

What should Bangladesh do with Jamaat?

STRANGER THAN FICTION



TAJ HASHMI

AS media reports, the Bangladesh Government is going to proscribe the Jamaat-e-Islami as a political party. This move could be taken as early as December, or latest by January 2015. The High Court has already de-registered the party, which amounts to revoking its legitimacy. From the ongoing debates among politicians, analysts and members of the civil society in Bangladesh on proscribing the Jamaat it appears that the issue solely hinges on one particular premise, the party's opposition to the Liberation War of Bangladesh; and its leaders' and workers' collaborative role in the mass killing and rape of Bengalis by the Pakistani occupation army in 1971.

I strongly believe that the proscription of the Jamaat in Bangladesh is essential, not only because of its heinous role against the Liberation War, but also for two other important considerations:

First, the Constitution does not allow the existence of any religion-based party in Bangladesh. A two-third majority in the Parliament has not yet amended the Constitution. Second, the Jamaat not only wants to establish an Islamic State, but it also believes in establishing a totalitarian Islamo-Fascist state where minorities and non-Muslim subjects would be just tolerated, would live as Zimmis or "protected people" with inferior rights. This official policy - as it appears in Maududi's writings - is not that different from what prevails in Saudi Arabia, Iran, Pakistan and what the Islamic State (ISIS) is trying

to establish in Iraq and Syria.

Since the Constitution does not allow any religion-based party in Bangladesh, the revival of the Jamaat and all religion-based parties by Ziaur Rahman simply violated the Constitution. The cardinal state ideologies, including democracy and secularism, can only be dropped or modified through a countrywide referendum. Even two-third majorities of parliament members are not entitled to bring any changes to the state principles.

General Ershad also violated the Constitution with impunity. His insertion of the clause of "State Religion" in the Bangladesh Constitution, turning Islam the "State Religion", is a glaring example in this regard. Surprisingly, all the elected governments since the overthrow of the dictator have not revoked this provision, which is in violation of one of the fundamental state ideologies, Secularism.

Those who are against the proscription of the Jamaat argue that a) imposing a ban on the party would violate democratic principles; and that b) a proscribed Jamaat would be very dangerous as thousands of its members would go underground to engage in terrorist activities in the al Qaeda-esque manner. These are fallacious arguments. The fate of the would-be-terrorists emerging out of the proscribed-Jamaat would not be that different from what happened to terrorists belonging to various terror outfits in the recent past. Bangladesh is not the only country having terrorist threats; it will have to learn how to live with terrorism.

Now, I am not the only person to consider the Jamaat proto-fascist; and its founder Abul A'la Maududi (1903-1979) a clever manipulator and demagogue. He studied some science and was a journalist in his youth. So, like Hassan Banna, Sayyid Qutb, Bin Laden, Mohamed Morsi, and al-Zawahiri, technically he was also a "techno-cleric", not an Islamic scholar, alim or Maulana. Renowned Islamic scholars from South Asia, including Deobandis and Sufis from India, Pakistan

and Bangladesh have issued several fatwas against the Jamaat and its founder. They consider Maududi a heretic-cum-anarchist and the Jamaat a fitna or anarchy. Famous Indian nationalist Maulana Abul Kalam Azad (1888-1958) considered the Jamaat fascist and deviant.

In the backdrop of Maududi's writings, Jamaat emerges as an Islamo-Fascist party. Maududi and Jamaat are inseparable. What Maududi is to Jamaat, Marx is to Communism. As Marx believed in the destruction of all states, so did Maududi.

In Maududi's own words: "Islam wishes to destroy all states and governments anywhere on the face of the earth, which are opposed to the ideology and programme of Islam regardless of the country or the Nation, which rules it.... Islam requires the earth—not just a portion, but the whole planet". He believed that the "Muslim Party" or Jamaat should eliminate all "un-Islamic" governments by force; and "the head of the state should be the supreme head of legislature, executive and judiciary alike.... No non-Muslim or woman could be a head of state." In Jamaat's Islamic Republic, the non-Muslims would not have the right to vote in presidential elections, must be "rigorously excluded from influencing policy decisions", holding "key posts" in government and elsewhere, and would have to pay the discriminatory poll tax or jizya in lieu of military service.

