

## Trump has sowed the wind

### He must be prepared for the whirlwind

**W**E are outraged by President Trump's decision to recognise Jerusalem as Israel's capital. The move should draw the unreserved contempt of those who want to see peace in the Middle East based on the two-state solution of the Palestine issue. Needless to say, President Trump's decision has serious implications for international security. The US, we are afraid, has made itself a party to the Palestine problem.

This move exposes the US' double standard with regard to Israel and Palestine, with past US presidents paying only lip service to the peace process which has long been in limbo. The Arab world must acknowledge this reality and close ranks to address it cohesively.

Official US recognition of the divided city of Jerusalem as the capital of Israel will serve, we hope, as a wakeup call to the Arab world, which, today, is sharply divided. While there have been public condemnations by the Kingdom of Saudi Arabia, Turkey and Jordan, the sad fact is that the Arab world is now more divided, with a part of it focused entirely on Iran.

It must be stressed that the US recognition of Jerusalem does not in any way validate Israel's illegal occupation of East Jerusalem but will nonetheless be a green signal to Israel to continue with its contentious policy of resettlement on disputed territory.

Jerusalem was the major issue in the stalled peace process where East Jerusalem was to be the capital city of a future Palestinian state, in the two-state solution. This announcement is the last nail in the coffin of that process. Major powers in the Arab world, which have aligned themselves to the US for short-sighted reasons, have been handed the short end of the stick, and it should now be clear to everyone, if not already so, that the interests of the Arabs shall always be subordinated to those of Israel's by the US.

## BCL's growing audacity

### When will their abuse of power stop?

**W**E simply do not understand how the student wing of the ruling political party of the country can dare to threaten people and commit crimes over and over again, and no meaningful action is taken against them. In the latest show of the BCL's audacity, Chhatra League leaders assaulted five female students of the Institute of Health Technology in Rajshahi on Wednesday. This too, three days after the BCL leaders threatened the women with gang rape. And, at the time of assault, the principal of the institute and police were present.

Everything that led up to the assault highlights the BCL's self-serving power. The leaders started threatening the women in the women's dormitory after the women had wanted to hold a human chain programme at a different location than that wanted by the BCL. When the women protested and demanded security on campus, they were beaten up.

The worst part, however, is the action being taken against these men. Reportedly, there is talk of their expulsion from the student body and of abolishing the BCL unit in the Institute of Health Technology. But what of the criminal nature of their acts? Why does the principal, who witnessed the incident, think that he has to wait for the women's permission before filing a case? The fear that these men have spread even have the authorities in check, it would seem.

We hope that in addition to the expulsion, criminal proceedings are initiated against these men ensuring the safety of the female students. Almost every time an incident like this happens, the perpetrators go off with minor punishments, while this culture of abuse of power and impunity only spreads. It is high time the central leaders confronted this head on.

## LETTERS TO THE EDITOR

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### Condemn Trump's Jerusalem move

The US President Donald Trump's recognition of Jerusalem as Israel's capital is indeed a wrong move. Despite the warning of a dire consequence from world leaders, Trump went ahead with his plan. Many world leaders seem to have opposed the move because it might spark violence and turmoil. However, in my opinion, they should have opposed the idea only on the basis that it was not a right thing to do.

According to international law, Israel's occupation of Jerusalem is illegal. After each of the wars in 1948 and 1967, Israel encroached on Palestinian and Arab lands. First, they occupied West Jerusalem and then they occupied East Jerusalem. Occupying a foreign land by using force is illegal and unethical. The international community should oppose Trump's decision because it is wrong.

Nabid Khan, *By email*

### TV programmes on education and agriculture

Our local TV channels mostly broadcast common programmes like drama, music and talk show, cooking show, and of course, advertisements. However, we hardly find any programme on education or agriculture. Maybe our TV channels don't find it financially lucrative to run programmes that would enrich the viewers' academic knowledge or would be helpful for our neglected farmers. But we need more such programmes.

