especially stifling for women. There is no allowance for discourse, disagreement or dissent. The fundamentalists use the harshest versions of the religious text which are extremely discriminatory to women. Women are still subject to discriminatory religious laws and the government is reluctant to move for any reform. The government's reservation to sign clauses 2, 13 (a), and 16 (c) and (f) of the CEDAW manifests the fact that they have similar attitude and bias against women.

The other aspect of this communal fundamentalist politics is the oppression of minorities. Their right is denied in a very subtle way. They are not called for interviews for employment, their property is taken away in the name of Vested Property Act, they are refused bank loans. Communal violence is explained as an inevitable reaction to communal incidents in India. Demolition of temples, Hindu religious centers, arson and mass rape was described as a minor reaction to demolition of Babri Masjid and its aftermath. This attitude of the government creates a feeling of insecurity in the mind of the minority community. A polarisation is taking place along religious lines in the whole region leading to politics of communal identity. This deters growth of a culture of secular, democratic and free politics which could also create a non-sexist society. The fundamentalists will try to prevent this, so that they can hold on to their tool for controlling power.

These mechanisms of control are used to consolidate their power. We need to build a strong social movement to resist reactionary trends in politics and society, to repeal the relevant constitutional amendments which encourage fundamentalism and communalism and to work towards the practice of human rights and democratic values.

---

Source: "Attack on fundamentals", Sangalp (Dhaka), Vol. 4, August 1995.

\* Sultana Kamal is a lawyer and women's rights activist. She is a member of *Ain O Salish* Kendra's executive committee.

## Explanatory Note on *Salish* and *Fatwas*

*Salish* is a traditional form of mediation which is used for arbitration of disputes. The arbiters are usually the local elite (village elders, school master, Imam and so on). Both sides are represented. *Salishes* are generally held to settle land or family disputes. The decision given at the *salish* is not, however, binding. There are many case studies which show that despite an adverse *salish* decision, the party has refused to part with her/his land or to pay any fine that may have been imposed. *Salish* did not resort to enforcement.

Alongside the settlement of disputes, a *salish* council is also constituted by the village elders of their own initiative when they accuse individuals of misbehaviour and 'sentence' them to a variety of punishments. These were justified in the name of customary practices. Over the years legal literacy classes held in rural areas have emphasized the value of a properly constituted *salish* and have pointed out the illegality of meting out punishments. In the last two years we have seen how *fatwas* have been used to bolster the authority of the *salish*. A *fatwa* is an opinion given by a jurist, learned in Islamic law, in response to a question involving a point of law, not evidence. The *fatwa* is now being used to bolster the authority of the village elite. It is being pronounced by people who have no authority or scholarship, and it is used not to clarify an ambiguous legal situation but to weigh up evidence which is not the function of a *fatwa* giver. So *fatwas* are being given by the wrong person, in the wrong circumstances and for the wrong purposes.

# Fatwas in Bangladesh

At least 12 women of very young age have been made subject to fatwa and punishment, in some cases amounting to death, in the year 1994 in different parts of Bangladesh. These incidents were recorded by Ain-o-Salish Kendra on the basis of news paper reporting.

(1) According to a report published in the daily Janakantha<sup>1</sup> on 17th January 1994, a woman called Dulali aged approximately 17 to 19 years was punished to be flogged 101 times after the birth of her child. She became pregnant following premarital relationship with a married person and was accused of Zina. The flogging was to take place on 11th June 1994 in the Banuchora village of Noakhali district. The salish comprised of Maulana Bismillah, the Vice Principal of one of the village Madrasahs and the local Imam, Taher Ahmed. The salish also proposed Dulali's marriage with the previously married man who had relationship with her. On receiving information, various women's and legal aid organisations including the Bangladesh Mahila Parishad and ASK, contacted the local police, administration and the Inspector General of Police. Fatwa enforcement was prevented through local intervention. Investigation teams from Dhaka restrained action and Dulali's proposed marriage to the previously married man. They also negotiated land settlement from the man for Dulali. A case has been filed on her behalf and she has been placed in a shelter in Noakhali and is currently receiving training for self help.

(2) On the 7th January 1994 a woman called Rokeya from village Sultanpur of the Feni district was accused by the Union Parishad chairman and members of premarital relationship with a Dulal Mia on promise of marriage. She was physically assaulted, head shaved, she was forced to parade village streets with shoes strung around her neck. She was then tied to a tree for 8 hours and later at night raped by 4 men. Police, however, rescued her. Following investigation, the women's organisations have protested. A case has been filed but no progress has been made because of involvement of the

---

1 Janakantha editor and the publishers were arrested by the police on charges of offending the religious sentiment of the majority population and are now out of custody on bail. They were charged under the same criminal act as Taslima Nasreen.

influential family. There has not been any further government action either. The report was published in the daily Ajker Kagoj of 13th February 1994.

(3) Momtaz from the same district of Feni, aged only 6 years was drowned after her marriage with a 22 year old school teacher. Despite the parents' refusal, her marriage was declared valid by a fatwa under Sharia. The government functionary for marriage registration took Tk. 1400 (about US Dollar 35) and registered the marriage. Mumtaz's age was shown to be 18. Police recovered the body in pond and seized documents of the government functionary. (Reference The Daily Janakantha, 11. 5. 94).

(4) Shapnaha, aged 13 years, was raped by one Shafiqul Islam, son of a powerful person and gave birth to a daughter. She comes from the village Dhamsar of Brahmanbaria district. Fatwa was given accusing her of Zina and she was to be punished with 101 lashes 40 days after the birth of her child, Shapnaha was rescued and given shelter by Mahila Parishad in Dhaka. Shapnaha's father has filed a case against the rapist and he has been arrested on 2. 6. 94. No case has been filed against the Fatwabaz (Fatwa giver) whose name is Maulana Fazlul Huq. (Reference The Daily Bhorer Kagoj, 3. 6. 94).

(5) According to a report published in the Bangalr Bani of 21. 6. 94 a woman named beauty Khan committed suicide when a group of 8 persons went to her residence to announce her punishment after being raped by one Abdul Mannan. This incident took place on 21st June 1994 in the village Mohar of district Berajganj. A case has been filed against 4 of the persons involved.

(6) On 4th August 1994 in the village Choymati of Kishoreganj district a woman of 22 years called Razia was accused of extra marital relationship, in fact due to the villagers' enmity against her father and was forced to drink urine as punishment. The salish comprised of the powerful villagers of Choymati. Razia has appealed to Kuliarchar Thana (police station) for action against the offenders.

(7) Another woman called Parul was flogged 101 times on 16th August in the village Ayubpur in the district Noakhali. She was accused of premarital relationship with a man called Mannan which according to the salish has been "immoral behaviour". The report came out in the Daily Janakantha of 16. 8. 94. Her age was not mentioned.

(8) According to ASK investigation, a woman of Rajshahi district, Anjali Karmakar, 18 years of age, was ostracised from her village who later suffered self-humiliation. Her father was also assaulted. This happened on 11th August 1994. According to the investigation report, Anjali was accused of immorality because she talked to a Muslim man who works for a local saw mill. The persons involved in humiliating the family are some of the activist workers of the ruling party (BNP), Jamat-e-Islami and their students cadre Shibir and the Union Parishad chairman.

(9) In the village Dasha of Kushtia district, on Ruma, 18 years, committed suicide after fatwa. The fatwa was given on 30th August 1994 by a madrasah teacher called Nurul Islam. According to Ajker Kagoj, a national daily, Ruma was divorced 10 days after her marriage when her husband entered into a

relationship with her own younger sister. Fatwa was issued for forced marriage between her sister and her husband and to ostracise her from the village. Two separate cases have been filed, one for unnatural death of Ruma and the other for abduction of her young sister.

(10) The daily Bhorer Kagoj reports on 30th September 1994 that one Shaheda was deserted after marriage with her cousin but became pregnant following relationship with one Razzaq on promise of marriage. Razzaq was the servant of a village leader. Shaheda complained to the village leader against Razzaq but failed to get any positive response. She gave birth to a child and the Imam of the local mosque announced the fatwa punishing Shaheda to flogging 101 times. The flogging took place the same day. On the 9th of October police traced Shaheda, brought her to the court. She was kept in the police custody pending inquiry. On the 16th October she has been handed over to her uncle.

(11) The daily Janakantha reports on 9th October 1994 that in the village Sanmashirchar of Satkhira district a woman called Zulekha, age 15 years, was flogged 101 times following the Imam's fatwa. The flogging took place on the 5th. Fatwa was given because of abortion of her pregnancy due to premarital relationship with one Abdul Khaleque, father of 3 children. A case has been filed against the Imam and the Imam has been arrested.

(12) In Baklipara village of Kurigram district a woman called Hajera was first raped and was flogged 80 times according to a fatwa announced by the salish members. She was flogged because she failed to produce evidence of rape and was accused of immorality. She was raped on 27th September. The report came out in the daily Janakantha on 18th November 1994.

(13) A woman of 19 years called Rina committed suicide following caning order by Fatwa. This happened on 17th December 1994 in the village Hasarpur, district Feni. She was also accused of immorality and fatwa was announced to cane her because of her pregnancy outside marriage. The salish members were Masjid Imam Shahidullah and his students. A case has been filed for unnatural death of Rina and the first investigation report has been filed with the police on 20th January 1995.

In addition to the above incidents of Fatwa, recently an organisation called Ulama Mashaekh Council based in Sylhet has criticised Ms. Farida Rahman for making a statement regarding the distribution of share in Muslim Personal Law of Inheritance. Ms. Farida Rahman is a sitting member of the Parliament from the ruling Bangladesh Nationalist Party (BNP). The council has urged the government to take appropriate measures against her for offending the religious sentiment of the majority population. It was discussed in one of their meetings in Sylhet on 28. 3. 95 presided over by the council's Chairperson Maulana Ishaq Madani. Other speakers were the Secretary General of the Council, Maulana Abu Taher Satpuri and the Assistant Secretary General Maulana Aminul Ehsan Khan. The speakers said that Farida Rahman is no ordinary woman. She is a leader of the ruling party and a member of the parliament. She is a member of such a party which believes in the

fundamental principles and values of Islam. Eventhough she claims that she reads the Quran everyday with its Bangla meaning, the way she advocates change in the distribution of shares in inheritance - a very fundamental tenet of Islam, it creates for the scope to doubt the integrity of her party itself. By making the statement that the Quran was revealed 1400 years ago and many centuries have passed since then and many changes have taken place. Therefore there should not be any problem in giving women equal shares with men. By saying this she has in fact said that the Quran has become out of date and that it is the Quran that should be revised. The speakers have demanded the Government takes legal action against her within 10 days before the 28th of March or else they are going to launch a public movement. They want the government to give Farida Rahman an exemplary punishment. On the other hand, an alliance of the extreme right fundamentalists have called a public meeting in Dhaka on the 31st of March against Farida Rahman and some of the NGOs.

In the meantime, a group of progressive individuals including Sufia Kamal, Bela Nabi, Ayesha Khanam, Salma Sobhan, Hameeda Hossain have criticised the fundamentalists and have urged the government to stop the illegal actions of these fundamentalist reactionary groups.

1. 4. 95

The fundamentalist alliance held their meeting without any authorisation by the appropriate authorities in one of the main meeting places of Dhaka. When police came to stop them, they started saying their prayer and the police became inactive. The meeting spoke against NGOs and Ms. Farida Rahman. They stated that they have already waited long enough and if the Government does not take any immediate action they are going to try and punish the NGOs and other "murtads" (apostates and blasphemers) on their own. They have also specifically named Dr. Yunus of Grameen Bank as one of their targets. One of the speakers made statements like they have already demolished one of the mosques of the Kadyanis and they must do the same to the one in Dhaka. In order to become a Shaheed (martyr) they will kill 100 kadyanis, if need be. They have also threatened the government that if it fails to take action against Farida Rahman, other apostates and the NGOs, they will pronounce fatwa against the government itself.

A bit of good news !

Recently Dhaka High Court has given a ruling one of the women unreasonably divorced by her husband that the man will have to provide her with maintenance until she remarries. The defendants have appealed against the ruling. However, the general sentiment is in favour of the woman. Let's wait.

---

Source: Ain-O-Salish Kendra (ASK) Dhaka.



# The Fate of Nurjahans and the Constitution of Bangladesh

Sultana Kamal

Almost by accident, because of efficient journalistic role played by one of the dailies of Sylhet, we came to know about the fate of Nurjahan. Nurjahan was a woman of 21 in Chatakchara of Sylhet district. Instigated by the 'Fatwa' given by the self appointed religious leader Moulana Mannan, Nurjahan was buried in the ground up to her chest to be stoned publicly for allegedly having committed adultery. Nurjahan had earlier been divorced by her husband. She was found guilty by the local salish led by Moulana Mannan, for contracting an illegal second marriage when she married a fellow villager. This marriage was arranged by her parents. The salish sentenced her and her second husband to death by public stoning. Her parents were also held responsible for this 'un-Islamic' act and were sentenced to 50 lashes each. Nurjahan survived the stoning, but committed suicide in humiliation. Pressurised by some of the women's and human rights organisations, the local police filed a case against the Moulana and his followers on charges of abetment of suicide and arrested each of them. The case is still pending.

Another Nurjahan of Faridpur became the victim of medieval violence by being burnt to death in the dark of the night. She was found guilty of adultery by the salish which included her unemployed husband who was totally dependent on Nurjahan for his survival. She was tied to a stake and kerosene was poured over her until she burnt to death.

