

Criminalising dissent: What about muzzling opinions?

QADARUDDIN SHISHIR

HOLDING or expressing opinions that do not go along the lines of the State is criminalised by law in many countries including ours. And the State often translates here as "people in power". So, having differences of opinion with "people in power" can land anyone in serious trouble. Not surprisingly, this has been happening for years and under different governments in Bangladesh. Numerous dissenting voices had to pay—for course with the help of laws that have earned the labels "draconian" and "repressive" from rights activists.

When the State promotes suppression of dissenting voices in such a systematic way, what would be its implication in the greater society? Obviously, this sentiment trickles down to the public. People, especially those who feel connected with power circles, can take this as an opportunity to assert themselves and score some extra points for further political gain. This also serves the cause of the State to muzzle dissent. In this game of gains Abrar Fahad, a young Buet student, had to sacrifice his precious life on October 7. He had committed a "crime", at least in the eyes of the killers, by posting his personal opinion on Facebook that was deemed not in line with the ruling party narrative. Certainly, Abrar is not the only one in the list of victims of this kind, but the latest and one of the most unfortunate.

In the aftermath of Abrar's gruesome killing by members of the ruling party's student wing, top government minister and Awami League general secretary Obaidul Quader said, "You can't just beat someone to death for having a different opinion." He did not say, "You can't deem someone to be criminal for having a different opinion." The minister's statement was rightly and cautiously worded. The laws of the land do not permit anyone to "just beat someone to death for having a different opinion". But it permits incriminating anyone "for having a different opinion".

In 2018, Amnesty International made a statement regarding the Digital Security Act (DSA)—a draconian law massively criticised by international bodies—"The new Act is deeply problematic for three major reasons: ambiguous formulation of multiple sections that are vague that they may lead to criminalising of legitimate expression of opinions or thoughts; broad

powers granted to authorities which are not clearly defined; and provisions which allow for removal or blocking of content and the seizure/search of devices without sufficient safeguards."

So, possible criminalising of legitimate expression of opinions or thoughts is at the core of a law and it wasn't changed despite waves of criticism by rights activists and journalists in the country and abroad. Rather, DSA was used indiscriminately to stifle critical voices.

During last year's road safety movement by the school students, Amnesty International observed about the draconian Information and Communication Technology (ICT) Act, which has been replaced by DSA, "Section 57 has long been used as an instrument to criminalise people for freely expressing their views and opinions."

human rights record. For exercising those legitimate rights, he is being punished."

There were recurrent reports of arresting people for their Facebook posts. University teachers, government employees, among others, have been punished for expressing personal opinion on social media that hurt the feelings of ruling party men. In recent years, a number of cases were filed centring social media posts critical of the government. Mostly filed by government loyalists against dissenters, currently there are hundreds of cases to deal with in the Cyber Tribunal. After three persons getting arrested in such cases in May this year, Human Rights Watch said, "The Bangladesh government should stop locking up its critics and review the law to ensure it upholds international standards on the right to peaceful expression."

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Another dimension has been added to stifling dissent in Bangladesh in the last few years as the country saw a wave of killing of bloggers for writings that were deemed inappropriate by the conservative section of the society. However, those incidents were claimed by religious extremists.

Taking all this into consideration along with the existing culture of impunity enjoyed by criminals connected to the ruling party, and the government's hunting of dissenters, there may be a growing sense in pro-government party cadres that targeting people with opposing ideologies or opinions can be a good way for showing off loyalty. To them, being in the opposite side of a debate is a "crime", writing one's views on Facebook is an "offence", and that's why they called Abrar Fahad into the "torture cell" to interrogate him and find out who else shared his thoughts and opinions.

Most importantly, this was not an isolated incident in Buet; as media reports revealed the practice was going on for some time and the victims were not served justice after they reported these incidents to the university authorities. Why were they silent? Why were the university authorities afraid to act against Chhatra League's activities that went on for years?

So, who is to blame for Abrar's killing? Those who killed him? Or those who did not take any action to save him despite knowing what was going on? Or is it the state to blame that formulated laws criminalising dissent and encouraging the muzzling of critical voices?