We urge the authorities to produce educational programmes for students and agricultural programmes for both farmers and urban residents who want to learn about agriculture and home-stead gardening.

Md. Tofazzel Hossain, *By email*

# Silencing Dissent

## Abuse of Section 57 of the ICT Act



C R ABRAR

**T**HE much-maligned Section 57 of the infamous Information and Communication Technology (ICT) Act 2006 has come in handy again for suppressing dissent. This time the target is a well-known professor of law of the University of Dhaka, a reputed columnist and an eloquent speaker.

The freedom-curtailing provisions of the ICT Act have been branded as anti-constitutional by rights activists. Leading jurists have concurred. Even senior functionaries of the state have publicly expressed concern about its widespread abuse. In the face of demands for scrapping of the law from different quarters—journalists, rights activists and social media activists—the commitments from the state authorities ranged from addressing the gaps that have created conditions for its abuse to removing Section 57 in its entirety. Thus there is a general consensus that something is grossly wrong with the particular provision of the law. It is in this context that the law professor has become the latest victim of its misapplication.

The available statistics from the Cyber Tribunal sources inform that so far about 300 cases have been initiated under Section 57 in the first seven months of this year alone. Over two dozen journalists have been sued and several arrested. The filing of a high number of cases under the section prompted the Inspector General of Police to advise all police stations to secure clearance from the legal wing at the Police Headquarters before registering any case under the section. Newspapers, citing sources at the Cyber Tribunal, further inform that among the cases filed under the ICT Act, about 90 percent were recorded under Section 57 and a large number of the plaintiffs were from the ruling Awami League.

This piece attempts to capture the sequence of events surrounding the episode. It argues that the so-called aggrieved parties connected with the ruling party have sued the professor with the ulterior motive to harass him for his dissenting views and the state agencies appear to have become complicit in pursuing that agenda.

It all began when a defamation case was filed by the cousin of a state minister who is also the member of Madaripur District Council against Professor Asif Nazrul on November 23 for an alleged Facebook post. The complainant alleged that the accused "willingly tarnished the image of the minister socially and politically by uploading the post." The professor was ordered to appear before the district court on December 14. In a separate move the nephew of the said minister filed a complaint against the professor under Section 57 of the ICT Act for the same post over alleged irregularities in recruitment in Chittagong port. As per the procedure, the complaint was forwarded to the police headquarters in Dhaka for clearance. The approval came in no time, on November 26. Earlier at a

TV talk show the junior minister had threatened the professor of consequences.

The cases were lodged despite the law professor's virulent and persistent denial that he was not responsible for the post. Furnishing impeccable evidence, he claimed people running fake pages purporting his name were responsible for the misdeed. He noted that he had already cautioned all about the existence of those fake pages by posting a status on his own Facebook account and the fan page that he administered. He urged the authorities concerned to verify the authenticity of the culprit Facebook page before pressing charges against him.

Anticipating trouble the professor applied and secured anticipatory bail from the high court on November 28. He did so as he apprehended that even before he is able to prove his innocence in court he "could be arrested anytime and get locked up for an indefinite period." He claimed that the law was being used against him only to cause harassment and

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suffering to him and his family. Justifiably, the professor noted that people behind the fake pages and those who filed false cases should be punished instead. Nazrul called upon the law minister to repeal Section 57 of the ICT Act immediately to save the innocents from the "wrath of the powerful."

In another twist to the bizarre tale, on December 4, the government lodged an appeal against the high court order that granted ad-interim anticipatory bail. The attorney general pleaded the government case before the appellate division chamber judge. The matter was adjourned for a week.

The Asif Nazrul episode raises some interesting questions.

Firstly, the actions of the aggrieved relatives are somewhat understandable. After all, a senior and the powerful (at least for now) member of their clan were mocked in public and they felt it is within their rights to seek redress from appropriate authorities. What is mysterious is the engagement and enthusiasm of the state agencies. Some questions arise.

First, on what considerations have these frivolous cases merited acceptance by the authorities?