In view of the above, there is no reason to believe that the Jamaat or its sister-organization, the Muslim Brotherhood, is just an Islamic party or like the Christian Democrats in Europe. Maududi and Jamaat have profoundly influenced Islamist politics and its derivative, Islamist terrorism, throughout the world. As Maududi's writings influenced Sayyid Qutb and Mohamed Morsi of the Brotherhood, and Ayatollah Khomeini, so did they influence Abdullah Azzam, the mentor of

Osama bin Laden. Before assuming the office of the President of Egypt, Morsi stated he would "make all Christians convert to Islam, or else pay the jizya".

Pakistan's draconian Blasphemy Law and discriminatory policies against minorities and non-Muslims, and the overall dysfunctional state of affairs, may be attributed to the slow Jamaati infiltration of Islamist intolerance into society, especially during the military rule by the pro-Jamaati General Zia ul-Haq (1977-1988).

The Jamaat wants one or more mega Islamic States through gradual infiltration of Muslim societies. While Jamaat wants to go slow towards establishing its totalitarian state, al Qaeda, Taliban, ISIS and their ilk want to attain the same goal only through violent means. Abbas Ali Khan, the acting Amir of Jamaat in Bangladesh told me (for some specific reasons) in 1991 that his party did not believe in coming to power through elections (as it never polled more than 5 per cent votes) but through "other means" or gradual infiltration of society to stage a violent Islamist revolution.

Can Bangladeshis afford to become "(A)n ideological state in which legislators do not legislate, citizens only vote to reaffirm the permanent applicability of religious laws, women rarely venture outside their homes lest social discipline be disrupted, and non-Muslims are tolerated as foreign elements required to express their loyalty by means of paying a financial levy"? If not, it's time to proscribe the Jamaat. And the Prime Minister can do it just through one executive order. Meanwhile, politicians, intellectuals and members of the civil society - who believe in democracy and human rights - should take bi-partisan and proactive role to uphold democracy and human rights in Bangladesh.

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TAZREEN FIRE 2012

Death by negligence and its normalisation

MAHMUDUL SUMON, SAYDIA GULRUKH and NAZNEEN SHIFA

AFTER the Tazreen fire of November 24, 2012, which killed more than 119 workers, a few of us activists, anthropologists and photographers went to Nishchintapur, Ashulia where the factory was located.

Immediately after the fire, we conducted a survey to collect information on the missing workers. We wanted to know how many families were searching for their loved ones, how many dead bodies had not been identified, which areas these workers came from, etc. We also spoke with the grieving community who witnessed the destruction and loss of the ravaging fire.

At every step of our fieldwork, we found allegations of negligence of the owner. On November 24, after the fire alarm went off in the evening hours, a worker on the 6th floor came towards the staircase and found the production manager smoking. The worker said: "Smoking is prohibited in the factory premises. Workers never smoke in the factory for fear of losing jobs. But the Production Manager (PM) Sir was smoking at the time. How do we know that it was not his cigarette that caused the fire?" The general people of the area had suspicions as to whether the fire was a conspiracy. Many of the victims asked how none of the management staff, who were in the building at the time of the fire, died. How did they get out of the building? The media has unearthed many details regarding the fire and its aftermath. However, a question is still unanswered: why did they lock

the door after the fire started?

The factory clearly violated the to-do-list to prevent fire. We saw the violations. The factory did not have any fire exits. As per law, the fire exit must be outside the building. Although the staircases and hallways are supposed to be unobstructed, there were cartons, stacks of thread and pieces of cloth in every floor of the building. There was a high-voltage electric transformer on the ground floor. On the second floor, next to the women's staircase, there was a boiler machine for ironing clothes.

All of these made us wonder how the factory got safety clearance after clearly violating the rules/laws. The allegation of negligence also came through various other reports, but most notably from a home ministry investigation report which clearly suggested that this was a case of "death by negligence" of the owner. The report also recommended that the owner be brought under the land's criminal law (A/34 of the Penal Code) which says: "Whoever causes the death of any person by doing rash or negligent act not amounting to culpable homicide shall be punished with either description for a term which may extend to five years, or with fine, or with both."

Although some legal steps were taken against the owner, to our surprise, we noticed that the question of the legal liability of the owner began to lose its focus in the public discourse. Instead, a regime of compensation took over. With regard to the victims of Tazreen fire, Tk. 7 lacs were initially fixed as a compensation package for the people who had died. Much of this package was negotiated by different workers' rights global

organisations which had experience of negotiating compensation packages. For us though, it appeared that some kind of formula was being tried in the case of Tazreen and Rana Plaza, the cataclysmic collapse of a building just six months after Tazreen fire, as similar actors were involved.