Firoza of Satkira was similarly tried by a salish and was sentenced to 100 lashes, being accused of a love affair with a Hindu boy and committing fornication with him.

Kadbanu of Rangpur was impregnated by one of the influential persons of the village who promised to marry her but later denied the relationship. Kadbanu went to seek remedy to the village elders charging that she had been deceived by that man's promise of marriage. The members of salish, for obvious reasons, decided against Kadbanu pronouncing her guilty of adultery and punishing her to death by public

stoning. She was, like Nurjahan, buried waist deep in the ground in her pregnant condition under the hot September sun waiting to be stoned. Some sympathetic women rescued her from that situation. She was then asked by the salish to leave the village forever within 7 days. Since then Kadbanu has been on the run.

These incidents took place one by one over the period of 9 months. They were illegally carried out by self-appointed dispensers of justice. Salishes are usually constituted by members of a society, mainly rural, who clearly have no legal authority to try criminal cases. All criminal proceedings are to be regulated by the provisions of the Code of Criminal Procedure or specific acts passed by the parliament. To take part in a criminal trial by a salish therefore violates national law and all norms of fundamental rights accredited by the constitution. These are only the few cases that we have come to know; many more have actually failed to reach the media.

One should know that the Bangladesh Constitution has clear directives against such activities. If the Constitution is to be respected by the government, the legal administration and the people of the country as an inviolable document, one wonders, how could such transgression of the law be allowed to pass without effective judicial action?

Part III of the Constitution states that every citizen irrespective of religion, race, caste, sex or place should be entitled to protection of law. Articles 31, 32, 35(1), (3) and (5) specifically direct that every citizen is entitled to enjoy the protection of the law, and to be treated in accordance with law, and only in accordance with law. This is stated as an inalienable right of every citizen and in particular no action detrimental to the life, liberty, body reputation or property of any person shall be taken except in accordance with law. Article 35(1) says no person should be convicted of any offence except for violation of a law in force at the time of the commission of the act as an offence, nor be subjected to a penalty greater than, or different from, that which might have been inflicted under the law in force at the time of the commission of the offence. 35(3) reaffirms that every person accused of a criminal offence shall have the right to trial by an independent and impartial court of tribunal established by law. 35(5) says no person shall be subjected to torture or to cruel, inhuman or degrading punishment or treatment.

Moreover the salish wrongly projected the offence dealt with by them as offences against the state. But in fact these offences are not listed under the same head in the criminal procedure code. Adultery is an offence in marriage and women are not punishable in cases of adultery.

Judged in the light of the constitutional principle as well as the existing legal code pertaining to the issues mentioned above the salish members have beyond doubt infringed upon the fundamental rights of

the people concerned. When article 35(3) is read with the articles 31, 32, 35(1), and 35(5), we can easily see that the 'judges' of Nurjahans have not limited themselves to the act of illegally taking the laws into their hands. They have also infringed upon the rights of the people to be protected and tried only in accordance with law. Thus they have also violated the sense of security of the ordinary citizens.

# ***Fatwas against women on charges of zina (adultery)***

**Chronology of incidents and statements relating to the activities  
of the fundamentalists in Bangladesh 1993 - 1994  
(compiled from press reports in Bangladesh)**

## Case no. 1

10. 1. 1993, at Chattokchora village, Maulvi Bazar district.

### ***Fatwa leading to death of Nurjehan.***

Maulana Mannan, local Imam, issued a fatwa at a salish, which accused Nurjehan of zina, because she had remarried, and instructed that she and her husband be pelted 101 times with pebbles and her parents be beaten with a broom. Nurjehan allegedly committed suicide subsequently.

Protests by:

Women's organisations in Moulvibazar and Dhaka. Editorials in daily newspapers, statements by other organisations.

Government action:

Police investigation, followed by criminal case for abetment to suicide against Maulana Mannan and eight others in the Moulvibazar magistrate's court. Judgement in February 1994 convicting all accused and sentencing them to 7 years rigorous imprisonment. Appeals pending in the Court of the District and Sessions Judge, Moulvibazar.

## Case no. 2

5. 5. 1993, at Sripur village, Madhukhali thana, Faridpur.

### ***Fatwa leading to death of Nurjehan.***

Shalish by male members of two leading families convicted Nurjehan, a poor woman, of zina. She was found early in the morning burnt at the stake.

Protests by:

Women's organisations visited the site, protested locally and in Dhaka. Statements in the press, editorials.

Government action:

Police enquiry, followed by criminal case in local magistrate's court. Accused charge sheeted in June 1994. Judgement on 22 June by Faridpur District & Sessions Judge, acquits all accused.

Case no. 3

1. 9. 1993, at Kalikapur village, Kaliganj thana, Satkhira District.

**Fatwa leading to death of Feroza.**

Maulana Abdul Rahim, superintendent of Bandakiti Ahmadiya Madrassah, pronounced fatwa accusing Feroza, a young shrimp worker, of committing zina with a young Hindi man, and ordered her to be flayed 101 times. Accomplices included union parishad chairman and member and a village elder. She allegedly committed suicide subsequently.

Protest by:

Women's and human rights organisations investigated incident and protested locally and in Dhaka. Local committee formed to assist with legal defence.

Government Action:

Post mortem and police enquiry followed by a criminal case filed in Satkhira. 8 persons arrested. On 12 June 1994 a charge sheet was issued against 11 accused including the chairman and members of the Union Parishad, Maulana Abdul Rahim.

Case no. 4

1. 9. 1993, at Dewantoli village, Maniganj thana, Rangpur District.

**Kadbanu forced into exile.**

Kadbanu gave birth to a child allegedly following an extra-marital relationship. A group of young men accused her of zina and buried her waist deep in a pit prior to pelting her with stones. She was rescued by another woman, but she had to leave the village and has sought refuge elsewhere.

Protests by:

Women's and human rights organisations protest locally and nationally. Investigations conducted by Bangladesh Mahila Parishad and human rights groups, provision of medical assistance and refuge by Mahila Parishad.

Government action:

Police investigation. Case pending .

Case no. 5

9. 1. 1994, at Sultanpur village, Farhadnagar union, Feni District.

**Fatwa indicting Roqaiya of Zina.**

Village elders indicted Roqaiya for giving birth to a child after an extra marital relationship, and ordered that she be whipped 101 times, and left alone at night to face jackals.

Case no. 6

18. 1. 1994, at Balchura village, Begumganj thana, Noakhali District.

**Fatwa against Dulali in Noakhali.**

Vice-Principal of the Madrassah and the mosque Imam issued a fatwa

accusing Dulali of zina, and ordering that she be flayed 101 times and forced to marry Abdul Taher Botu, the man from whom she conceived, although he was previously married.

Protest by:

Following prompt press report in Janakantha, human rights and women's rights groups telephoned local police and Inspector General of Police to intervene and prevent execution of fatwa. Women lawyers investigated on the spot and negotiated for Dulali to receive 15 bighas of land as compensation from Abdul Taher.

Government Action:

Police unable to arrest the accused who had absconded. Arrangements pending for Dulali to be given refuge.

Case no. 7

14. 4. 1994, at Baroish village, Chohelgachi union, Sadar thana, Dinajpur.

Abdul Latif, an old teacher, decided to marry a minor girl Mumtaz. When her mother refused because of her age, he issued a fatwa allowing a minor girl to marry. When the father found out that he had registered Mumtaz's marriage by falsifying her age, he took Mumtaz away. Two days later the police found her drowned. (Source: Janakantha 11.5.1994)

Case no. 8

1. 5. 1994, at a village 18 kms from Jessore.

**Fatwa against Shahida.**

Aminiya Aliya Madrassah teacher, Golam Mustafa, accused Shahida of committing zina with Mosharraf's, the son of Fazlur Rahman, following Mosharraf's breach of promise to marry her. Golam Mostafa issued a fatwa that she should be whipped and made to apologise. (Source: Banglar Bazar Patrika 1. 5. 1994)

Case no. 9

16. 6. 1994, at Dhansher village, Kasba, Brahmanbaria.

**Fatwa against Shapnahr.**

When Shapnahr gave birth to a daughter as a result of rape, the local Maulana Fazlul Haq and Chairman Azizul Haq were reported to have issued a fatwa that she should be whipped 101 times on 12 July, 40 days after the birth of her child. (Bhorer Kagoj 17. 6. 1994)

Protest:

Several newspaper reports aroused concern amongst the local people and women's organisations, who registered their protest with the Inspector General of Police.

# Cases of Violence Against Women Bangladesh January

Compiled by ASK from newspaper

Victim	Date/Place	Fatwa
1. Noorjahan, commits suicide by taking poison. Age 17 years.  [AK: 15.1.1993]	10 January, 1993. District: Moulvibazar.	Fatwa indicting her for second marriage. Punishment: stoned 101 times.
2. Noorjahan burnt to death. Age not known.  [BB: 8.5.93]	5 May, 1993. District: Faridpur.	Salish called by influential family accused her of adultery.
3. Feroza committed suicide by poisoning. Age: 16 years.  [AK: 5.9.93]	1 September, 1993. District: Shatkhira.	Accused of premarital relationship with a Hindu boy. Fatwa to punish her by flogging 101 times.
4. Kodbanu forced to flee the village with her mother. Age: 25 years  [BK: 18.9.93]	1 September, 1993. District: Rangpur.	Pregnant after extra marital relationship with Mannan a local villager, on promise of marriage. Forced to stand in a ditch before flogging. Escaped punishment after a woman released her.

Source of information: Daily newspapers and ASK investigations.  
Source: Sangal, "Attack on Fundamentalists", Vol. 4, August 1994.

# Instigated by *Fatwas* and *Salish* 1993 - August 1995:

## reports & its own investigations

Accused	Action taken
Imam of mosque Maulana Mannan, Moni Sardar plus 7 others.	Protests by women's & human rights' organisations. Case filed against Maulana Mannan and 8 others under #306 for abetment in suicide, #114 for abettors presence at incident, #504 for intentional insult with intent to provoke breach of peace. Awarded 7 years imprisonment on 22.2.94 [Itt. 23.2.94] Accused have filed appeal in High Court against judgement.
Powerful villagers.	Case dismissed by Modhukhali District Court due to lack of evidence [23.5.94]. Women's organisation Mahila Parishad submits petition to High Court. HC orders fresh investigation.
Fatwa issued by Maulana Abdur Rahim, Madrassah superintendent. Salish included UP members Antaj Ali & Mujibur Rahman.	Protest by women's and human rights' organisations in Satkhira. Legal aid committee formed. Police investigations. UP member arrested, Maulana Mannan absconding. Case 47/93 dated 10.9.93 filed for unnatural death & under #306. [Sg 18.9.93] Charge sheet on 12.6.94 [BK 16.6.94]
Influential villagers including Mannan.	Bangladesh Mahila Parishad provided treatment and shelter. Police investigation. Case filed in Rangpur Kotwali Court Mannan, Harun, Mamun, Ramzan, Abul, Chinu Miah, Manawar Dulal, Seraj & Chabraj arrested; all except one released. [SG: 6.6.94]

Daily newspaper code: SG=Sangbad, Itt=Ittefaq, BK=Bhorer Kagoj, AK=Aajker Kagoj, JK=Jonokanota, DS=Daily Star, DK=Daily Khabar, I=Inquilab.



## *Cases of Violence Against Women*

---

<b>Victim</b>	<b>Date/Place</b>	<b>Fatwa</b>
5. Zulekha allegedly hanged herself.  Age: 16 years.  [Itt: 17.10.1993]	5 October, 1993 District: Lalmonirhat.	Accused of premarital relationship.
6. Dulali gives birth to child (died later) following premarital relationship with married person.  Age: 17 to 19 years approximatively.  [JK: 17.1.1994]	1 June, 1994. District: Noakhali.	Fatwa accusing her of zina, to be flogged 101 times, 40 days after birth of child [18.10.1994]; salish proposed marriage with previously married man who had relationship with her.
1		
7. Rokeya physically assaulted, head shaved, forced to parade village street with shoes strung around her neck, tied to a tree for 8 hrs and later at night raped by 4 men.  [AK: 13.2.94]	7 January, 1994. District: Feni.	Pregnant. Accused of premarital relationship with Dulal Miah on promise of marriage.
8. Momtaz drowned. Age: 6 years.  [JK: 11.5.1994]	14 April, 1994. District: Dinajpur.	22 year teacher Abdul Latif proposed marriage with 6 year old Momtaz. Parents refused. Abdul Latif abducted Momtaz. [12.4.94] Fatwa issued permitting marriage of minor under Shariah.

<b>Accused</b>	<b>Action taken</b>
Village Salish.	Case filed on charges on unnatural death.
Maulana Bismillah, Vice principal of Bhoyerhat village Madrassah and local Imam Taher Ahmed.	Women's organisations contacted local police, administration and I.G. police. Fatwa enforcement prevented through local intervention; Chairman recommended Dulali's marriage to Abu previously married. Investigation team from Dhaka, including ASK, restrained action. Negotiated land settlement from Abu for Dulali. Placed in shelter home in Noakhali where she is currently receiving training preparatory for self employment. Case filed.
UP Chairman & members.	Police rescue Rokeya. Women's organisations protests following investigation. Case filed but no progress because of influential family. No further government action.
Moulvi Rafiul Islam Khokon (also govt functionary for registration) took Tk 1400 & registered marriage [14.2.94] with house tutor Abdul Latif.	Marriage registration number 42/94 on page 40/94: Mumtaz's age given as 18 yrs. 14.4.94: Police discovered body in pond. Police seized documents of Moulvi Rafiqul Islam Khokon. Also arrested Abdul Latif.

