

# 13-points and the Constitution

SHAKHAWAT LITON

A few lakh Islamists gathered in the capital on April 6 in a clear demonstration of their strength and issued an ultimatum to the government to meet their 13-point demands within a month. At that time they were peaceful. However, they announced that they would lay siege to Dhaka on May 5 if their demands were not fulfilled within a month. They also enforced a countrywide dawn-to-dusk hartal on April 8 in protest against obstruction to their long march.

But when they returned after a month on May 5 the situation was changed. Many of them turned violent, unleashing terror in the capital and causing death of more than 20 people. In a clear breach of the promise they made to Dhaka Metropolitan Police to end the rally at Shapla Chattar before evening, they suddenly decided not to leave the venue. Instead, they said they would sit-in at Shapla Chattar until their demands were met.

The prevailing situation forced the government to use law enforcers to drive them away from Shapla Chattar. In the face of police actions, they left in the early hours of May 6. But the next day they locked in clashes with law enforcers in Narayanganj and Chittagong, leaving 27 people dead.

What did Hefajat seek to realise through violence? They want to mount pressure on the government to have their 13-point demands fulfilled.

Hefajat-e Islam's 13-point demand, as per a review done by the law ministry in April, violates about a dozen articles of the Constitution, the supreme law of the country. If the government accepts the Islamist group's demands, the country's Constitution will need to be rewritten, largely discarding the high ideals and spirits of Bangladesh's Liberation War of 1971.

What could be the new look of the Constitution if the Islamists' demands are fulfilled?

Secularism, one of the four fundamental state principles and one of the four high ideals of the Liberation War, will have to be deleted from the Constitution to restore the phrase "Absolute trust and faith in Almighty Allah" in the Constitution.

Secularism means the state will not give political recognition to any particular religion and people will have

full freedom to profess, practice or propagate their own religion. Secularism does not stand against any religion.

Our Constitution includes secularism as the principle of separation of government institutions, and the persons mandated to represent the state, from religious institutions and religious dignitaries.

To uphold secularism and freedom of religion, the Constitution has stipulated procedures for the elimination of communalism in all its forms. But this constitutional procedure must be deleted along with secularism from the Constitution if Hefajat's demands are met.

The preamble of the country's Constitution will no more be considered as the pole star as it will lose its spirit and significance to honour Hefajat's demands. As per the preamble, the high ideals of nationalism, socialism, democracy and secularism inspired our heroic people to dedicate themselves to, and our brave martyrs to sacrifice their lives in the national liberation struggle.

What can be the new high ideals to replace the present high ideals if Hefajat's demands are met? Of course, Hefajat men do not like the high ideals, including secularism. So they will rewrite the preamble as per their agenda! Will they say that our heroic people dedicated themselves in 1971 for the sake of religion?

Similarly, the fundamental aim of the state must be changed as Hefajat men, of course, do not like the present aims enshrined in the preamble of the Constitution.

The preamble now says it shall be a fundamental aim of the state to realise through the democratic process a socialist society free from exploitation, a society in which the rule of law, fundamental human rights and freedom, equality and justice—political, economic and social—will be secured for all citizens. So, can one guess what could be the new fundamental aim of the state as per Hefajat's agenda?

Hefajat do not believe in women empowerment and welfare. So, their demand is that the present constitutional provision which ensures equal opportunity for women alongside men must be deleted.

The constitutional provision against discrimination on grounds of religion, race, caste, sex or place of

birth needs to be repealed to meet Hefajat's demands. If so, women shall not have equal rights with men in all spheres of the state and of public life and any citizen may be subject to discrimination on grounds of religion, race, caste, sex or place of birth as she/he will have no protection if Hefajat's demands are fulfilled.

The constitution will no more ask the state for protection against disfigurement, damage or removal of monuments, objects or places of special artistic or historical importance or interest. The current constitutional provision in this regard must be repealed to meet Hefajat's demands. And the government must destroy the country's Shaheed Minars, national monuments, sculptures at intersections, colleges and universities as Hefajat men do not like those at all.