The engagement with compensation was not only restricted to global unions and their local counterparts. Immediately after Tazreen and Rana Plaza, there were many responses from private donors from abroad and in most cases it was expected that the money would be spent for "compensation" of the dead and the injured. Even NGO responses in the country adopted the same idiom. To give an example, in response to an Oxfam campaign, titled "In remembrance of Rana Plaza and to raise awareness on urban disaster," and a critical argument that enough action was not taken by the NGOs to pressurise the government, one of Oxfam's staff writes in her Facebook page: "Oxfam has created huge pressure upon Kmart and H&M to compensate. And what Oxfam want[s] to do through this event is an advocacy for urban disaster which is emerging in Bangladesh. We can criticise the role of NGOs but do we have real sense of understanding how [the] country [is] operating disaster risk management and response. If no, then this kind of one-sided criticism will not produce anything..." (emphases ours).

Here too we see how the idiom of compensation is pervasive in the voice of a well meaning NGO activist. For us, though, this was the beginning of a set of research questions. The discussion of compensation, which came into consid-

eration not only for Tazreen but also for the Rana Plaza, in the media as well as "activist talk" was very welcome by all quarters. As a justification, activists would say this is a "short term goal." But the question that comes to our mind is, are we losing sight of the broad issues of structural negligence? We know from our experience that this is important for the victims and of course there is a need for compensation, and this includes not only the dead but the injured too. For some injured workers this may be a lifelong requirement. Yet, the thought comes as to how the very important issue of "unpardonable negligence" is being normalised through the discourses of compensation.

One must not forget that the victims always demanded the punishment of the owner. Sumaya Khatun, a Tazreen worker who died after long sufferings in March 2014, demanded the owner's punishment even on her death bed in a Dhaka hospital. When the owner of Tazreen Fashions was arrested (in a lower court case) after he remained absconding for weeks, more than 100 workers and passersby chanted slogans for death penalty for him. A victim's brother, after almost two years of delay in getting compensation said: "I have received the money, but haven't abandoned my demand for Delwar's (owner of Tazreen Fashions) punishment. The struggle for compensation has ended but I am available for the larger movement." Let us not forget these "small voices of history" in the midst of compensation regime!

The authors are teachers, researchers and activists. They are also members of Activist Anthropologist, a collective of researchers and activists.

Discouraging software piracy to protect intellectual wealth

SHAHIDUL K.K. SHUVRA

THE issue of software piracy came into international discussion in the late '80s when personal computers with Internet connection started being used in offices and homes.

In the '90s, a significant number of computer users in Bangladesh started using pirated software. Not only home users, but also businesses and government offices were run by unlicensed software. Most of them didn't realise that it was a crime. Software pirates, even in IDB Bhaban, the biggest computer market, don't feel guilty about hanging banners on their shops that say: "Pirated software is sold here."

Bangladesh was ranked several times as one of the topmost countries in software piracy. The latest survey by BSA revealed that software piracy in the country came down to 87% from 92%. In India, it came down to 60% from 69%, and in China to 74% from 82%.

The scenario is improving slowly because the developing countries have just started understanding that they are not just users. To protect your own creative contents, and disseminate these to the international market, you must have intellectual property protection or people won't invest mind and money in the creative jobs.

The problem of piracy was ignored in the developing nations. People were given scope to learn the technology on pirated software. There is software piracy even in the US, which means that the problem can't be solved overnight. Thus, some suggest limited use of pirated software for education, poverty alleviation and home users. But the suggestion lost its importance due to the rise in popularity of open-source software and freeware. Now we have an alternative to pirated software, but software piracy is still a booming industry.

Over eight hundred registered companies along with a few hundred unregistered bodies, and many home-based small software enterprises, are earning revenue and contributing to the growth of the software and Information Technology (IT) enabled industry. A few years back the country was branded as one of the outsourcing destinations. Now, some of the local software developers are victims of piracy, and thus they are discouraged from innovating. They are deprived of returns on their own investment.

Many local products have been stolen too; they were replicated and some of them are coming into the market as open-source software. It is the easiest way to legitimise the stolen products, and hurt and discourage the designers. Hackers get credit for releasing open-source software that is actually a stolen one. The body that registers complaints and enforces laws in favour of designers is not that active.