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At that time prominent photographer Shahidul Alam also became a victim of this law. PEN International then wrote, "Shahidul was taken away because in a few posts on social media, he has been vocal and critical of the government's

Suing against dissenting voices, including journalists, has become a subject of competition among the government devotees; 84 cases were filed against the editor of the leading English daily of the country.

Langa: What South Africa is this?



SELIM JAHAN

WHERE am I?" is the first question I asked myself after getting out of the car. Bewildered, I looked around. With me, there were three black students from the University of

Western Cape, and the driver of the car was also a young black man. I found it hard to believe that ten minutes ago I was having a cup of coffee in the middle of Cape Town—which is more like a European rather than an African city. And only five minutes ago, I was travelling through residential areas, which were predominantly White, reminding me of the English countryside. Seeing my astonishment, one of the students said, "Didn't we tell you that we would bring you to Langa? This is Langa."

Two days ago I gave the Nadine Gordimer Memorial Lecture on "South Africa in the Twenty-First Century" at the University of Cape Town. After that event, many black students from the University of the Western Cape told me that before I leave Cape Town they would show me Langa. It is the oldest black slum in the Western Cape, the main centre of anti-apartheid movements in the region. In the late eighties, by opening fire on an anti-apartheid rally, the white cops killed more

than 1300 people in only two hours. So, here I was at Langa. Without any doubt, it was an inhuman scenery, full of extreme destitution, deprivation and exploitation. There were derelict shacks all around me, with roads and pathways in a deplorable state. It seemed worse than other slums in poor countries worldwide. But most fearful of all was the expression in the eyes of the people, where there was nothing but anger, spite, and deep

remember that if non-blacks enter into this slum, they often can't be traced. The colour of your skin is a 'no-no' here." Even before the students finished their instructions, our car suddenly sped off the place in a hurry.

Cold fear was creeping up my spine. My body and clothes were soaked in sweat and inside I was shaking all over. "The car will wait for us at a safe place," one of the students tried to reassure me. The three of



Demonstrators cheer as they tear down a street lamp during a protest against what they said was the government's failure to provide adequate housing facilities and other basic services, in Cape Town's Langa township, July 9, 2014.

despair. Apart from people in war-torn areas, I have not seen so much ferocity in human eyes.

"Don't look at anything, don't make any eye contact, and don't say anything. If something needs to be said, we'll say it. Under no circumstance take your mobile phone out of your pocket. Don't try to take any photos anywhere; we shall do that, and if you see any violent act, try to remain calm with a matter of fact expression. We are from Langa and we hope that nothing will happen. Please

they created a cordon around me and we started moving forward. I could see that at different corners there were small groups of residents, children aimlessly standing at various spots, and women working here and there. But I could sense that as soon as they saw our small group, silence fell and they stopped talking to take a measure of us.

The air was dense with the smell of liquor. "Do you know what is the staple of these people?", one of the students whispered to me—"liquor at breakfast,

closest the realities that I saw. After a few breathless minutes, we reached the main road where our car was waiting.

We then started heading for the airport. There was complete silence inside the car, as everyone kept quiet. But I knew that every one of us was quietly talking to himself. I don't know what the others were thinking, but the only question that was constantly surfacing in my mind was, "What South Africa is this?"

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LETTERS TO THE EDITOR

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Beggars still at large

Much has been said regarding beggars across our nation. But it seems that despite the recent economic boom, a large population of beggars are still around; though, not as many in the posh areas. Not to shame the act of begging, but often I see many people who appear healthy and physically able seeking alms. And many people even hand out money to these healthy-looking people, in turn encouraging them. Begging, I believe is not a crime if the person is in poverty; but it raises suspicion when the person seems abled, yet does nothing to better their situation. Many helpless people are also forced into the profession by organised crime syndicates, further fueling the trade.

The government launched a programme in 2010 under the Department of Social Services for rehabilitation and alternative employment for people engaged in begging. Several NGOs too have played a vital role in assisting the rehabilitation. While the actions undertaken seem to have done some good, the problem continues to exist at the root level. Unless the authorities take strict measures, it appears that beggars, real or fake, will continue to exist.

Neelima Roy, Chattogram

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