Not only that, the government needs to enact a law with a provision for capital punishment for maligning Allah, Islam and Prophet Muhammad (pbuh) and smear for campaigns against Muslims. The law ministry said the existing law was adequate to ensure punishment for this offence. Hefajat men do not care whether other Muslim countries have such a law or not. The law ministry says only one or two Muslim countries have such legal provisions.

So, it is now clear what Hefajat-e-Islam wants to do in Bangladesh. What will be the fate of Bangladesh if Hefajat's agenda is implemented? The constitution speaks for a progressive and advanced society whereas Hefajat is demanding the opposite.

It is sure Bangladesh will not turn into a medieval state by fulfilling Hefajat's 13-point demands as per their deadline. But the Islamist force has already gathered enough strength to create unrest in the country in the days to come. Perverted political culture has been encouraging them to go ahead with the 13-point demands. Now, the major political parties, particularly the Awami League and BNP, must reassess their perverted political strategy and decide unequivocally how they will stand by our Constitution to resist any ploy to transform Bangladesh into a medieval state.

THE WRITER IS SENIOR REPORTER, THE DAILY STAR.

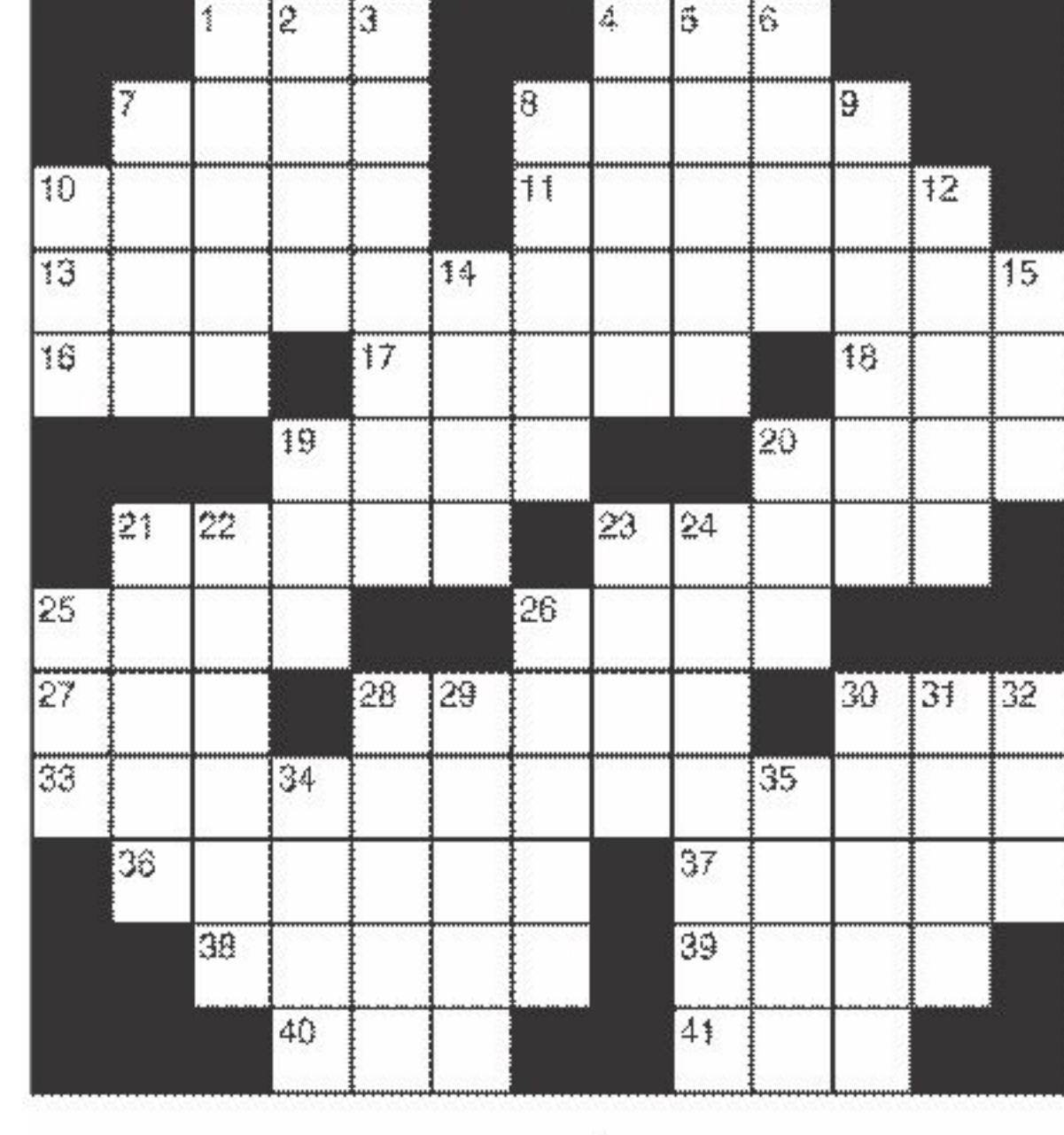
## ACROSS

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Yesterday's answer 4-3



## CRYPTOQUIP

H F D Y D B S P X F D O P H I D G H A D

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R D D P Z L A D F S H K D S N O S

H N O A D I D Z S Q L F P H Q D Yesterday's Cryptoquip: PARTICULAR CLASS OF FISH THAT PEOPLE CONSIDER THE DREGS OF OCEAN SOCIETY: THE RIFFRAFF ROUGHY.

Today's Cryptoquip Clue: A equals V

by Mort Walker

## BEETLE BAILY



by Don Trachte

## HENRY



9-23

## STRATEGIC ISSUES

### Pakistan decides

MAHMOOD HASAN

EGHTY six million voters went to polls to elect the National Assembly of Pakistan on May 11. All interest was focused on Pakistan to see whether the elections could be held at all and who wins.

Results from 267 constituencies show that Pakistan Muslim League-Nawaz (PML-N) was leading with 132 seats. Amazingly, cricketer Imran Khan's new party Tehreek-e-Insaf (PTI) is in second position with 35 seats. PPP has, so far, won only 32 seats.