Software piracy also brings other types of pirated contents like music, videos and books into the discussion of intellectual property. Piracy of creative products in the country has turned into an industry in front of the law enforcers. In fact, there is no watchdog to reveal this to the media as well as the people; the copyrights law in the country is yet to focus on the issue.

Unfortunately, there's almost no initiative to tell people that piracy is a crime, original software is good for data protection, and 91% of the computers are at risk because they are run by pirated software.

Sometimes, the rise of digital product piracy looks almost unstoppable. The regulatory frame of the Agreement on Trade-Related Aspects of Intellectual Property Rights, TRIPs, and World Trade Organization, say that piracy can't be stopped unless there is a massive awareness about its dangers. It was a mistaken effort by the US and its allied nations to insist that the developing nations make laws to stop piracy. They might have prepared laws, but remained silent when executing them was urged. So, instead of policing over computer users, massive awareness is the solution.

A few raids in Dhaka for cracking down on piracy were reported, but success was very poor. Even police don't know what piracy is. They just fined the pirated software sellers for keeping adult movies. It seemed keeping the other pirated CDs were not considered a crime.

People must know that the price of original products is going down, and when we all use the original ones price would be much lower. Banks and corporate offices have already learnt that there is no loss in the licensed products, but there are many benefits.

Bangladeshis have recently started buying original products and licensed antivirus software. Within a few years, stolen antivirus software will no longer exist in the country.

Foreign investment in the country is being hampered because of piracy and misuse of available technology for stealing products. To attract international businesses, along with better infrastructure, we have to use licensed software.

The country aims to become Digital Bangladesh by 2021. ICT has been given much focus, but stopping software piracy should be included in the vision 2021. Intellectual property is wealth, like a mine of gold, that should be protected for the interest of the country.

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CROSSWORD BY THOMAS JOSEPH

- ACROSS**
- 1 Almanac tidbits
 - 6 Spiny plants
 - 11 Sun Valley's state
 - 12 Orange shade
 - 13 Yawning, perhaps
 - 14 Show gratitude to
 - 15 Mideast nation
 - 17 Taverns
 - 18 Washed out
 - 20 Portent
 - 22 PC key
 - 23 Condition
 - 26 Resort lake
 - 28 Make fresh
 - 29 "I've heard it before!"
 - 31 Salon stuff
 - 32 Scruff
 - 33 Money machines
 - 34 Mailed
 - 36 Turner of song
 - 38 Parting word
 - 40 Kin of a crunch
 - 43 Book category
 - 44 Entertain
 - 45 Uneasy feeling
 - 46 Mideast nation
- DOWN**
- 1 Little lie
 - 2 Brouhaha
 - 3 "Hello, Dolly!" star
 - 4 School paper
 - 5 Fizzy quaff
 - 6 Guest's bed
 - 7 Pull off
 - 8 "Magic Mike" star
 - 9 Ky. neighbor
 - 10 Ticks off
 - 16 And not
 - 18 Darlings
 - 19 Pronto, in memos
 - 21 Further
 - 23 Small sound
 - 24 Look
 - 25 Night fliers
 - 27 Good speakers
 - 30 Got together
 - 33 Cartoon genre
 - 34 Heroic tale
 - 35 Unspoiled spot
 - 37 "By Jove!"
 - 39 Determined
 - 41 Purpose
 - 42 Stockholder

YESTERDAY'S ANSWER

K	I	T	E	S	P	O	R	T	S
E	D	E	N	E	L	P	A	S	O
L	E	A	D	N	E	E	D	E	D
P	A	K	I	S	T	A	N		
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CRYPTOQUOTE

W ZDI'S OHC YDDZ THYLQ ELNHJQL W MHUL H FDS DV KDILC; W MHUL H FDS DV KDILC ELNHJQL W OHCYDDZTHYLQ.

— BDELS EDQNM

QUOTABLE Quote

All children are artists. The problem is how to remain an artist once he grows up.

Pablo Picasso

Yesterday's Cryptoquote: DON'T TELL PEOPLE HOW TO DO THINGS, TELL THEM WHAT TO DO AND LET THEM SURPRISE YOU WITH THEIR RESULTS.

— GEORGE S. PATTON

A XYDLBAAXR is LONGFELLOW

One letter stands for another. In this sample, A is used for the three L's, X for the two O's, etc. Single letters, apostrophes, the length and formation of the words are all hints. Each day the code letters are different.

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