

## Why are we stifling critical expressions on social media?

*DSA is incompatible with our fundamental rights*

**W**E have said it before and we are saying it again: the Digital Security Act (DSA) is a repressive law, which curbs the constitutionally guaranteed right of citizens to freedom of expression. We expect the votaries of the draconian law to retort that no freedom is without the attendant obligation to exercise it without abridging the rights of others. To that, we say: there are existing laws to address any transgression in this regard, without applying a reprehensible instrument such as the DSA.

If one analyses the cases lodged in the last two years, the fear that it would be used as a shield to protect the government and the administration from criticism—particularly from the mainstream media—and stifle the opposition is borne out by the number of cases targeting journalists for mere criticism of the agencies or the elected or nominated public office holders, and the opposition politicians. So much has the law become the Sword of Damocles that the print and electronic media (even those not attached to the government apron string) choose to err on the side of caution.

No political party that claims to have the mandate of the people can afford to be so conceited as to consider itself and the functionaries under it above all criticism, unwilling to countenance critical comments and dissenting voice from the public and political opponents. What should one make of the fact that, reportedly, more than 1,500 people—mostly politicians and journalists—were sued under the DSA between the years 2018 and 2020, and a similar number of cases were filed between January 1, 2020 and September 15, 2021?

Having neutered the media thus, the other platforms of communication, i.e. the social media platforms, are now being targeted—another prediction that has, sadly, come true. According to data by ARTICLE 19, a UK-based human rights body that focuses on freedom of expression, 83 percent of the 225 DSA cases lodged between January and November this year were filed over social media posts and individuals' online expressions. Individuals affiliated with the ruling party filed 40 percent of these cases. Similarly, 40 percent of the cases were filed against people for allegedly criticising the prime minister, ministers, members of parliament, and affiliates of the ruling party.

These statistics are a sad commentary on the country's state of democracy, rights and freedom. The DSA has infused a sense of fear among the public and the media which is supposed to reflect public opinion. We have no issue with the intention of the government to secure the variegated communication media, but we regret to say that the draconian provisions have been motivated by the administration's unwillingness to face criticism, fed by a dangerous notion that public servants are above reproach. It is time to bin the unconstitutional provisions of the DSA.

## Bangladesh on course to reach another milestone

*As the economy recovers, we must remain alert*

**I**T is encouraging to see our economy recovering well from the pandemic, to the point where the government's finance division is projecting that it will become a half-a-trillion-dollar economy next fiscal year. According to the forecast, the size of Bangladesh's economy would be USD 510 billion in the 2022-23 fiscal year after growing at 10.7 percent. A large part of this growth, it has been estimated, is being driven by a successful vaccination campaign and steady growth in agriculture and industry.

The pandemic considerably slowed down the country's economic growth. Hence, it is of no surprise that once its effects start to fade away, our GDP growth will increase quite substantially. As the daily infection rate dropped below five percent from October, we have seen domestic demand rebound, which gave a massive boost to growth. Bangladesh's exports and remittance inflow figures have also been notable of late. Even during most of the pandemic period, our agriculture sector has continued to impress. This is a most remarkable achievement on part of our farmers, whose hard work has been a major driver of our success as a nation.

On the other hand, certain sectors such as the leather industry, textile industry and other non-metallic minerals industry have been performing extremely well. Thus, it is incumbent upon the government to provide them with all the necessary support to help continue their growth.

Having said all that, we agree with the experts that we are not yet completely out of the woods. The Omicron variant of the coronavirus, which has been tearing through certain parts of the world, continues to be a real and present danger to us. It has already caused massive setbacks for some of the developed countries and their economic recoveries, and Bangladesh must take all precautionary measures to ensure that it doesn't suffer a similar fate. Therefore, while the recovery we have seen so far does give us a cause for celebration, we must remain vigilant to ensure that this recovery does not fall by the wayside. Additionally, the increased wealth gap and poverty that the pandemic has caused must be addressed by the government, so that our growth can be truly inclusive and meaningful.



NAZNIN TITHI

**I**N the early hours of December 24, the deadliest launch fire in Bangladesh's history wreaked havoc on the launch MV Abhijan 10, burning so many people alive; as of December 28 afternoon, the death toll from the tragedy stood at 42, with more than 50 people still missing. According to reports in this daily, more than 50 passengers out of the 100 who sustained burn injuries are undergoing treatment at hospitals in Dhaka and Barishal. Among them, 15 critically injured patients were admitted to the Sheikh Hasina National Institute of Burn and Plastic Surgery in Dhaka. Three of them are now on life support.



All these deaths could have been avoided if the crew of MV Abhijan 10 or the water transport authorities had done their jobs.

