

Jihadists of Bangladeshi descent

We may be forced to welcome them, sooner than we think

KAMAL AHMED

THE verdict rejecting the appeal of the so-called ISIS bride, Shamima Begum, has stoked an important debate in the United Kingdom, raising serious concerns and anxiety among migrant families and rights activists. Rights activists are concerned that this judgement allows the British government—or to be more precise, the Home Secretary—to revoke anyone’s citizenship on the pretext of alleged terrorism offences without any prosecution, on the basis of the person’s parents’ origin. British anti-terror law allows the government to take away the citizenship of anyone accused of commissioning or committing terrorist acts, provided that person does not become stateless. Migrants are worried that this is making their descendants second-tier citizens despite being born in Britain.

However, there is more in this judgement that should worry authorities in Bangladesh too. The three judges of the Special Immigration Appeals Commission (SIAC), in reaching their decisions, among other things, relied on Bangladesh’s relevant laws and a Supreme Court ruling. The Commission, in its February 7 judgement, concluded that if Bangladeshi courts applied Bangladeshi law properly, then the Bangladeshi Government would have to grant her citizenship.

The appeal was against two decisions of the British government: revocation of her citizenship, and refusing her leave to enter the UK in order to enable her to pursue her appeal effectively. The court considered three issues to decide her fate—does revoking British

nationality leave her “stateless”? Is it in breach of policy by exposing her to risk of serious harm? Was she able to participate properly in her appeal? As the most crucial part of the appeal was her citizenship, a significant portion of court deliberations were focused on the issue of whether the action taken by the British government made her stateless.

Strangely enough, the legal deliberations seemed more focused on establishing whether she would become stateless or not, instead of the legality of the contested action that stripped her of her citizenship. The judges examined Bangladesh’s citizenship laws and other constitutional provisions in great detail, including the evolution of these rules. They heard two experts on Bangladesh law and referred to an article authored by a special assistant to the Bangladesh Prime Minister on this subject. The Supreme Court verdict on the citizenship of former Jamaat chief Golam Azam also featured heavily in the deliberations.

In the judgement, it was concluded that Shamima Begum is neither *de jure* (according to law) nor *de facto* (in reality, but not sanctioned by the state) stateless. The court rejected the appellant’s argument that the Bangladesh government would not treat her as a national and she would not be able to challenge that in court. The judges also rejected the appellant’s submission that the Supreme Court in Bangladesh would not be able to decide against the government due to political pressure and a lack of independence. These judges have taken the view that when the British Home Secretary revoked her citizenship, Shamima was a citizen of Bangladesh by descent, by virtue of Section 5 of



Shamima Begum before she left UK to travel to Syria

PHOTO: AFP/GETTY IMAGES

the 1951 Citizenship Act. In their view, “she held the citizenship as of right. That citizenship was not in the gift of the government, and could not be denied by the government in any circumstances”.

The suggestion made by the appellant, that Bangladesh’s existing legal framework gives the government absolute discretion to decide whether a person is or is not a citizen, was also rejected by the judges. In rejecting this argument, the judgement says “there is no such thing as an unreviewable discretion.” Although Shamima Begum, who still remains under the custody of the Syrian Democratic Forces (SDF), has been granted permission to apply for a judicial review of the verdict on citizenship, her chances seem very little,

following two recent rulings by the UK’s High Court in similar cases.

Shamima Begum is not the only terror suspect that the British government has been trying to offload onto Bangladesh; there are several others in the pipeline. In fact, the New York Post on December 8, 2019, precisely two months before Shamima’s verdict, reported that the UK High Court had affirmed similar expulsions of two more British-Bangladeshis suspected of terror ties. In those two cases, identities of the suspects were not revealed and the High Court overturned the initial SIAC ruling that allowed their appeals. The High Court, in its ruling on the appeals brought by the suspects named E3 and N3, said that “they can in fact claim citizenship in Bangladesh,

meaning they would not be left stateless if barred from Britain”. Suppression of identities made it difficult to determine their latest whereabouts. Media reports in the past have listed nearly a dozen or more terror suspects in Britain of Bangladeshi descent.

Fears among migrants are also rising due to another dreaded policy of the British government, unrelated to terrorism, but aimed at curbing crime. However, it affects migrants who have gained citizenship through naturalisation. This worry emanates from the latest forced deportation of more than a dozen British-Jamaicans belonging to an immigrant group better known as the Windrush generation, for crimes unrelated to terrorism. Amidst protests from the opposition and rights groups against these deportations, which they term as discriminatory and racist, the government said “it is entirely right that foreign national offenders should be deported from the country in accordance with the law”.

Critics of both these policies argue that these British nationals have gone astray due to the government’s failings in providing them the right education, training and opportunities. Those who became jihadists were being radicalised in Britain under the noses of the security services. In Shamima’s case, some have argued that she was a victim of grooming at the age of 15 and subjected to sexual abuse. It has been further suggested that problems originated in Britain should be dealt with in Britain and attempts to shift them onto others are both immoral and unfair. However, so far, the current Tory government remains unmoved.

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Kamal Ahmed is a journalist.

SEXUAL VIOLENCE

Looking inward and thinking out loud

#Research-Mesearch

NADINE SHAANTA MURSHID

EVERY single day, a rapist is reported. Every. Single. Day. Let that sink in.

I usually speak fairly quickly. My grandfather is the one who made me conscious of it.

But he also provided a rationale: “it’s because you think quickly.” I always appreciated that positive reframe; that’s rare for grandfathers of his generation, particularly in Bangladesh. But all that is beside the point. The point is, now is the time to slow down, and make sense of what is happening in this world at a time when we see unprecedented levels of, well, everything—but in particular, progress, that is paralleled only by stupendous levels of human suffering of all kinds.