Pakistan's National Assembly has 342 seats of which 272 are directly elected. The remaining 70 seats for women and non-Muslims are allocated to the parties based on their performance. Thus, to win absolute majority PML-N will need 137 seats.

Clearly, Nawaz Sharif (63), leader of centre-right PML-N is set to become prime minister of Pakistan for the third time after 14 years. Opinion polls suggest PML-N will get support from independent members to achieve absolute majority and lead the government. To recall, it was under Nawaz Sharif that Pakistan emerged as a Nuclear-Weapon-State in May 1998. Later, in a dramatic chain of events, Sharif was ousted in October 1999 in a coup led by General Pervez Musharraf. Sharif was tried for treason and jailed, but was released and exiled to Saudi Arabia in December 2000. He returned in 2007 and his party contested the 2008 elections.

The Bhutto-Zardari family dominated centre-left Pakistan People's Party (PPP) led by Raja Pervaiz Ashraf completed its five-year mandate last March. A caretaker government led by Mir Hazar Khan Khoso was inducted on March 25 to oversee the elections.

PPP lost the elections miserably. The reasons for their debacle is not far to seek.

Pervasive corruption, rise of fundamentalism, Taliban related terrorism, inept handling of Osama bin Laden's killing, US drone attacks in FATA, economic doldrums, ate into the credibility of the Zardari supervised PPP-government.

What is startling is the rise of Imran Khan's centrist PTI. Khan put up a spirited fight and is likely to lead the opposition. His meteoric rise can be explained by his claim to a "new style of politics," where he calls for a massive "overhaul of status quo politics" and "VIP culture" of politics in Pakistan.

The most pitiful episode was the banning of Musharraf's attempt to get into politics. He returned to Pakistan after long self-exile in London only to be hounded by the vindictive judiciary. Was it not Chief Justice Iftikhar Muhammad Chaudhry who was driven out by Musharraf from his position in November 2007? Musharraf's "All Pakistan Muslim League" met a dead-end when the High Court in Peshawar banned him from politics for life.

Now, with an unforgiving Nawaz Sharif coming back to power, Musharraf is indeed "In the Line of Fire."