## *Cases of Violence Against Women*

---

<b>Victim</b>	<b>Date/Place</b>	<b>Fatwa</b>
9. Shapnabar raped by Shafiqul Islam, son of a powerful person. Gave birth to daughter.  Age: 13 years.  [BK: 3.6.1994]	11 May, 1994 District: Brahmanbaria	Fatwa accusing her of zina to be punished with 101 lashes 40 days after birth of child. Father filed case against rapist.
10. Beauty Khatun commits suicide.  Age: 25 years.  [BB: 21.6.1994]	21 May, 1994 District: Serajganj.	Raped by Abdul Mannan.
11. Razia forced to drink urine as punishment.  Age: 22 years.  [BB: 4.8.1994]	Not mentioned. District: Kishorganj.	Due to villagers' enmity against her father Razia was accused of extra marital relationship.
12. Parul flogged 101 times.  [JK: 16.8.1994]	Not mentioned District: Noakhali.	Premarital relationship with Mannan on promise of marriage. Accused of immoral behaviour.
13. Anjali Karmakar ostracised from village, suffered self humiliation, father assaulted. Age: 18 years. [BK: 17.8.1994 & ASK investigation]	11 June, 1994. District: Rajshahi.	Accused of immorality because she talked to a Muslim man, manager of a sawmill.

<b>Accused</b>	<b>Action taken</b>
Maulana Fazlul Haq	Shapnagar given shelter by Bangladesh Mahila Parishad in Dhaka. Case filed against rapist Shafiqul Islam on 2.6.94. Arrested. No case filed against fatwabaz.
Maulana Shamsul of Kitsupur Mosque, Village head Mufiz Sarkar, Bahe Ali Paramanik, A. Hamid, Maula Baksh, Deewar, Belayat Hussain, & Maulana Ansar Ali teacher of Mohar Forqania Madrasha went to Beauty's home to announce her punishment.	Shukur Ali and Momtaz filed case against 4 persons.
Powerful villagers of Boro Choyomati.	Razia appealed to Kuliarchar Thana for action against offenders.
Powerful villagers.	
BNP activist Jamaat & Shibir political workers & UP Chairman.	

## *Cases of Violence Against Women*

---

<b>Victim</b>	<b>Date/Place</b>	<b>Fatwa</b>
14. Ruma committed suicide after fatwa.  Age: 18 years.  [AK: 16.8.1994]	8 July, 1994. District: Kushtia.	Divorced 10 days after marriage; her husband entered into relationship with her younger sister. Fatwa issued to force marriage between her husband and younger sister and ostracise Ruma from village.
15. Shaheda flogged 101 times after fatwa.  Age: 24 to 26 years.  [BB: 30.9.1994]	25 September, 1994. Thana: Savar.	Deserted after marriage with cousin. Pregnant following relationship with Razzaq servant of Matbar Abul Qasim Bhuiya on promise of marriage. Shaheda appealed to Matbar against Razzaq failed. Gave birth to a child which died.
16. Zulekha flogged 101 times following Imam's fatwa.  Age: 15 years.  [JK: 9.10.1994]	5 October, 1994. District: Satkhira.	Fatwa following abortion. premarital relationship with Abdul Khaleque father of 3 children.
17. Hajera raped by Abdul Hai [24.9.1994]. Flogged 80 times following fatwa.  Age: 18 years.  [JK: 14.11.1994]	25 October, 1994. District: Kurigram. BK: 19.11.1994.	Fatwa accusing her of immorality following her failure to produce evidence of rape [27.9.1994 approx. date of rape].
18. Rina commits suicide.  Age: 19 years.  [DK: 18.12.1994]	17 December, 1994. District: Feni.	Fatwa to cane Rina because of pregnancy following pre-marital affair.

<b>Accused</b>	<b>Action taken</b>
Nurul Islam. Madrassah teacher.	19.5.1994 Case filed for unnatural death. 19.6.1994: Case filed for abduction of younger sister.
Imam of Jamgoda Mosque, 35 year old village leader Idris Ali.	8.10.1994: Police trace Shaheda, brought to court. Kept in police custody pending enquiry. Case no. 53/94 at Savar Thana. 16.11.1994: Shaheda handed back to her uncle.
Imam of village Mosque Habibullah, Kasem Ghazi, Molla Ghazi.	Case no. 108/8 - 104 94 Kaliganj thana. Police arrested Imam Habibur Rahman, Molla Baksh, Kasem Ghazi.
Salish members: Maulana Abdul Sabur Teacher Muslemuddin Matbar Mujib Sarkar, Abdul Hakim Dulu & Dr Khobi.	
Masjid Imam Md. Shahidullah. His students Moazem Hashem & Farid Majumdar caned her.	16.12.1994: Case number 1 in Fulgachi thana for unnatural death. 20.1.1994: First investigation report filed with police.

## *Cases of Violence Against Women*

---

<b>Victim</b>	<b>Date/Place</b>	<b>Fatwa</b>
19. Lily Begum. Flogged 101 times.  Age: 17 years. Married.  [Itt: 13.2.1995]	24 December, 1994. District: Rangpur.	Fatwa denouncing Lily of extra marital relationship. Husband demanded justice, but was forced to divorce his wife. No case filed in this regard.
20. Zohur Akter committed suicide by taking poison.  Age: 31 years. Married. [SG: 26.3.1995]	25 March, 1995 District: Manikganj.	Her cow ate crops from a neighbour's field. Fatwa that her husband must hit her with his shoe.
21. Razia Begum. Suicide by poison.  Age: 18 years. Married.  [AK: 3.5.1995]	18 March, 1995. District: Pirojpur.	Husband had a love affair with her younger sister. Village salish ordered Razia and her husband to live together again, he would be given 41 lashes with a rope while she would suffer 7 lashes and undergo Hila.
22. Monowara. Flogged 100 times.  Age: 25 years. Married.  [AK: 31.5.1995]	29 April, 1995. District: Habiganj.	It was held that her divorce by an affidavit was illegal and against Shariah. Her father and paternal uncle were subjected to the same punishment.
23. Farida Begum.  Age: 24 years.  [BK: 27.7.1995]	28 July, 1995. District: Gazipur.	Md. Rafiq promised marriage to Farida and started a relationship. Farida became pregnant. Pressurised him to marry her. Whereupon he physically abused her. Salish on 21 July decided that unless Farida could identify the child's father, she would be buried to her waist, flogged and stoned.

<b>Accused</b>	<b>Action taken</b>
Local influential members of society and fatwa giver.	
Yunus Matabbor, Ayub Khan, Almas, Totamia, Manik Molla, Sekel Matabbor.	No case filed.
Local Moulvi Idris Maulana, Superintendent of the Betmore Madrassah, Imam Afzal Munshi. Magher Char Jame Masjed. [ASK investigation]	UD case filed a PS as case no. 11/95 on 20.3.1995. [ASK investigation]
Moulana Ibrahim and a panchayat.	10 days after the incident a case was ebtered as CR 614/95 under section 323, 355, 488 and 342 of the penal code.
Matabbor Newaz Ali, Raju Mia, Imam of village mosque.	Advocate Monaranjan Ghosh filed case in the Gazipur thana against Rafiq, Samsu Mia, Tofu Mia, Azijul Haq, Ainul Haq, Ainuddin on the 28 of July. Farida, as witness named Rafiq the principle offender. Farida and her mother in police custody. 19.8.1995: Farida married to Rafiq as a result of intervention by the community. [AK: 29.7.1995]





# **Blasphemy**



# **Blasphemy Bill: Revenging the War of Liberation**

Syed Ishtiaq Ahmed\*

*The fundamentalists are misusing religion for political revenge. Their revenge is against Independence. Their revenge is against the motherland. Their revenge is against our Constitution.*

I wish to look at the demand for a law to introduce death penalty for blasphemy from the point of view of an ordinary, socially conscious citizen. This is neither a legal nor a religious issue. It is a political issue raised for political reasons and political purposes, and it takes advantage of the religious sentiments of the ignorant. Followers of the Jamaat-i-Islami, a party which uses religion to pursue political power, has projected the matter of legislation of a blasphemy law as a political issue.

In Pakistan under General Zia ul Haq's Martial Law two sections had been added to the Penal Code. In 1992 in Bangladesh, a Bill was submitted by Jamaat-i-Islami to Parliament in an exact duplication of the provisions entered into Pakistan's Penal Code. So the compulsions and reasons for the making of those laws under martial law in Pakistan would appear to be the same for those who have sponsored this Bill in Bangladesh.

Let us examine the violation of human rights prompted by this law in Pakistan.

On 5 April 1994, a Christian accused under the blasphemy law was shot dead in the Lahore High Court premises while the case was under trial. The case had been transferred there from the Gujranwala High Court. The accused was shot dead as he was leaving his lawyer's chambers. The people of Pakistan raised their voices in protest.

Pakistan Penal Code Section 295-A was amended to incorporate sections 295-B and C. It is not necessary under this law to prove criminal intention in order to charge an offence. Any citizen can file a complaint with the police. Prior sanction of the government is not required. For these reasons, in Pakistan, mostly people of the Ahmadiya and Christian

communities are being victimised. Benazir's Bhutto's government has said that the law will be amended in such a way that cases cannot be filed without the consent of the government.

The persons who have proposed the Blasphemy Bill in our country were opposed to the war of liberation. Blasphemy is not an Arabic word. It is not a concept derived from this society or from any Muslim country. Blasphemy is a Christian concept which has come to us from the Middle Ages. Its meaning is vilification of religion or God. *Murtad* means one who leaves one's religion, whether one takes another religion or not. For questions regarding blasphemy or apostasy the answers must be sought in our Holy Book. Many Maulanas are saying that these are not recognised as punishable earthly offences. They are matters of sin or piety. There is no injunction in the Holy Book against apostasy. Death penalty has certainly not been prescribed.

The study of our history will show that there are two types of persons who claim religious knowledge. One type, whom we usually call Mullas, are semi-literate people, half educated in religious dogma. They live among God-fearing people. Our rituals are such that from birth to death one has to go to them at various times. Through these rituals they influence our minds. Their knowledge of religion is not such that they can give leadership to people. They misinterpret religious tenets, and themselves do not know the correct interpretations. The other kind of *alem* are those who are really learned in matters of religion. But differences of opinion exist among them also. They translate the same Sura (Koranic verse) in different ways. Once, in Pakistan, there were anti-Ahmadiya riots in Lahore. A Commission formed under Chief Justice Munir asked leading *allems* to define a Muslim.

The *allems* gave separate definitions. Chief Justice Munir in his report said that he compared the definitions and found that no one definition was similar to another. There were indeed some definitions which contradicted each other so much that a person defined as a Muslim by one *alem* was termed *kafir* by another. This is the state of difference of opinion among the *allems*. Where are we to go? Look at Bangladesh today. I have read the writings of many *allems* who are writing books or newspaper columns. They are expressing divergent views; there is no consensus.

There are five provisions in our Penal Code about offences regarding religion. These have been there since the British era. Now, these people are wanting to add two more sections. One is, those who vilify the Koran Sharif will commit an offence. And what will be the penalty? Imprisonment for life. If any one vilifies the Prophet (PBUH), directly or indirectly, his punishment will be death or life-imprisonment. So, the punishment for vilification of the Koran Sharif is slightly less. And

vilification of Allah? No new section has been proposed for that? I suppose they have left it to Allah himself. The two proposed sections have been taken verbatim from Pakistan, with the same sort of formulation where any person can make an accusation, without any proof.

Our Penal Code is applicable to persons of all religions. For the first time, there would be two sections just for Muslims. Why? Why not for other religions then? The question is, whether there is any need for the two proposed sections at all? I wish to state clearly, what they want is already contained in the offences created by the addition of section 295-A in the Penal Code in 1927. No new law is necessary. In the law as it now stands, two components, intention and malice, have to be established to prove the offence. Government sanction is required. Punishment is two years imprisonment. Not only our Penal Code, but our Constitution is also secular, whether the word secular occurs in the Constitution or not. Our Constitution has been framed on the basis of democratic principles, not on any religious precepts. Parliament, elections, executive, legislature, judiciary, fundamental rights, these are not religious injunctions. Maulana Sahibs have not given us fundamental rights. We have established our fundamental rights following the universal struggle for the establishment of human rights. Who gave us the right to vote? Not the Maulana Sahibs. We have earned the right to vote after decades of struggle for democracy. These ideals are not religious ideals. But neither are they in conflict with religion. Because there is no conflict, there is no reason for Maulanas to interfere in our Constitutional matters.

My freedom of thought and conscience is a fundamental right. Freedom of speech is also a fundamental right, but it is not unfettered. This freedom can be regulated by law in the interest of security of the state, relations with friendly states, public order, morality and against contempt of court. Our law has such provisions. The question arises, does a person have the right to leave his religion or not? Maulanas have quoted from the Koran, "*Those who believe, then reject faith, then believe again, and again reject faith and go on increasing in unbelief - God will not forgive them nor show them the way*" (4:137). So even the Maulanas are saying that my right to believe or not to believe is in the Koran Sharif itself. Then in exercise of that right why will I not be free to leave my religion? Why must I be hanged for doing this? A Muslim cannot leave the religion of Islam, but you will convert to Islam persons from other religions! What manner of justice is that?