Second, when its clearance was solicited from the legal department, what were the grounds for the Police Headquarters in Dhaka to give a green light to these spurious cases? After all, the accused vociferously denied any wrongdoing and was making persistent demands for instituting enquiry against what he claimed to be fake Facebook accounts that operate under his name. Perhaps there is a case for the police authorities to explain what prompted the agency to rely on the contents of the fake Facebook accounts instead of the genuine Facebook account of the law professor. It is interesting to note that police authorities moved super fast and took only one working day to grant the clearance as the period of November 23–26 was interceded by weekly holidays.

Third, was the case so important for the state that the right of any accused to secure bail had to be challenged and that too, by the highest law officer of the land, the attorney general? One is at a loss to understand how a defamation case against an individual can be an issue of state priority. It may be noted that the challenge was mounted at a time when the draconian non-bailable provision of the ICT law is being widely condemned. In the absence of any other tangible evidence of wrongdoing, shouldn't the professor's professional standing constitute sufficient ground to grant him bail?

Finally, why could not the concerned arm of enforcement of digital security apparatus still trace the origin of the account that has caused so much hullabaloo? Is this the result of their institutional inefficiency or is this also otherwise motivated? After all, perception is rife that surveillance capacity of the state has been greatly enhanced over the last several years, thanks to millions of hard-earned dollars being spent.

It is also curious that "aggrieved relatives" of the state minister identified the professor as the perpetrator of harm to the reputation of the illustrious member of their family. This is notwithstanding the fact that charges of nepotism in the selection of the port personnel were originally levelled by a member of the ruling coalition on the floor of the parliament. This was widely reported and covered in the print and electronic media. If the aggrieved relatives were genuinely concerned about seeking redress, why have not they brought charges against those individuals and entities that were the original sources of the perceived harm? The concerned minister also appears to be silent on the question as the dissident professor remains the obvious target.

This episode is a blatant manifestation of how members of the ruling party abuse draconian laws against those who do not toe the official line and are not in cahoots with the party in power. It also lays bare the ways in which the state agencies have been made subservient to the ruling regime. All these do not bode well for a polity that has paid such a heavy price for independence and the establishment of democracy.

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## TRUMP'S RECOGNITION OF JERUSALEM

# Letting a genie out of the bottle



JAMES M DORSEY

**U**S President Donald J Trump has let a genie out of the bottle with his recognition of Jerusalem as Israel's capital and intent to move the US embassy from Tel Aviv to Jerusalem.

In taking his decision, Trump was implementing a long-standing US policy dating back to the administrations of presidents Bill Clinton, George W Bush and Barack Obama even if none of them were willing to put it into practice.

The key to judging Trump's move is the politics behind it and the black swan embedded in it. Recognising Jerusalem formally as the capital of Israel may well kill two birds at the same time: boost the president's standing among evangelists and conservatives at home and give him leverage to negotiate what he has dubbed the ultimate deal between Israelis and Palestinians.

There is no doubt that the move will boost Trump's popularity among his supporters and financial backers like casino magnate Sheldon Adelson and allow him to assert that he has fulfilled a campaign promise.

Far less certain is whether Trump will be willing or able to constructively leverage his move to facilitate an Israeli-Palestinian peace deal. His move moreover risks sparking an uncontrollable sequence of events.

US officials have been tight-lipped about peace plans being developed by Jared Kushner, the president's son-in-law and chief Israeli-Palestinian negotiator.

Almost the only confirmed fact about Kushner's strategy is that, based on his close relationship with Saudi Crown Prince Mohammed bin Salman, he is advocating what he describes as an outside-in approach. In this scenario, Saudi Arabia would ensure Arab backing for a peace plan put forward by Kushner.

Prince Mohammed's United Arab Emirates counterpart, Crown Prince Mohammed bin Zayed, working through Egyptian general-turned-president Abdel Fattah al-Sisi, has helped put a key building block in place by facilitating reconciliation between rival Palestinian factions, Palestine Authority President Mahmoud Abbas's Fatah movement and Hamas, the Islamist movement that controlled the Gaza Strip.