Poverty levels in Bangladesh are apparently lower than ever before, including extreme poverty. Girls’ enrolment in schools, particularly primary school, is almost ubiquitous. We now see some children, not hundreds of children, selling trinkets or books on the streets—possibly on behalf of parents or *dalals*. We rarely see unclothed people roaming around; almost everyone can afford a pair of pants, barring the *phokir* who threatens you with scatological terror if you refuse him money. These are (mostly) good signs for a nation with aspirations to become a middle-income country in the foreseeable future. But, amid such encouraging notions, we have found ourselves in a world in which we know that women are violated by men at extremely high rates. This is hardly new; but given historical under-reporting of violence, particularly sexual violence,

and normalisation of marital rape, it is only now that we hear about reports of violence. On a daily basis.

Exactly how prevalent is sexual harassment? In a recent study with K. A. S. Murshid from the Bangladesh Institute of Development Studies (BIDS), we found that sexual harassment was reported by almost 65 percent of youth in the study. This is exceptionally high, if you take social desirability bias into account. In a country where sex is taboo, sexual

sexual harassment are rarely reported to authorities. We are justifiably indignant about rape-murders, as we focus on the innocent victim—while those who get away alive are somehow held responsible for their own rapes. In the name of protection, we call on patriarchal tropes that blame victims and police their bodies. What is perhaps most crucial is that the pervasive nature of sexual violence and the everyday experience of it makes it as banal as the intrepid conversations

a compliment; when women in public buses are groped; when anyone is made to listen to explicit sexual content without their consent; when married men force themselves upon their wives because that’s their “right.” These happen, and these happen often. We never talk about them.

Back to our study—unsurprisingly, for those of us who conducted the study, a large number of boys reported sexual harassment. In a culture that is hyper-sexualised amid sexual

more accessible, and amenable to being shamed into silence. Boys—and men—hardly report violence that they experience, knowing that people wouldn’t believe them, because our culture has boys buying into the idea that they have to “man up” and take what is thrown at them, instead of being a female sexual organ; even though why a female organ has to be used to indicate weakness is beyond me—particularly the one that delivers babies like a champion.

Why is any of this important beyond the moral imperative to foster a world in which people are free from violence? Because early exposure to violence is connected to a host of consequences. Those who are violated experience mental health, physical health and reproductive health concerns because of the violence they experience—ranging from depression and anxiety to sexually transmitted diseases, and a greater likelihood of using coping mechanisms that have lasting harmful effects, including substance use and risky sex.

What can we do? Think about it. Carefully. Think about how we contribute to creating a culture of violence (and ours is that; let us not mince words here). And then think about how we can undo this. Let’s live up to that neoliberal mantra of personal responsibility that capitalism has fed us and think about how our individual actions—as educators, policymakers, parents, children, workers, capitalists, whatever-have-you—have created the world in which we live.

And then, maybe, think about how our individual actions are connected to the structure through policies, social norms, and tradition.

And ask the age old question: which came first?

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University of Dhaka students come together to speak out against rape in early January this year.

PHOTO: MUNIR UZ ZAMAN/AFP

crimes are taboo as well. People don’t admit sexual crimes because it is conflated with sex. In addition, those who experience sexual violence can hardly trust the system to both believe them and then do something about it. It is not a coincidence that we see high numbers of rapes being reported, while everyday experiences of

about rape. Clearly, there is a hierarchy of oppression— which the youngsters today call Oppression Olympics—and only certain kinds of violence is worthy of our collective rage; the *really* violent kind that involves rape and murder. We ignore the more subtle forms of sexual violence: when an employer makes sexual comments in the guise of

repression, boys are imminent victims of sexual harassment. Amid patriarchy, boys are more likely to be in locations that girls are not in—and thus become easy prey. And because boys are not culturally viewed as sexual objects in the way girls are, thanks to advertising gurus across the world, they are hyper visible to predators who find boys

QUOTABLE
Quote



SALMAN RUSHDIE
(June 19, 1947)
British Indian novelist and essayist

What is freedom of expression? Without the freedom to offend, it ceases to exist.

CROSSWORD BY THOMAS JOSEPH

ACROSS

1 Pick-up game

6 Rumaki wrapper

11 Detached

12 Extreme pain

13 One with a pick

14 Thus

15 Wilson’s predecessor

17 Profing mark

18 Parachute pull

20 Open a bit

22 Following

23 Folding art

26 TV, radio, etc.

28 Romantic sort

29 Identify, from a lineup

31 Yale rooter

32 Play group

33 Small workers

34 Makes a choice

36 Brewer’s need

38 Portland setting

40 Moles, e.g.

43 Steer clear of

44 Platter player

45 Signs a lease

46 Annie’s pooch

DOWN

1 Toast spread

2 Boxing great

3 Inconsistency

4 Work dough

5 Feudal farmer

6 Scrooge cry

7 Way back when

8 Infringement

9 In the past

10 Russian refusal

16 Pitch’s kin

18 Scout’s base

19 Bread spread

21 Leave at the altar

23 Feedbag fill

24 Turn to liquid

25 Eye part

27 Peeved

30 Money machine

33 Greek vowel

34 General Bradley

35 Make lots

37 Nile reptiles

39 Mag. workers

41 Terminus

42 Tofu source


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YESTERDAY’S ANSWERS

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BEETLE BAILEY


by Mort Walker



MY PILLOW IS FLAT AND HARD. IT JUST NEEDS FLUFFING. GREG AND MORT WALKER. 12-13. WWW.MORTWALKER.COM

BABY BLUES

by Kirkman & Scott



MOM, WHEN IS COLORING OUTSIDE THE LINES. THAT'S OKAY. THAT'S THE WAY SHE LEARNS. CARRY ON.