Within the Constitution, whatever action is necessary can be taken under section 295-A of the Penal Code. This does not provide an opportunity to harrass, kill or hang someone. One thing should be known, that after independence of Bangladesh till today there is not a single mentionable case under section 295-A to be found in the law

reports. Tolerance, social consciousness and sense of justice of our people are reflected in this.

The fundamentalists are misusing religion for political revenge. Their revenge is against Independence. Their revenge is against the motherland. Their revenge is against our Constitution. Revenge against every one of our freedom-loving people, people imbued with the consciousness of the War of Liberation. This cannot be a religious attitude. This cannot be supported in any way. Lastly, I wish to say this:

If this is a political question, it has to be faced politically. Our political parties have yet to fulfil their responsibilities not to compromise on questions of democracy, secularism and human rights. At this critical juncture, we call upon our political parties to face the issues politically and save the nation from grave crisis and disaster.

---

Source: Attack on Fundamentals, SANGALP (Dhaka), August 1995, Vol.4 (ASK)

\* Barrister Ishtiaq Ahmed is a senior lawyer of the Supreme Court. This selection is taken from his address to a Seminar organised by the Shammilito Shangskriti Jote (United Cultural Front) on 26 July 1994.

# Origins of Blasphemy

Zaved Hasan Mahmood  
Saira Rahman\*

The Blasphemy Law demanded by the Jamaat-i-Islami in the name of protecting Islam, conforms neither with religion nor with human rights. They have imported this idea from a different country and a different religion.

Blaphemy is a concept which evolved in the Christian Kingdoms during the Middle Ages, when the Church was all powerful. Osborne's *Concise Law Dictionary* defines the word as "*The Public or criminal libel of speaking matter relating of God, Jesus Christ, the Bible or the Book of Common Prayer, intending to wound the feelings of mankind or to excite contempt and hatred against the Church by law established or to promote immorality.*" Baker's *Dictionary of Christian Ethics* defines it thus:

*"Blasphemy is a sin consisting of a verbal utterance or action grossly disrespectful of God, expressing an arrogant rejection of his majesty or authority, or casting contempt upon his providence, words or works."* The basic sanction of Blasphemy is found in the Second Commandment,

*"Thou shalt not take the name of Yahweth thy god in vain (or falsely, to no good purpose).*

"In Taylor's case (1678), Justice Hale commented" *... blasphemous words were not only an offence to god and religion, but a crime against the law, state and government.*" Here we see that blasphemy became an instrument for a theocratic state, pertaining to the Christian religion only. This fact has been made clearer in the case of Salman Rushdie. When the Islamic fanatics demanded his execution for blasphemous writing (the Satanic Verses), the English courts refused to try him since blasphemy applied only to Christianity.

In feudal Europe the King was said to be chosen by God and thus anything said against the former was held as being said against the



latter. Kingdoms were ruled by God, the King and the Church. In England, to increase and legitimise the king's powers, it was declared that any protest made against the king or its rules, orders, etc. would amount to blasphemy. Thus the Blasphemy Law came into being. Archbishop Land, in later years, after the reign of King James I, further sanctioned the use of religion in an autocratic system by stating that to debate on any royal order or directive would amount to sacrilege (J.R. Tanner, *English Constitutional Conflicts of the 17th Century*).

The same system was in force in France, due to the influence of the Roman Catholic Church. Much later laws were prescribed against blasphemy in some Asian countries, such as Iran, Israel and Pakistan. A similar law is now demanded in Bangladesh.

The power of the Roman Catholic Church reached its peak under Pope Innocent III. During his tenure, only the clergy were allowed to read and write and learn Latin (Blasphemy is derived from the Latin *Blaspheme* which means slander). Anyone who dared protest the powers of the Church was rewarded with death. Securing and safeguarding power was the basis on which the church carried out its humane work.

In later decades, the Blasphemy Law lost its impact as the power of the Church declined. The state became the lone guardian of all earthly things after its separation from the religious institution. Cases of death due to blasphemous utterances became increasingly rare. The new propaganda of the Church was that acts done against religion were sins, and punishment lay only in the hands of God.

Even though the Church refrained from utilizing the Blasphemy Law, it was used in court decisions in the 16th and 17th centuries. The most noteworthy of blasphemy cases are Taylor's case (1678) and the Woolston case (1742), in England. In 1742, Mr. Woolston, in a publication said, "*that the miracles of Christ... are not to be taken in a literal sense, but that the whole relation of the life and miracles of our Lord Christ in the New Testament, is but an allegory*". Citing Taylor's case as precedent, Woolston was sentenced to death. In 1921, a man called Gott was sentenced to death because he described Christ in a pamphlet, as being "*like a clown on the back of two donkeys*." The next case on blasphemy charge took place 50 years later in 1977 in the case of R vs Gay News Ltd.

## **Denial of International Human Rights and Constitutional Rights**

Article 18 of the Universal Declaration of Human Rights says:

"Everyone has the right to freedom of thought, conscience and religion, this right includes freedom, either alone or in community with others and in

public or private, to manifest his religion or belief in teaching, practice, worship and observance."

If the proposed Jamaat Bill is incorporated, it will jeopardise the right granted in Article 178 for freedom to worship and to convert. It will also cause conflicts between different sects within the same religion. The Jamaat has already campaigned against the Ahmadiya Muslims, declaring them as non-Muslim. In 1992, a man was put to death in Iran on a blasphemy charge because he changed his faith from Islam to Christianity.

The proposed Blasphemy Bill also goes against state law and international conventions sanctioning the freedom of speech. Freedom of speech does have its reasonable restrictions, but to impose such restrictions there must be a definite and reasonable situation. Groundless reasons to deter freedom of speech do not conform with human rights. Article 39 of our Constitution, the law of the land, guarantees the freedom of thought, conscience and speech and of the press within, of course, reasonable restrictions.

Article 28 (1) of our Constitution states that the state shall not discriminate against any citizen on grounds "*only of religion, race, caste, sex or place of birth*". It has already been mentioned that the proposed Blasphemy Bill is discriminatory and on that count it also goes against the Constitution. It is also against Article 41 (9) (a) which states that every citizen has the right to profess, practise or propagate any religion. Our Constitution also provides that any law made against the provisions in Part III (which deals with fundamental rights) of the constitution will be void.

### **Blasphemy and Islamic Law**

Islam not only preaches tolerance. It also gives the people freedom to choose the religion they want to follow. Sura Baquara states, "Let there be no compulsion in religion" and Sura Yunus states, "*Let them who will, believe and let them who will reject it.*" Many more such sayings may be found in the Koran and Hadith in this context. On his final Hajj, the Prophet told his people to refrain from being fanatically obsessed by religion, because such obsession had been the basis on which many nations were destroyed. In Islamic jurisprudence, crime has been divided into three distinctive classes -against man, against state and against religion. The Koran has provided for worldly punishment for the first two offenses but the punishment for the last crime lies in the next world. God has given no one the power to kill or punish for crimes against the Koran.

---

\* Zaved Hasan Mahmood and Saira Rahman are both advocates and members, Ain O Salish Kendra. The latter is Vice President, Law Review, University of Dhaka.  
Source: Attack on Fundamentals, Sangalp (Dhaka), August 1995, Vol.4 (ASK)

# The “Blasphemy” Law: Unconstitutional and “un Islamic”

## 1.0 Introduction

The Penal Code (Amendment) Act 1994, a private member's bill introduced by the Secretary General of the Jamaat i Islami, seeks to establish two new criminal offenses of "defiling the Koran" and "defiling the sacred name of the Prophet", punishable by a maximum sentence of life imprisonment and death respectively.

The Jamaat i Islami, along with other fundamentalist and fascist forces has been conducting a frenzied campaign for the introduction of such a "blasphemy" law. The attempt to introduce a new law is part of the current strategy of such forces to give a legal cover to their persecution of secular and democratic sectors of society.

## 2.0 What is the proposed law?

Section 295 A of the Penal Code of 1860:

"295 B. Defile (sic) etc of the Holy Koran. - Whoever wilfully defiles damages, or desecrates the Holy Koran or an extract thereof or uses the Holy Koran or any extract thereof in any derogatory manner shall be punished with imprisonment for life.

295 C. Defile (sic) of the sacred name of the Holy Prophet (SM) - Whoever by words either spoken or written, or by signs or visible representations, or by any imputation, immuendoso (sic) or insinuation, defiles, directly or indirectly, the sacred name of the Holy Prophet Muhammad (peace be upon him) shall be punished with death, or imprisonment for life and shall also be liable to a fine".

## 3.0 What is the basis for this proposed law?

The proposed amendments are an exact copy of two amendments introduced under the authoritarian regime of General Ziaul Huq. It is noteworthy that these offences did not exist even in Pakistan until then. They have since been thoroughly discredited.

In recognition of the abuse of this "blasphemy" law, the democratically elected Bhutto government has reportedly approved further amendments, including making the offences non-cognizable and providing a sentence of 10 years imprisonment for anyone making false charges of blasphemy<sup>1</sup>.

#### **4.0 What is the possible impact of this law?**

In Pakistan, sections 295 B and 295 C have been consistently used by persons of questionable character for ulterior motives to terrorise opponents, to extort and intimidate, and to settle personal vendettas against minorities and other vulnerable citizens.

For example, a blasphemy case was filed against 3 Christians, Salamat (13 years old), his father Manzoor and Rahmat Masih. Before any crime could be proved, Manzoor Masih was gunned down in cold blood on 5 April 1994. One of the injured was reported to have identified the complainant, the pesh imam of a village mosque, as being one of the assailants. Lawyers suggested that the complainant set up this murder because he knew he would lose the case.

In another notorious case, the nonagerian Akhter Hameed Khan, a respected educationist and initiator of programmes for social and economic uplift for the poor, was implicated in a blasphemy case by a person seeking to take over his office.

#### **5.0 Is this law violative of fundamental rights?**

The proposed law is so vague that almost any statement can potentially be construed as being against the Koran and Prophet and therefore "blasphemous", according to the subjective views of the complainant.

The proposed law does away with the need for "proof of intent": guilt will be established even in cases where the alleged statements were entirely unintentional. As in Pakistan, a minor child could thus face the risk of death, whether by the state's executioners or fanatic mobs, for a crime s/he did not even intend to commit.

Under the existing law, sanction must be obtained by prosecution under section 295 A. Under the proposed law, no such sanction is required: thus any private person could initiate a complaint at their own behest.

The proposed law would drastically curtail the right to freedom of speech, by providing the death sentence for a simple statement. It would also violate the right to freedom of religion: individuals would be handed

---

1. Dainik Janata, 11 May 1994; DAWN, 7 April 1994.

over a means to settle their personal and political disputes by bringing malicious and vindictive complaints. Such a law is also discriminatory in that it addresses the concerns of one faith alone.

### **6.0 Does the bill reflect religious teachings?**

Although colloquially referred to as a blasphemy law, the offences described in the bill are so widely defined as to go well beyond "kufr". The underlying intent would seem to be create divisions among citizens and to undermine social order by raising issues which have not at all been matters of controversy among citizens.

In the Holy Quran itself, repeated references are made regarding the need for tolerance and freedom of worship in religion. There are no recorded instance of the Holy Prophet (SM) punishing Muslim apostates or blasphemers, and the Holy Koran itself does not specify any punishment in such cases. From a religious view, the question of punishment is one for Allah, and cannot be arrogated by individuals and groups to themselves.

### **7.0 Is the bill likely to be enacted soon?**

The bill was introduced in Parliament in 1992 by the Secretary General of the JI, on the grounds that the new offenses will prevent the trend of causing disrespect to the Holy Koran, and defiling the Holy Prophet Mohammad (SM), which "cause great hurt to the Muslim people of Bangladesh, and thereby give rise to the possibility of a disruption of law and order and of social order".

The bill has reportedly already been reviewed by the Ministries of Law and of Religious Affairs<sup>2</sup> and may well be placed in the current session of Parliament<sup>3</sup>.

Meanwhile, on 22 June, Moulana Aatur Rahman Khan MP of the BNP tabled a notice in Parliament calling for a special law, akin to the Curbing of Terrorist Activities Act 1992, to provide for severe punishment for defiling religion and the holy books.

### **8.0 Conclusion: A weapon for oppression**

If these new offenses are introduced into our law, they will provide a powerful new weapon to all those with personal or political scores to settle - of whom the religious fanatics and fundamentalists are the most identifiable element.

---

1. Dainik Janata, 11 May 1994; DAWN, 7 April 1994.

2. Weekly "Evidence", June 1994.

## *The “Blasphemy” Law: Unconstitutional and “un Islamic”*

---

Such groups appear all too ready to take the law into their own hands. In Bangladesh, they have deliberately usurped the states' legal authority time and again over the past few years - conducting so-called shalishes (village mediation) following which they have executed death sentences against women, issuing fatwas to prevent women from working outside the home and children from going to school. Their disrespect for the law is clearly manifested in the declaration by fascist organisations of financial rewards for the execution of death sentences against writers.

Those who are calling for the amendment of this law seek to forcibly impose a monolithic and repressive version of Islam in Bangladesh. Such a version of Islam is wholly at odds with local syncretistic traditions which have allowed for tolerance between and within religions. Without such tolerance, and without the free expression of dissent and doubt, democracy cannot survive.