The problem with that scenario is that implicit in US recognition of Jerusalem as the capital of Israel, notwithstanding Trump's denial, is a rejection of the notion that any Israeli-Palestinian peace deal would have to involve either West Jerusalem as the Israeli capital and East Jerusalem as the Palestinian capital or shared control of Jerusalem as a whole that would serve as the capital of both states.

The rejection of that notion would stroke with readouts of a visit to Riyadh last month by Abbas in which the Saudi crown prince reportedly laid out the peace plan he had discussed with Kushner. According to that readout by Palestinian officials as well as European and Arab diplomats, East Jerusalem would not be the Palestinian capital.

Moreover, the future Palestinian state would consist of non-contiguous parts of the West Bank to ensure that Israeli settlements in the area remain under Israeli control. Finally, Palestinians would have to surrender their demand for recognition of the right of return for

Palestinians who fled Israel/Palestine during the 1948 and 1967 wars.

Beyond the fact that it is hard to see how any Palestinian leader could sign up for the plan, it threatens, coupled with Trump's recognition of Jerusalem, to inflame passions that Prince Mohammed and other Arab autocrats may find difficult to control.

In a region that increasingly and brutally suppresses any form of dissent or protest, Prince Mohammed and other Arab leaders could risk fuelling the fire by seeking to suppress demonstrations against Trump's decision and what Arab and Muslim public opinion would perceive as a sell-out of Palestinian rights.

The situation would become even trickier if protests, as is likely, first erupt in Palestine and are countered with force by the Israeli military. It is a scenario in which anti-US, anti-Israel protests in Arab capitals could quickly

achieved would inflame the Muslim world.

While Prince Mohammed and Israeli Prime Minister Benjamin Netanyahu see eye to eye in viewing Iran rather than the Israeli-Palestinian conflict as the region's core issue, it's hard to imagine that the crown prince, a man who has proven that he is not averse to unwarranted risks and gambles, would surrender demands for Muslim control of at least part of Islam's third most holy city. It's equally unfathomable that he would allow for a situation in which the kingdom's position as the custodian of the holy cities of Mecca and Medina could be called into question.

Public Saudi backing for Trump's recognition and any plan to grant Israel full control of Jerusalem would see the genie turning on the kingdom and its ruling family. Not only with public protests but also with demands by Iran that Saudi Arabia be stripped of its custodianship and that Mecca and Medina be put



President Donald Trump's decision has not been welcomed in the Middle East.

PHOTO: AFP

turn into anti-government manifestations.

Palestinian groups have already called for three days of rage. Protests would likely not be restricted to Middle Eastern capitals but would probably also erupt in Asian nations like Pakistan, Bangladesh, Malaysia and Indonesia.

In some ways, protests may well be the purpose of the exercise. There is no way of confirming whether the readout provided to officials and diplomats by Abbas of his meeting with Prince Mohammed is accurate.

In what amounts to a dangerous game of poker, that readout could well serve multiple purposes, including an effort by Abbas to boost his position at home by projecting himself as resisting US and Saudi pressure.

Against a history of less-than-accurate media reporting and official statements often designed to maintain a façade rather than reality, Saudi media reported that King Salman warned Trump that any decision to move the US embassy before a permanent peace settlement had been

under some kind of pan-Islamic administration.

In other words, Trump and potentially Prince Mohammed are playing a game that could lead to a second phase of this decade's popular revolts and a serious escalation of an already dangerous Saudi-Iranian rivalry that is wreaking havoc across the Middle East.

With his recognition of Jerusalem, Trump has likely closed the door on any public or Arab support for a peace plan that falls short of what is minimally acceptable to the Palestinians. Moreover, by allowing speculation to flourish over what he has in mind with his ultimate Israeli-Palestinian deal, Trump has potentially set a ball rolling that neither he nor Arab autocrats may be able to control.

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