Sharif's win has been welcomed by Manmohan Singh. Nawaz Sharif's platter will be full. He has to deal with militancy, the restless generals, Nato withdrawal from Afghanistan, revitalising the economy, curbing corruption to restore credibility of the government, and above all restoring ties with US and India.

Despite all the violence democracy seems to be taking roots. The caretaker government supervised credible election and peaceful transfer of power is a significant achievement for nuclear-armed Pakistan.

THE WRITER IS A FORMER AMBASSADOR AND SECRETARY.



SMRUTI S PATTANAIK

THE 2013 elections in Pakistan, historic in more than one sense, have thrown up interesting results. Though many had predicted the victory of Pakistan Muslim League (Nawaz, PML-N), but it surpassed many expectations and estimates as it performed extremely well both in the National Assembly and Provincial Assemblies in spite of the challenge of so-called PTI (Pakistan Tehreek Insaf) tsunami. It was expected that the PTI which campaigned very hard and promised 'Naya Pakistan' would make a dent into PML-N constituency. The voters turnout according to some estimate was sixty percent which may have helped the PTI in gaining more than thirty seats in the National Assembly for the first time. It has emerged as the third political force after the PML-N and the Pakistan's Peoples Party (PPP). The vote also attested that voters exercised their mandate and voted out a government that was labeled as corrupt, inefficient and with an unenviable economic performance.

The election results also reiterated the regional roots of the National political parties. For example while the PML emerged as a major party in Punjab Provincial Assembly for a successive second term, the PPP in spite of anti-incumbency factor, retained its seat in the rural Sindh and the MQM also won majority of seats in urban Sindh. The PTI though a new actor which was perceived as having a stronghold in Khyber Pakhtunkhwa (KP) emerged as having the largest number of seats. The Jamaat-ul-Ulema-

Fazlur (JUI-F) also managed around 12 seats in KP and Federally Administered Tribal Area (FATA) region. The Balochistan province was a surprise as the results are mixed with the Balochi nationalist bagging around 10 seats. The only unfortunate casualty in this election is the Awami National Party (ANP) whose workers were targeted by the TTP in the last five years. Significantly, Imran Khan lost his seat in Lahore where his first rally in Minar-e-Sharif in 2010 drew largely youths that gave credence to the tsunami theory. However, this also makes it clear that Punjab remains the PML-N bastion of power.

Nawaz Sharif is all set to become Prime Minister for the third time. His first two terms were cut short by extra-constitutional interventions in 1993 and 1999. There will be seven major challenges for Sharif. The most immediate issues that would draw his attention are first addressing the incessant cycle of violence in Karachi, second resolving the long pending Baloch grievances; third improving the lackluster economy, fourth, dealing with internal security challenges poised by the TTP perpetrated terrorism and suicide attacks across the country, which, a month back had also proposed his name as one of the mediators in any peace dialogue with the government, fifthly his promises to seek 6 per cent growth will depend on peace in Pakistan's commercial capital and creating an enabling environment for foreign investment; sixthly; the broad context of war on terror that will bring into focus Pakistan's relations with the United States which includes the controversial drone attacks and finally the transition in Afghanistan and its implications to larger question of stability in the tribal areas.

Whatever will be Nawaz's approach to the US terrorism and drone attacks, he would certainly need the help of Imran Khan whose party is all set to form the government in KP. In this equation, the army will be a major player as it is a major stakeholder in the above-mentioned issues. Sharif, who at one point of time was a protégé of the establishment, also needs to win the confidence of army to fight terrorism at home, mend its relations with India and to chart a new path with the US in the war on terror. Civil-Military relations would remain a crucial issue for both political stability and internal peace. He would also need the cooperation from the PPP, which still has a majority in the Senate.

In the next one year, Nawaz Sharif will take major decisions where Pakistan will see a new President, a new army Chief and a new Chief Justice. All these institutions will play important role in shaping the future of democracy in Pakistan. Nawaz Sharif role as a game changer will depend on how he fares on his promise of provincial autonomy and carries the Army along to deal with the fundamental challenge of terrorism that will impinge on Pakistan's policy towards US, Afghanistan and India.

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