# The Jamaat's proposed 'Blasphemy Law': Destroying Secular and Democratic Space

Sara Hossain\*

*...the very right to freedom of expression emerged historically to allow the practice of differing religious beliefs without fear of prosecution by religious authorities or the state. It is ironic then that the worst abuses of the right are being perpetrated in the name of protecting religion.*

## Introducing 'Blasphemy'

A few years ago, most people would have located the words 'apostasy' and 'blasphemy' as belonging to the more arcane reaches of medieval legal history. Recent events have however ensured their common currency. The repeated demand for a 'blasphemy' law, articulated by a particular politic group in an attempt to force the issue onto the political agenda raises urgent questions as to our society's limits on tolerance and on freedom of expression.

Let's be clear at the outset about the word 'blasphemy' itself. As those demanding the blasphemy law frequently cite English law as a precedent, it's worth taking a few moments to recall the words of an eloquent English critic of those laws:

"Blasphemy laws are a heritage from a wicked and deplorable past. In their essence they belong to a period when laws were far more ferocious than they are today, and when it was the duty of the State to enforce and openly coerce opinion. *They are also part of the general belief that the right discharge of the duties of citizenship depends, in some more or less obscure way, on the holding of right religious beliefs.* In such circumstances, unbelief, heresy, and blasphemy partake of the nature of treason... The blasphemy laws are aimed at opinion, and opinion alone. *It is to the spirit of persecution they owe their existence, it is the spirit of persecution and intolerance they always serve.*"<sup>1</sup> [my emphasis]

---

1. Chapman Cohen, *Blasphemy, A Plea For Religious Equality*, Pioneer Press, U.K., 1922.

The notion of blasphemy is opposed to fundamental human rights, and in particular to freedom of religion and freedom of expression. The proposed blasphemy laws are aimed at the destruction of democratic rights.

By invoking the notion of blasphemy, which has no basis in Bangladeshi law, the Jamaat-i-Islami seek at once to confuse and to mislead the public. They have exploited widespread ignorance of the term, by deliberately misrepresenting it as a matter concerning the protection of religious faith. The leading proponents of the 'blasphemy' law, the Jamaat-i-Islami, have a long history of anti-democratic activity, and their current demand is part of a broader fundamentalist agenda, to destroy secular spaces and thus to establish their dominance over society.

### **The Fundamentalist Agenda**

The fundamentalists invocation of the cry of 'Islam in danger' to further their own political ends is an all too familiar one. The Jamaat-i-Islami in particular has raised this banner over and over again, during the Pakistan period, most viciously in 1971, and since then in independent Bangladesh. Unable to make any significant headway through a democratic process, they have played the religious card in order to enter the political arena, and have been particularly successful in doing so in periods of dictatorship or of political stalemate. Their ability to create tensions and law and order situations on a religious and sectarian basis<sup>2</sup> has been a significant factor in their ability to gain political concessions. Self appointed guardians of a monolithic and repressive version of Islam, they have proved themselves adept at twisting logic and extracting interpretations of religion which suit their own immediate ends.

The Jamaat's recent activities in Bangladesh eerily echo their earlier stratagems in Pakistan. Unable to accede to state power, or to establish a religious state, their short term strategy is to use the 'secular' state. In particular, they have focused on using legal measures and legal mechanisms as a vehicle for achieving control. For example, the call to declare Ahmadiyas as non-Muslims is one that the Jamaat had raised in Pakistan in 1953, and subsequently, with greater success, in 1973. Again, the establishment of the Council of Islamic Ideology, empowered to review proposed legislation to ensure its conformity with Islamic tenets, and most recently the setting-up of the Shariah Courts has ensured the hegemony of orthodox elements over law making and law enforcement in Pakistan. The campaign for

---

2. Khawar Mumtaz and Farida Shaheed, *Women of Pakistan, One Step Forwards, Two Steps Back*, Zed, London, 1989, p. 10.



the blasphemy law falls neatly into this pattern. The proposed law in Bangladesh is an almost verbatim copy of amendments introduced in the Pakistan Penal Code under the authoritarian regime of General Zia ul Huq.

### **The Proposed 'Blasphemy' Law**

The so-called blasphemy law is in fact a proposed amendment to the Penal Code of 1860. The proposed law, *The Penal Code (Amendment) Bill*<sup>3</sup> was introduced as a private member's bill in 1992 by the Secretary General of the Jamaat-i-Islami, Motiur Rahman Nizami. In his statement of reasons for introducing the Bill, Mr. Nizami suggests that it is intended to halt the trend of causing disrespect to the Holy Koran, and defiling the Holy Prophet Mohammad (SM), which has "caused great hurt to the Muslim people of Bangladesh, and thereby given rise to the possibility of a disruption of law and order".

The Bill seeks to establish two new criminal offences of "defiling the Koran" and "defiling the sacred name of the Prophet", punishable by maximum sentences of life imprisonment and death respectively. It envisages the addition of the following two new clauses in the Penal Code:

"295-B. Defile [sic] etc. of the Holy Koran. Whoever wilfully defiles, damages, or desecrates the Holy Koran or an extract thereof or uses the Holy Koran or any extract thereof in any derogatory manner shall be punished with imprisonment for life."

"295-C. Defile [sic] of the sacred name of the Holy Prophet (SM). Whoever by words either spoken or written, or by signs or visible representations, or by any imputation, immuendoso [sic] or insinuation, defiles, directly or indirectly, the sacred name of the Holy Prophet Muhammad (peace be upon him) shall be punished with death, or imprisonment for life and shall also be liable to a fine".

### **The Law is Designed as an Instrument of Oppression**

The law is so framed as to permit widespread abuse.

Firstly, it is so vague that almost any statement can potentially be construed as being against the Holy Koran and the Holy Prophet and therefore as falling within the mischief of section 295-B or 295-C, according to the subjective views of the complainant.

Secondly, there is no need to prove intent under the proposed section 295-C. A person could thus be found guilty of having defiled

---

3. The bill has reportedly already been reviewed by the Ministries of Law and of Religious Affairs: Weekly Evidence, Dhaka, June 1994.

the name of the Prophet, even in cases where her/his alleged statements were entirely unintentional. It is conceivable that a minor child, such as Salamat Masih in Pakistan, could face the risk of death, whether by the state's executioners or fanatic mobs, for a crime s/he did not even intend to commit.

Finally, the proposed law does not require any prior government sanction for the initiation of a prosecution, thus enabling any private person to initiate a complaint at their own behest.

It is worth contrasting the proposed law with the existing Section 295-A of the Penal Code<sup>4</sup>. In order to make out the ingredients of this offence, it is necessary to prove that there has been outrage to religious sentiment and that there was deliberate and malicious intention to cause such outrage. Further, any prosecution under this section must be initiated with government sanction under Section 196 of the Criminal Procedure Code 1898. There appear to have no reported cases of state prosecutions under Section 295-A in the history of Bangladesh before 1994.

### **The Proposed Law Violates Human Rights**

Even if the proposed law were not abused, its application would drastically curtail fundamental rights to freedom of religion, to freedom of speech and expression and to the right to life itself.

Article 18 of the Universal Declaration of Human Rights (the Declaration) sets out the right to freedom of religion:

Everyone has the right to freedom of thought, conscience and religion; this right includes the freedom to *change his religion or belief*, [my emphasis] and freedom either alone or in community with others or in public or private to manifest his religion or belief in teaching, practice, worship and observance.

The preamble of the UN Declaration on the Elimination of All Forms of Intolerance and Discrimination based on Religion and Belief, proclaimed by the General Assembly in 1981 states:

"....it is essential to promote understanding, tolerance and respect in matters relating to freedom of religion and belief and to ensure that the use of religion and belief for ends inconsistent with the Charter of the United Nations, other relevant instruments of the UN and the purposes and principles of the present Declaration is admissible..."

---

4. "Whoever with deliberate and malicious intention of outraging the religious sentiments of any class of citizens... by words, either spoken or written, or by visible representations, insults the religion or the religious beliefs of that class, shall be punished with imprisonment for a term which may extend to two years or with fine or with both." Section 295-A, Penal Code 1860, *Bangladesh Penal Code*.

Article 19 of the Declaration further sets out the right to freedom of expression as follows:

"Everyone has the right to freedom of opinion and expression; this right includes the freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers."

It is important to note that the very right to freedom of expression emerged historically to allow the practice of differing religious beliefs without fear of prosecution by religious authorities or the state. It is ironic then that the worst abuses of the right are being perpetrated in the name of protecting religion.

One of the most disturbing aspects of the proposed law is its provision of the death penalty. Under international human rights law, even countries, such as Bangladesh, who have not yet abolished the death penalty, are expected to ensure the application of the strictest safeguards in applying this sentence. Providing for the death penalty for a vaguely defined offence of a religious nature, which does not even require proof of intention, would appear to be opposed to ECOSOC Safeguard I, which reads as follows:

"capital punishment may be imposed only for the most serious crimes, it being understood that their scope could not go beyond intentional crimes, with lethal or other grave consequences."

### **Abuse of the Blasphemy Law Pakistan's Nightmare Scenario**

The use and abuse of the blasphemy laws to violate human rights in Pakistan has been graphically and comprehensively documented in a recent report issued by Amnesty's International<sup>5</sup> [discussed below]. In Amnesty's words, the enactment and implementation of blasphemy laws in Pakistan has resulted in the "creation of a pervasive atmosphere of intolerance." This atmosphere of intolerance has enabled zealots and fanatics to take the law into their own hands.

In the past few years, four people accused of blasphemy have been murdered. The murder of Manzur Masih in the courtyard of the Lahore High Court in April this year, while his trial for blasphemy was pending, has been widely reported. In the same month, Dr. Hafiz Farooq Sajjad, an indigenous medical practitioner, was stoned to death; his body was doused with kerosene, set alight and dragged through the streets. Sajjad was himself a Koran-e-Hafiz, but was attacked after rumours spread that he had burnt pages of the Koran.

---

5. Amnesty International, *The Use and Abuse of the Blasphemy Law*, London, July 1994.

Police reportedly fled from the scene of the attack. In 1992, Naimat Ahmar, a schoolteacher, was murdered by a student, Farooq, who claimed that he had heard through others that Naimat had insulted the Prophet and that he had seen posters referring to a Christian having insulted the Prophet, and was so incensed by the failure of the police to act, that he decided to kill him himself.

In the several dozen blasphemy cases now pending, most of the accused belong to the minority communities of the Ahmadiyas or Christians. Some cases have also been filed against Muslims, on grounds of sectarian, personal or political rivalry.

The charges against the members of the minorities appear to have been brought solely because of their religious beliefs, although in some cases, family, economic or professional rivalries provided further motives. For example, Niamat Ahmar, a Christian teacher in the Punjab, faced blasphemy charges as a possible result of the professional envy of fellow teachers following a new posting. In another case, Salamat Masih had said, "It all started with some pigeons... The boys caught some pigeons and they didn't want to give them back to me. The little boy with whom I had a fight said he saw me write [blasphemous words] on the mosque."<sup>6</sup>

Dr. Akhtar Hameed Khan's supporters have suggested that many people such as businessmen, contractors and engineers oppose his work in Orangi, since it has limited their opportunities to exploit and take advantage of the urban poor, who are empowered by the project.

In most of these cases, the accusations of blasphemy appear to be absurd or entirely baseless. In Manzur Masih's case, the two principle accused, including a thirteen year old child, Salamat, were illiterate and could not therefore have committed the acts ascribed to them, of having written blasphemous statements on the wall of a village mosque in Guranjwala, Punjab. In another case, Sahar Masih Bhatti of Sindh Province was alleged to have burnt a copy of the Koran; on the date of the alleged incident, Bhatti was in fact visiting his family in the Punjab. Charges were brought against Akhter Hameed Khan in connection with a children's story he had authored entitled "Sher aur Ahmaq", about Ahmaq who raises a lion which is so spoilt that it refuses to fend for itself, and eats Ahmaq. Maulana Thanvi, the complainant alleged that the story maliciously referred to the Holy Prophet and his son in law Hazrat Ali, known as Sher-e-Khoda. Dr. Khan clarified that the poem was in fact written in 1981, soon after Bhutto's hanging, and that it referred to General Zia's role in the hanging.

---

6. See Amnesty Report, *supra*.

Often, in blasphemy cases, complaints were initiated by local clerics or fundamentalists. Gul Masih, a Christian, had quarrelled with a Muslim neighbour over a broken water tap. Although the quarrel was reportedly amicably settled, a complaint was filed by a senior officer of the Anjuman-e-Sipahe-e-Sahaba (ASS), then contesting local elections, whose rival had been supported by Gul Masih's family.

Particularly disturbing, the atmosphere of intolerance created in the wake of the blasphemy laws spread to large sectors of the entire judicial and legal system. In several cases, the police pressed charges although no prima facie case could be made out on the stated allegations, as a result either of their own fanatic views or of the pressure exerted on them by zealots. When Naimar Ahmar was killed by a student who claimed he had blasphemed, the police officer who arrested the murderer reportedly embraced him and praised him for his commitment to Islam. Judges and police have also on their own account and without any apparent objective grounds, altered the charges against the accused to include blasphemy. For example, in early 1994, a Magistrate while hearing the pre-arrest bail applications of five Ahmadiyas, on charges under a separate section, added a charge under section 295-C and had them arrested on that charge during the hearing. In refusing bail to Taher Iqbal, the Sessions Court Judge gave as his reason that conversion from Islam to Christianity is itself a cognizable offence. In fact conversion is not an offence under the Pakistan Penal Code. Earlier, the Human Rights Commission of Pakistan reported that the police added a charge of blasphemy to a complaint to lend weight to a case: it was only when the complainant swore in Court that the complaint concerned a minor land matter, that the allegation relating to blasphemy was dropped.

The trials of several of those accused of blasphemy involved breaches of the standards of fair trial and indicate that some judges may be prejudiced in religious matters. Gul Masih was sentenced to death on the sole testimony of the complainant, Sajjad Hossain. Two prosecution witnesses stated in Court that they had never heard Masih say anything insulting the Prophet; they were then declared hostile and their evidence was discounted. The Assistant Sessions Judge, Sargodha, however convicted Gul Masih on the sole evidence of the complainant, and stated that, "Sajjad Hossain is a young man of 21 years, a student of 4th year, with a beard and outlook of being a true Muslim, and I have no reason to disbelieve him." He also said that agitation by Islamic clerics in court during the trial did not affect the trial as "it was natural for every Muslim to take a keen interest in the investigation as well as the trial."

Several of those charged with blasphemy have suffered ill-treatment while in custody. The most serious allegations of

illtreatment relate to the death in custody in mysterious circumstances of Tahir Iqbal in Lahore. Iqbal had communicated his fears of being killed to the authorities, and in his last appearance in court, to his lawyer. The Jail Warden repeatedly told Iqbal that people like him deserve to be killed. Taher Iqbal died in jail; all his lawyers' efforts to hold a post mortem have so far been fruitless.

In recognition of the abuse of the 'blasphemy' law, the democratically elected Bhutto government has reportedly approved further amendments, including providing a sentence of 10 years imprisonment for anyone making false charges of blasphemy.<sup>7</sup>

"One of the most disturbing aspects of the proposed law is its provision of the death penalty. Under international human rights law, even countries, such as Bangladesh, who have not yet abolished the death penalty, are expected to ensure the application of the strictest safeguards in applying this sentence."

### **Possible Impact of the Law in Bangladesh**

The defining features of the application of the blasphemy law in Pakistan are the persecution of religious minorities, the creation of an atmosphere of intolerance, the abuse of the law for personal or political gain, the uneven application of the law by law-enforcing agencies and a situation of extreme physical insecurity for those accused of the offence.

Given the ongoing abuse of the blasphemy law in Pakistan, we are deeply concerned that the enactment of the same law in Bangladesh will result in similar abuses and violations of human rights.

The history of human rights violations resulting from the implementation of laws, such as the Special Powers Act 1974 and the Suppression of Terrorist Activities Act, 1992, enacted in the name of protecting public order, gives us little reason to hope that the proposed laws will have a better fate. In fact, given the present formulation of the offences, and the highly charged emotional atmosphere recently created by the fundamentalists in pending cases under Section 295-A of the Penal Code there is every indication that both Sections 295-B and 295-C will constitute formidable weapons for the abuse of human rights.

In 1993-1994, mobs of men took over the streets of Dhaka wielding placards calling for the banning of secular books and newspapers, closing down of NGOs, declaration of Ahmadiyas as non-Muslims and the trial and execution of all *murtads* (apostates). The

---

7. *Dainik Janata*, Dhaka, 11 May 1994; *Dawn*, Karachi, 7 April 1994.

demands were simultaneously voiced by a hurriedly gathered coalition of religious extremists, known as the Shommilito Shongram Porishad, (United Action Council) and by the vastly more organised political force of the Jamaat-i-Islami. Slogans appeared overnight on walls throughout Dhaka, in the name of the *Touhidi Jonota* (faithful masses) or *Jagroto Jonota* (awake masses); the same slogans resounded at public meetings and processions organised by the Shongram Porishad and the Jamaat and were reflected in banner headlines in rightist mouthpieces such as *Inquilab* and *Sangram*. Their most clearly identifiable aims appeared to be the destruction of the critical secular discourse, and of all individuals and institutions engaged in the struggle to build a liberal, open and tolerant society. In other words, the annihilation of all those the fundamentalists perceived as opposed to their activities.

The threats and demands, articulated at a national level, followed incidents of direct physical attacks on individuals and organisations opposed to the fundamentalist agenda. The recent upsurge of 'fatwa politics' clearly demonstrates the fundamentalists' readiness to take the law into their own hands. They have invoked religious law in order to perpetrate particularly egregious violations of human rights. In the name of protecting Islam, they have launched systematic attacks on women's lives (stoning or lashes leading to suicide or burning women on the stake after accusing them of *zina* at an arbitration), women's mobility and right to work (cutting down mulberry trees grown by women for silk production), on access to education (burning BRAC schools) and health services (ostracising women patients treated by NGO health workers). In the name of protecting Islam and religious sentiments, they have launched campaigns to incite hatred and violence against writers well-known for their progressive views, such as Sufia Kamal, Shamsur Rahman, Ahmed Sharif, Taslima Nasreen and Kabir Chowdhury.

Recent events also raise serious concern regarding the even handed application of the law in cases involving so called "religious offences". For example, in the case against the four editors of the Bangla daily *Jonokontho*, bail was refused at the first instance, although there would appear to have been no obviously discernible grounds for such refusal. The criminal case against Taslima Nasreen remains pending. In other cases, we note that while the authorities have acted swiftly in a case of alleged hurt to religious sentiment, they have as yet failed to take any legal action whatsoever against those who have incited murder and assault against fellow citizens by openly offering rewards for their killing.

### **Blasphemy Law as an Anachronism**

It has been repeatedly stated by religious scholars and others that the Jamaat's proposed law has no connection with religion. In Islamic jurisprudence, there appears to be no offence of blasphemy per se; no temporal punishment is provided for offences against religion. Unflawed by this, the Jamaat have cited the existence of blasphemy laws in England as a precedent for their inclusion here. Given their denunciations of 'Christian activities', not only the most painfully tortuous and partial logic would seem to justify their claims.

With the Jamaat claiming English blasphemy law as a precedent, the present status of this offence perhaps bears a little examination. The offence itself was the outgrowth of the identification of the Church and State in England. It was clearly established that Christianity is part of the law of England, and thus any reproach against Christianity would be tantamount to subversion of the law. Church authorities executed the most brutal punishments, hanging or burning those who were declared heretics or blasphemers. Following a history of the use of the law to repress all religious dissent, the statutory offence of blasphemy was finally abolished this century. Although the common law offence remains, no major prosecutions have been held in the last fifty years, and a movement for the abolition of the law has gained widespread support. The Law Commission in a Report to Parliament in 1985 described blasphemy as an unsatisfactory and archaic offence and recommended that no measure other than outright abolition could effectively tackle its deficiencies. Subsequently, a private member's bill, with all party support, was presented in 1989 in the House of Commons to this end<sup>8</sup>.

Repeal of the blasphemy law has also been on the agenda in Pakistan. In recognition of the abuse of the 'blasphemy' law, the present democratically elected Government of Pakistan has approved further amendments, including providing a sentence of 10 years imprisonment for anyone making false charges of blasphemy<sup>9</sup>. Fundamentalist forces have been quick to express their violent opposition to the proposed amendments; they have offered a reward of US\$ 40,000 for the murder of the law minister, Iqbal Haider, and have issued death threats against Asma Jahangir, the defence lawyer in many blasphemy cases. The major opposition party, the Pakistan Muslim League, has sought to make political capital by joining hands with the fundamentalists to oppose the proposed amendments.

---

8. Article XIX, Report on Blasphemy Law.

9. Dainik Janata, 11 May 1994; Dawn, 7 April 1994. Newline, Karachi, August 1994.



## **The Politics of the Blasphemy Law**

We need to take an urgent lesson from this experience: it is all too possible that once the blasphemy law is enacted in Bangladesh it will be here to stay, given that similar considerations of short term gain appear to motivate our mainstream political forces.

The current political stalemate has provided a much needed space for fundamentalist forces, and in particular for the Jamaat. While both major political parties are engaged in a stand-off, the Jamaat has benefitted from its informal alliance with one party, and its negotiations with the other to press its demands for the blasphemy law. Meanwhile, on 22 June 1994, Maulana Aatur Rahman Khan MP of the BNP tabled a notice in Parliament calling for a special law, akin to the Suppression of Terrorist Activities Act 1992, to provide for severe punishment for defiling religion and the holy books.

The sound and fury being generated by the Jammat-i-Islami together with the strategic silences of the mainstream political forces may appear to indicate that there is a constituency for the blasphemy law and by implication for the other demands of the religious extremists. In a recent survey, however, less than 0.5% of the respondents identified "Islamic rule" as the solution to the crisis in Bangladesh<sup>10</sup>.

It is all too clear that there is no religious basis or other pressing need for the proposed blasphemy law. Through enactment of the law, the fundamentalist forces hope to achieve two immediate objects, to obtain a legal instrument with which to persecute their opponents and to divert attention from the demands for war crimes trials and for the criminal accountability of those engaged in genocide in Bangladesh. The most pernicious impact of the proposed law would act as a stranglehold on the secular discourse, stifling voices of doubt or dissent, and of all those calling for social progress and reform.

---

\* Sara Hossain is a lawyer practising in Dhaka and a member of Ain O Salish Kendra. This paper was presented on 9 October 1994 at the Center for Advanced Studies in the Humanities, University of Dhaka. Many thanks are due to Mirza M. Hassan for his contributions to the paper.

Source: Attack on Fundamentals, Sangalp, August 1995, Vol.4 (ASK)

# **Violation of Democratic and Human Rights**

Aminul Haq\*

In an address to a seminar organised by Law Review, an organisation of law students at the University of Dhaka, in June 1994, Barrister Aminul Haq is reported to have said:

"Punishment on charges of blasphemy is against fundamental rights and Islamic principles of tolerance. Those who demand a law on blasphemy want to take us back to the Middle Ages. Since the coming of the Arab traders and Sufis to Bengal, Muslims have practised their faith freely. We do not need to relearn Islam from those who today politicise religion. They are against change and progress. The law itself would violate the basic principle of freedom of speech".

"Blasphemy, a practice derived from Christianity, was incorporated into English law and has been applied only infrequently in England. Pakistan has introduced a law on blasphemy. Exactly the same law is being proposed in Bangladesh. In applying this law, Pakistan has shown no respect for Islam nor for human rights".

---

\* Aminul Haq was, until his sudden death in July 1995, the Attorney General of Bangladesh. He fought in the war of liberation in 1971 and was a leading human rights lawyer.

Source: Attack on Fundamentals, Sangalp (Dakha), August 1995, Vol.4 (ASK)



# **Development and Education**



# Development Denied

Mirza Hasan\*

Development agencies in Bangladesh play a significant role not only through poverty programs but in working directly with the poor. By raising awareness amongst women, the landless and the poor, they provide solidarity to those in struggle against the powerful. The negative impact of the proposed Blasphemy Bill has to be seen in its impact on development and empowerment of the poor.

Because collective action by the poor threatens the rural elite, including the elders, middlemen or religious leaders, they use the salish to suppress the poor and the powerless. Village touts turn to conservative political parties in urban areas and their combined vendetta targets women because they fear women's empowerment. This is why they have imposed a social boycott of women who took loans from Grameen Bank in Bogra to earn for their families. This is a humiliation for young women who want to change their lives.

There is an apprehension that enactment of the blasphemy bill would be used to harrass the poor and the development workers. Particularly vulnerable will be those who are able to explain to the people that development is not against religion, but only against the Maulana's dogma. With the blasphemy law in force anything the development workers say will be held against them.

To ensure gender equality particularly in inheritance, family laws must be changed. Reforms took place earlier in 1961 and this was not unIslamic. Apart from the demand emerging from the women's groups, a woman Member of Parliament Farida Rahman has tabled a bill in Parliament in 1993 asking for reform of the law relating to polygamy. (MFLO 1961)<sup>1</sup> Will this be possible under the Blasphemy Laws, if they are passed? Farida Rahman is today being accused of blasphemy by the Jamaat-i-Islami. Would other members of Parliament be able to raise their voice under the new Bill?

---

1 MFLO refers to the Muslim Family Laws Ordinance.

When a UNDP report circulated from Dhaka recommended legal reform, the Women's Affairs Ministry is supposed to have said that such reforms would be un-Islamic (Bhorer Kagoj, 25.6.94). So just imagine were the Blasphemy Bill passed, would the fundamentalists then ask for death penalty for the reporter?

The Government of Bangladesh believes in a market economy and has tried to encourage foreign investment. But this can only thrive in a liberal environment in which individuals are not likely to be executed in the name of blasphemy!

---

\* Mirza Hasan is an economist whose current research in the area of governance includes a study of the politics of religious extremism. This selection is a translation from his article in Jai-Jai Din a Bangla weekly.

Source: Attack on Fundamentals, Sanglap, August 1995, Vol.4 (ASK)

# Opening the windows of the Mind

Salma Sobhan

In a country of over a 110 million where only 33% of the population is literate one might have thought that there could never be too many initiatives to remedy this deficiency. An NGO mounting a successful literacy programme should meet with general approbation. Not so. The camp followers of the religious right have chosen instead to mount a campaign against BRAC<sup>1</sup> which has received international recognition for developing its Nonformal Primary Education (NFPE) programme which is being replicated outside the country. Interestingly enough the Grameen Bank, whose runaway successful credit programme for poor women has received worldwide acclaim is also under fire from the same quarters.

There is no shortage of social ills to attack; from violence against women, to the desertion of wives and abandoning of children, the trafficking of women and children, and dowry demands. Yet there is a deafening silence on these issues from the religious right which has chosen instead to target two good initiatives. Why is this so? The answer is that this sector is not interested in redressing the ills of society when these ills arise out of or are reinforced by perceptions that women are inferior to men and should remain subordinate to them.

They would contend that women by seeking to challenge these perceptions and by stepping out of the space allotted them bring these ills upon themselves. Thus the rape victim's alleged provocation is given as the cause of an attack upon her even where, as sickeningly often is the case, the victim is a child. But the fact that there is no word of condemnation for instance of the husband who deserts his pregnant wife, brothers who withhold their share of the parental property from their sisters, brothers-in-law who defraud widowed sisters-in-law and nieces not only goes to show that when women meekly "keep to their place" they do not fare any better but also exposes the hollow claims of the self-styled custodians of the faith.

---

<sup>1</sup> BRAC refers to Bangladesh Rural Advancement Committee and is a non profit body.



The reason why BRAC's NFPE and Grameen's credit programmes are both being attacked is not only because they are seen as challenging the misogynist worldview that the religious right fosters and which they claim is divinely ordained. It goes deeper than that. It turns on what is seen as the function of education.

The root of the word education comes from words meaning to draw out; in this context therefore to develop the capacity for analysis and understanding. It is this capacity that would enable men and women to resist domination by those who seek power by an Orwellian species of thought control and would use religion for their own ends rather than the ends ordained by God. They use the access that running an educational programme gives them to exercise control over the minds of their pupils and will naturally resist any educational programme that develops any person's ability to think rationally.

---

Source:

Letter to the Editor  
Addressed To: Rashid M. Titumir  
Editor 'Women on the move'  
Daily Star

Date: 10 January, 1994  
From: Salma Sobhan

# Recent Developments in the Education Sector of Bangladesh

Professor Muzaffer Ahmed\*

*Madrassah*<sup>1</sup> education as a parallel system of education has drawn considerable attention in recent years. The first *Madrassah* as a formal institute was established in 1780 with a view to prepare officials who were expected to be well versed in Muslim Law. In Bangladesh, in recent years, the number of *Madrassahs* have increased significantly as a consequence of government subventions. Three *Madrassahs* are managed by the government while the rest are managed by managing committees in the private sector.

The basic gradation of *Madrassah* is *Ebtedayee*, *Dakhil*, *Alim*, *Fazil* and *Kamil*. The number of *Ebtedayee Madrassahs* increased from 14,000 in 1988 to 16,200 in 1993. On the basis of 68 thousand villages, there are 0.23 *Ebtedayee Madrassahs* per village whereas there is one primary school for every two or three villages. The *Ebtedayee Madrassah* has an equivalence to class 1-5. *Ebtadayee Madrassahs* in 1993 are said to have an enrolment of 1,918,000 i.e. the number of students per *Ebtedayee Madrassah* is only about 118. The number of teachers in these *Madrassahs* is said to be 58,500 i.e. per *Madrassah*. The teacher student ratio is 1:32.7.

The number of *Dakhil Madrassahs*, having classes of 1-10, was 1,400 in 1981. By 1993, their numbers rose rapidly to 3,800. The enrolment in these institutions was said to be 150,000 in 1981, which by 1993 had increased to 396,000 i.e. 104 students per *Madrassah*. The number of teachers in *Dakhil Madrassahs* was reported to be 12,500 in 1981, in 1993 the number was reported to be 46,100. The number of teachers per *Madrassah* is 12 and the student teacher ratio is as low as 8.6. In 1993, 56,200 students appeared in the *Dakhil* examination, of whom 32,300 passed.

The number of *Alim Madrassah* (1-12 grades) was 400 in 1981 which by 1993, had doubled to 806. The enrolment in the *Alim Madrassahs* in

---

1 A *Madrassah* is a Muslim religious school.

1981 was 197,000 which increased to 290,000 in 1993. The students per *Alim Madrassah* are 360. The number of teachers was 5,100 in 1981, which has increased to 12,700 in 1993. Thus the number of teachers per student is 22.9. The number of students who appeared in the *Alim* examination in 1993 was 26,700, of whom 14,900 passed the examination.

The number of *Fazil Madrassah* (1-14 classes) was 590 in 1981 which increased to 832 in 1993. The number of students enrolled in 1993 was 355,000 i.e. there are 426 students per *Fazil Madrassah*. The number of teachers increased from 5160 in 1981 to 15,316 in 1993. The number of teachers per *madrassah* was 18.4 and the number of students per teacher was 23.2 in 1993. About 13,200 students appeared in the *Fazil* examination, of whom 7,200 passed the examination.

There were 56 *Kamil* (1-16 grades) *Madrassahs* in 1981 which by 1993 had increased to 100. The enrolment reported in 1981 was 30 thousand, which by 1993 increased to 62,600 students. The number of teachers was 1090 in 1981 and 2372 in 1993. The student teacher ratio was 26.4. The students who appeared in the *Fazil* examination of 1993, numbered 7955, of whom 6045 passed.

The Government of Bangladesh nowadays allocates about 10% of the revenue budget of the Ministry of Education to *Madrassah* development of which a part went into the introduction of science education in 200 *Madrassahs* during the 3rd and 4th Plans. The Government, without establishing any mechanism to create equivalence in the curricula, has equated the *Dakhil* degree with the SSC<sup>2</sup>, the *Alim* with the HSC<sup>3</sup>, the *Fazil* with the B.A. and the *Kamil* with the M.A.

A survey of 300 randomly selected *Madrassahs*, from a list provided by the *Madrassah* Board, found that a number of *Madrassahs* do not exist. In reality facilities are poor, the number of students are over reported, attendance of both teachers and students is irregular and the actual contact hours are at least 50% less than reported.

---

2 SSC refers to Secondary School Certificate.

3 HSC refers to High School Certificate.

**Expansion of *Madrassah* Education between 1990-1993**

	<b>Number</b>	<b>Student</b>	<b>Teacher</b>
<b><i>Ebtedayee</i></b>			
1990	15748	1,762,203	62,992
1993	16214	1,918,320	58,485
<b><i>Dakhil</i></b>			
1990	4306	615,358	56,896
1993	3825	1,169,566	47,503
<b><i>Alim</i></b>			
1990	760	157,410	12,633
1993	806	290,500	12,674
<b><i>Fazil</i></b>			
1990	716	183,516	13,790
1993	832	355,000	15,316
<b><i>Kamil</i></b>			
1990	91	40,712	2,287
1993	100	62,591	2,372

Source: Banbeis

\* Professor Muzaffer Ahmed is an economist. This note has been taken from larger report he prepared for the Centre for Policy Dialogue.

Source:

"Attack on Fundamentals" August 1995, Volume 4, Sangalp (Dhaka).



## **Religious Fundamentalists and War Criminals**



## **Grahankal (Eclipse)**

**A documentary film**

### **Brief historical background:**

To understand the nexus between fundamentalist politics, authoritarian rule and violations of human rights, particularly women's rights, it is important to examine the political history of the country.

In 1947, independence from British rule led to the division of India into two countries based on religious affiliation. The only bond between the two parts of Pakistan (which included what is now Bangladesh) was Islam, the religion of the majority.

Pakistan's military rulers seized power in 1958 on the excuse of protecting national integrity and Islamic ideology. As part of Pakistan, Bangladesh was made the site for political and economic control and discrimination.

But popular movements emerged in Bangladesh in support of democracy and secularism. Pakistan's attempt to subdue these movements by force culminated in a civil war in 1971, during which Pakistan's occupation army perpetrated a genocide on the civilian population. Fundamentalist political parties actively collaborated with the Pakistani army in mass rapes, killings, arson and ethnic cleansing. Just before Bangladesh's liberation in 1971, fanatic religious group formed Nazi style para-military groups known as Al-Baadar and Al-Shams who killed intellectuals, including hundreds of teachers, writers, scientists, physicians, journalists, social leaders and students. After december 1971, the leaders of such groups along with the killers fled from Bangladesh to Pakistan. Middle Eastern countries including Saudi Arabia and Libya, UK and USA.

After the seizure of power by the military in 1975, the fundamentalist parties were revived. Although election results show they have only a marginal support, patronisation by military regimes has contributed to their influence and encouraged a political culture charged with strong communal, sectarian sentiment.



In subsequent years of military rule from 1975 to 1990 constitutional amendments have revived religious based parties such as the Jamaat-i-Islami, eliminated secularism as a state principle and made Islam the state religion. These structural changes have infringed fundamental freedoms. The government has made religious education compulsory at the secondary school level. Financial support<sup>1</sup> is given to religious schools, especially in the rural areas, where children between 6 and 12 years are being indoctrinated. The curriculum in Governments schools has introduced a strong Islamic bias. Censorship and ideological controls are exercised by influencing educational curriculum, radio and television.

Since 1989 a pro-Islamic group calling themselves the Khatme Nabuat have demanded that the Government of Bangladesh declare the Ahmadiyahs non-Muslims. Another group under the name of the "Soldiers of Islam" declared an award of 50 000 takas (US\$ 1 500) for execution of Taslima Nasreen, a feminist writer. Similar accusations have been leveled by Islamic groups against highly esteemed writers, including those involved in a progressive struggle in the social, cultural and literary fields of blasphemy. The fundamentalists have also called for a law to introduce a death penalty for blasphemy (similar to the prevailing law in Pakistan). The members of the committee for Trial of the War Criminals of 1971 led by Jahanara Imam were targets of similar threats.

The fundamentalist forces attempt to extend their political control to the personal and cultural domain of women's sexuality, mobility and autonomy. This has become especially stifling for women. The fundamentalists use the harshest versions of the religious text which preach violence against women. Women are still subject to discriminatory religious laws and the government has been reluctant to move for any reform. It has yet to concede to women's demand for withdrawal of its reservations to Articles 2,13 (a), and 16 (c) and (f) of the UNCEDAW

### **Background to Eclipse (Grahankal)**

In april 1992 a village arbitration council in Dohar Thana sentenced a young woman and her mother to 101 lashes each. She had been raped by an influential village elder. When the case was brought to salish (village mediation) the girl was unable to produce a witness and therefore the Imam decided that she had committed adultery. In early 1993, a young domestic aid servant in Dhaka was reportedly accused of having a sexual relationship with her employer and both of them were sentenced to 25 lashes each. In January 1996 Maulana Mannan supported by village elders pronounced a fatwa sentencing a young woman Nurjehan Begum to public stoning in Chattokchora village in Sylhet district. She was accused

---

<sup>1</sup> The film is now also available with french subtitles.

of contracting an illegal second marriage though, according to reports, her first marriage had been duly declared dissolved. Nurjehan's parents were also held responsible for her "illegal" second marriage and sentenced to 50 lashes each while Nurjehan's second husband was subjected to stoning. Nurjehan survived the stoning but committed suicide in utter indignation.

Another Nurjehan was tried by village salish in Faridpur district on charges of adultery. Kerosene was poured over her and she was burnt to death. Feroza of Satkhira accused of a relationship with a Hindu boy was similarly sentenced to public flogging with 101 lashes. She died shortly afterwards. In the last 3 years at least 23 cases of fatwa instigated violence have been reported in the media.

While individual women engaged in economic activities have been victimized by rural leaders and Imams, violence has also been perpetrated against women development workers, writers, teachers, health workers. Arson and other threats have led to the closure of village schools and health clinics.

Progressive students have been killed, assaulted and maimed by the student front of the Jamaat-i-Islami all over Bangladesh in the last 15 years.

Fundamentalist political parties have attacked writers and journalists and others demanding the trial of war criminals of 1971. These acts are a clear violation of article 11 of the constitution of Bangladesh which states:

"The Republic shall be a democracy in which fundamental human rights and freedoms and respect for the dignity and worth of the human person shall be guaranteed and in which effective participation by the people through their elected representatives in administration at all levels shall be ensured".

In contravention of this constitutional guarantee, the government has taken no action to protect human rights against fundamentalist terrorism.

*Eclipse* (Grahankal) is based on an attempt to document the incidents of violence resulting from fatwas or decrees pronounced by religious leaders or village elders at a salish. (village mediation). It traces these incidents to the role of fundamentalist and authoritarian political forces in controlling women's autonomy and mobility, and using this as a means of suppressing popular movements for democracy and secularism. While focusing on incidents occurring during the last two years, the film places them in a historical context of political changes which have taken place over the last twenty five years and more.

**Eclipse (Grahankal)**

Produced by:

Ain O Salish Kendra, a legal aid and human rights resource centre in Dhaka, Bangladesh

Time: 40 minutes.

Language: Bangla with english sub-titles

Sponsored by: Women Living Under Muslim Laws Network.

**Women living under muslim laws**  
**النساء في ظل قوانين المسلمين**  
**Femmes sous lois musulmanes**



Grabels, may 17th, 1995

Dear friends,

Today we received an urgent appeal from Bangla Desh: six organisations have come together to demand that the British government initiate criminal proceedings against three former Bangladeshi citizens, now living in the U.K., for war crimes and gross violations of human rights that they committed during the Bangla Desh war of liberation in 1971. Recently documented eye witness testimonies provide convincing evidence that these three men, now British citizens prominent in Muslim fundamentalist activities in the U.K. were guilty of inciting torture, mutilation and murder during 1971 Bangla Desh war. At that time, several hundred thousand women were raped, and many impregnated, by the army, left in isolated camps and then rejected by their families and society.

We salute this initiative. We believe that the coming together, on similar issues, of women across national boundaries will not only strengthen local struggles but will also ultimately change the balance of power in our favour.

This is not an isolated initiative:

On February 28, 1995, the Algerian organisation 'Family of Victims of Terrorism' gave a press conference announcing that they would file a case against Anouar Haddam, representative of FIS in Washington and well established there, for being the instigator of the crimes and murders committed in Algeria against the population. On March 8, the women organisation RAFD (Algerian Rally of Democrat Women) announced that they will be a party to the lawsuit. Numerous women's organisations across the world are willing to support the case.

Similar attempts were made last year by and on behalf of women from ex Yugoslavia.

The victims of sexual slavery enforced by the Japanese Army in Asia during World War II ("comfort women") have organized for the past few years in order to demand apologies and reparations from the Japanese Government. They have already received official apologies and are in the process of getting reparations.

However they have waited for 50 years before they could get to that stage. Their case should serve as an example so that other victims will build on their experience and take prompt action. Women have started to build on each other's actions, and to benefit from each other's efforts, across the world.

The initiators of the present Alert are calling on all of us to support them, by sending our endorsement of their demand for legal action to British authorities and personalities. We urge you to give the widest publicity to their action and massively support their efforts.

*M. A. Hélie Lucas  
Coordinator of the Network  
Women Living Under Muslim Laws*

### **URGENT ACTION URGENT ACTION URGENT ACTION**

Dear Friends,

We, on behalf of the following organizations, urge you to endorse the following Urgent Action regarding the trial of three war criminals of the Bangla Desh liberation war in 1971. These three war criminals, Choudhury Mueen Uddin, Abu Sayeed and Lutfur Rahman are now citizens and residents of U.K.

### **FACTS**

In a documentary film, titled The War Crimes File produced by Twenty Twenty Television and broadcast by Channel Four on May 3, 1995, exclusive evidence is revealed of how three former Bangladeshi citizens, now prominent British Muslim Fundamentalists are guilty of inciting torture, mutilation and murder - and argues that they should be prosecuted under war crimes legislation in England.

The film presents vivid eye-witness testimonies of the involvement of these men, all of whom have lived in Britain for around 20 years, in organised assassinations and massacres during the 1971 Bangladesh war of liberation against Pakistan. All three moved to England shortly after the war and each is now a leading figure in the Bangladeshi community and actively involved in fundamentalist politics. Each was involved in Al-

Badar operations, a paramilitary death squad of Pakistani Army formed by local fundamentalist political parties mainly Jamaat-I-Islami and Muslim League, in abducting and brutally killing many prominent academics, doctors and journalists in the last days of the war.

They were also involved in kidnapping and raping innocent women, looting, arsoning and all other gross violations of human rights.

Since 1992, pro-liberation forces in Bangla Desh are demanding trial of all war criminals of 1971 in Bangla Desh, under the leadership of late Jahanara Imam, mother of martyred freedom fighter. In this regard, a public trial of Golam Azam, the chief collaborator, was also held on 26th March 1992 - the Independence Day. Presently, a public Enquiry Commission is investigating and documenting allegations against notorious war criminals of 1971.

The film The War Crimes File was also premiered in Dhaka recently by the pro-liberation forces on May 18. The showings in England and Bangladesh have created a tremendous impact over both Bangladeshi and non-Bangladeshi communities in these countries.

Please send urgent appeal to the following persons and authorities urging them to try the three war criminals of Bangla Desh Liberation War - CHOUDHURY MUEEN UDDIN, ABU SAYEED and LUTFUR RAHMAN under British Legislation: Geneva Convention Act 1957.

Please also circulate this appeal through your network.

1. Rt. Hon. Michael Howard  
Home Secretary  
Petty France  
LONDON SW1  
Fax: 0044 171 273 3596

2. Sir Nicholas Lyell  
Attorney General  
9 Buckingham Gate  
LONDON SW1E 6JP  
Fax: 0044 171 233 7194

3. War Crimes Unit  
New Scotland Yard  
8-10 Broadway  
LONDON SW1H 0BJ  
Fax: 0044 171 233 1952

4. Rt. Hon. Greville Janner  
Q.C.M.P.  
Parliamentary War Crimes Group  
House of Commons  
Westminster  
LONDON SW1  
Fax: 0044 171 233 0161

5. Parliament of the European  
Community

Expecting your all out cooperation in this regard. Yours sincerely.

Tawheed Reza Noor, General Secy. Projonmi'71

Sara Hossain, Advocate, Ain O Salish Kendra (a HR Org.)

Asif Munier, Theatre (a drama group)

Xaved Hasan Mahmood, Exec. Member, Nirmul Committee (a committee for demanding trial of all War Criminals of 1971)

Adilur Rahman Khan, Exec. Member, Odhikar 'a coalition for HR)

Isaac Robinson, General Secy. Law Review, Dhaka University

### **The War Crimes File**

Produced by: Gita Sahgal of Twenty Twenty Television (London)

Duration: 52 min Language: English

Date: 1995

Distributed by: Channel 4 Television

For more information on the film write to:

Channel 4 Television

60 Charlotte Street

London W1P 2AX, U.K.

**Statement of solidarity  
from the Pakistani women's movement  
towards women of Bangladesh**





## **Statement of solidarity from the Pakistani women's movement organisation towards women of Bangladesh on the 25th anniversary of independent Bangladesh.**

In a statement issued on Monday<sup>1</sup>, the date which marks the start of the army action in the former East Pakistan, the Women's Action Forum (WAF), in a statement, have apologised to the women of Bangladesh for the violence used against them during the events of 1971. The statement reads:

"As Bangladesh celebrates its 25 years of independence, the state and the people of Pakistan must reflect on the role played by the state and the Pakistani military in the unprecedented and exceptionally violent suppression of the political aspirations of the people of Bangladesh in 1971. Continued silence on our part makes a mockery not only of the principles of democracy, human rights, and self determination which we lay claim to, but also makes a mockery of our own history.

The comity of nations has now not only recognised that even in cases of war, and other forms of conflict, there are certain parameters beyond which violence cannot and must not be condoned, and further that those perpetrating and responsible for such violence should be held responsible. In view of this, and in the larger interests of our own humanity as a nation, we must condemn the repression by the state of its own citizens in 1971. As Pakistanis who stood silently by, we must also judge ourselves as history has already judged us.

WAF would like to use this opportunity to build public awareness on the issue of state violence and the role of the military in 1971. At the same time there is a need to focus on the systematic violence against women, particularly the mass rapes. While we try to focus the nations attention towards a period in our history for which we stand ashamed, Women's Action Forum, on its own behalf, would like to apologise to the women of Bangladesh that they became the symbols and the targets in the process of dishonouring and humiliating people".

*The statement has also been endorsed by a number of other organisations, including ASR, SAHE, Shirkatgah, Institute of Women's Studies, Lahore, Simorgh Collective and Pattan. - [Press Report].*

---

1. March 1996.

## Further Reading:

- Adnan, Shapan. "Birds in a Cage: Institutional Change and Women's Position in Bangladesh." In: Nora Federici, Karen Oppenheim Mason, and Solvi Sogner, Eds. *Women's Position and Demographic Change*. London: Clarendon Press. 1993, pp. 285-318.
- Ahmaed, Rafiuddin. "Conflict and Contradictions in Bengali Islam." In Katherine P. Ewing, Ed. *Shari'at and Ambiguity in South Asian Islam*. New Delhi: Oxford University Press. 1988, pp. 114-142.
- Ahmad, Mumtaz. "Islamic Fundamentalism in South Asia: The Jamaat-i-Islami and the Tablighi Jamaat of South Asia." In *Fundamentalisms Observed*. Chicago, Ill.: The University Of Chicago Press. 1991, pp. 457-530.
- Ain-o-Shalish Kendra, 'Threats of violence and violations of human rights by imams of mosques and the religious right in Bangladesh' (a collection of cases compiled for the period 1992-94, unpublished), Dhaka, 1994.
- Banu, U.A.B. Razia Akter. *Islam in Bangladesh*. Leiden: E.J. Brill. 1992, 194pp.
- Cummins, Angela. "Taslina Nasreen and the fight against fundamentalism." *Women Against Fundamentalism Journal*. No.6: February. (1995) : 53-57.
- Hossain, Farid. "Strict Islamic Law Raises Fears of Women." *Los Angeles Times* 15 January (1995): p.9.
- Hossain, Hameeda., Roushan Jahan and Salma Sobhan. *No Better Option: Industrial Women Workers in Bangladesh*. Dhaka: University Press Ltd. 1990, 126pp.
- Hossain, Rokeya Sakhawat, Ed. *Sultana's Dream and Selections from 'The Secluded Ones'*. New York: The Feminist Press at the City University of New York. 1988, 89pp.
- Hossain, Sara and Sajeda Amin. "Women's Reproductive Rights and the Politics of Fundamentalism: A View from Bangladesh", *Women Against Fundamentalism Journal*, No.7 (1995) : 8-12.
- Imam, Jahanara. *Of blood and Fire: The Untold Story of Bangladesh's War of Independence*. Dhaka: Academic Publishers, 1990, 1991.
- Hours, Bernard, and B. K. Jahangir. "Islam et politique au Bangladesh." *Revue Tiers-Monde*. Vol. XXXI. No.123: Jul-Sept. (1990) : 693-701.
- Kabeer, Naila. 'Subordination and struggle: Women in Bangladesh', *New Left Review*, No.168, March (1988).
- Kabeer, Naila. *Minus Lives: Women of Bangladesh*. London: Change International Reports, n.d.,16pp.
- Kabeer, Naila. 'The Quest for National Identity: Women, Islam and the State', *IDS Discussion Paper No. 268*, October 1989, 42 pp. Brighton, Sussex: Institute of Development Studies.
- Kamal, Sultana. 'Move towards state sponsored islamisation in Bangladesh'. *WLUML Dossier 5/6*, (Dec 1988-May 1989) : 10-12.
- Khan, Lubna Tabassum. 'Marital Instability in Dhaka, Bangladesh: With special reference to dual-earner couples', *Bengal Studies Conference*, Georgetown University: (April 28-30, 1995)
- Khan, Salma. *The Fifty Percent: Women in Development and Policy in Bangladesh*. Dhaka: University Press Ltd.. 1993, 152pp.
- Khatun, Saiyeda. 'The Question of Gender and Representation in Bangladeshi Literature', *Bengal Studies Conference*, Georgetown University: (April 28-30, 1995)

- Khondker, Rokhsana. "Violence and Sexual Abuse: Legal Cases Studies from Bangladesh." Dhaka: Bangladesh Centre for Advanced Studies.1990, 20pp.
- Murshid, Tazeen Mahnaz. 'Women, Islam, and The State: Subordination and Resistance', The Bengal Studies Conference, Georgetown University: (April 28-30, 1995)
- Murshid, Tazeen M. The Sacred and the Secular: Bengal Muslim Discourses, 1871 - 1977, (Delhi: Oxford University Press, 1995)
- Nasreen, Taslima. Lajja <Shame>. New Delhi: Penguin Books India (p) Ltd.. 1994, 216pp.
- Nasreen, Taslima. Femmes, manifestez-vous!. Paris: Des femmes. 1994, 105pp.
- Rahim, Enayet. 'Religion and Politics in Bangladesh: The Ascendancy of Jamaati-i-Islam', Bengal Studies Conference, The Bengal Studies Conference, Georgetown University: (April 28-30, 1995)
- Rushidan Islam Rahman. "Impact of Grameen Bank on the Situation of Poor Rural Women." Grameen Bank Evaluation Project, Working Paper No.1. Dhaka: Bangladesh Institute of Development Studies.July 1986, 89pp.
- Sélim, Monique. "Les Nouvelles légitimités de l'Islamisme politique au Bangladesh." Journal des Anthropologues. No.59: Winter. (1995) : 105-114.
- Schuler, Sidney Ruth, and Syed M. Hashemi. "Islamic Ideology, Contraception and the Emergence of Women in the Bangladesh." JSI Working paper No 2. Arlington, Virginia: JSI Research and Training Institute.December 1992, 23pp.
- Sobhan, Salma. "Legal Status of Women in Bangladesh." Dacca: Bangladesh Institute of Law and International Affairs.1978, 53pp.

### **Some Bangladesh Related Sites on the Internet:**

Bangladesh: Index of Bangladesh Pages

*[http://www.asel.udel.edu/~kazi/bangladesh/bd\\_toc.html](http://www.asel.udel.edu/~kazi/bangladesh/bd_toc.html)*

University of Manitoba's Bangladesh Students Association Page

*<http://www.umanitoba.ca/Bangladesh/welcome.html>*

Bangladesh Files FTP archive

*<http://www.IntNet.net/pub/COUNTRIES/Bangladesh/>*

Shobak: Oral History Project

*<http://ocaxp1.cc.oberlin.edu/~nmohaiem/>*

Bengal Studies Conference, The Bengal Studies Conference Georgetown University:  
(April 28-30, 1995) Papers

*<http://www.lib.uchicago.edu/LibInfo/SourcesBySubject/SouthAsia/BengalStudiesHomePage.html>*