PHOTO: COLLECTED

The gruesome details of negligence, indifference and inefficiency of the crew members of MV Abhijan 10—as well as others in positions of authority—have been the highlights of news reports published over the past few days. From these reports, what we understand is that there are three parties that should be held accountable for this tragedy: 1) The master and staffers of the launch, whose inefficiency and negligence caused the fatal fire; 2) The owners of the launch who didn't bother to comply with any of the rules regarding the operation of water vessels; and 3) The Department of Shipping and the Bangladesh Inland Water Transport Authority (BIWTA), who did not play their parts by monitoring

and inspecting the vessel and suspending its operation.

Although investigations are in progress to find out the exact reasons for the fire, primary inquiries done by the probe committees have identified faulty engines to be the main reason. Reportedly, the two engines of the launch were replaced with ones bigger in size last month, without getting approval from the Department of Shipping. Among them, only one was running on the night of the fire. What the probe committees have found is that the engine overheated due to a lack of lubrication, which might have caused the fire. Other factors that might have helped the fire spread so quickly include an illegally modified engine room and a kitchen next to it, and the barrels of fuel and gas cylinders stored in there. Apparently, all the changes to the vessel were made without taking approval from the authorities concerned.

Many other irregularities and violations

Barguna on the evening of December 23. Although the crew noticed that the engine was acting strange, they kept the vessel moving without fixing the problem. And when people on the bottom floor felt the deck getting hotter—after it left the Barishal launch terminal at around 1:30am—the master still kept the launch sailing towards its destination. According to a member of the probe committee, it should have been an easy task for the crew members to identify and resolve the engine issue. But apparently, they didn't bother to check the engine.

And what did they do when the entire launch was engulfed with fire, with hundreds of passengers crying for help? They steered the launch to the bank of Sugandha River in the Charkathi area of Jhalakathi district, and fled without mooring it. Had they moored it to a tree in the area, there could have been much fewer casualties. What is even more shocking is the fact that the launch crew

The common excuse that we hear from the BIWTA and the Department of Shipping is that they don't have enough manpower to inspect all the water vessels in operation. Reportedly, the BIWTA has only 25 traffic inspectors across the country, seven of whom are deployed at Sadarghat in Dhaka, while the Department of Shipping has a total of 18 inspectors—only one of them stationed at Sadarghat. Besides, there are only six surveyors in the shipping department to survey around 14,000 registered vessels across the country. The question that arises here is: What is stopping them from recruiting more inspectors and surveyors to cover the inspection and monitoring of all the active water vessels?

In the absence of proper monitoring and inspection, the number of unregistered and unfit vessels are increasing in our waterways, with unskilled and novice sailors running them, leading to many tragedies like the MB Abhijan one. The MV Mayur accident on June 29, 2020 is still fresh in our memory, where 34 people died as the launch hit a small water vessel in the Buriganga River.

Furthermore, the issue of fire safety is always overlooked by the authorities as well as those working in the sector. Reportedly, while many water vessels in the country have lifts, well-furnished rooms, Wi-Fi, radio communication and modern gadgets, they hardly have any fire safety equipment. According to the Fire Service and Civil Defence in Barishal, no fire drill for the crews of water vessels has taken place in the last four years.

The responsibility to ensure that all the water transports are compliant with fire safety regulations also falls on the Department of Shipping and the BIWTA. When will they start playing their parts?

It is good news that a case has been filed with the marine court by an inspector of the Department of Shipping against the four owners of MV Abhijan 10 and eight others, and the Rapid Action Battalion (Rab) has already arrested Hamjalal Sheikh, one of the launch owners. We hope that the rest of the owners and the crew members will be arrested soon. All of those who are guilty of this crime must be arrested and punished, as well as those in authority who failed to do the job they have been recruited for. However, given the inefficiency of the marine court and its dismal case disposal record—only one case has been disposed of by the court in the last four years—can we really expect them to ensure justice for the victims of this massive tragedy?

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kept the main gate closed during the fire, limiting the passengers' chances to escape.

The extent of apathy and negligence that the launch masters and staffers showed towards the passengers' lives is incredible—and nothing short of a criminal offence. Legal action must be taken against them without any delay.

But while we demand punishment of the launch owners and crew members for this man-made tragedy, we must also hold the Department of Shipping and the BIWTA authorities accountable. If the owners of the launch are at fault for replacing the engines, changing the masters and crew members, and modifying their vessel without the authorities' approval, the shipping authorities and the BIWTA are also at fault for not inspecting the vessel that was operating on this river route regularly.

## Christmas finally arrives in Saudi Arabia



JAMES M DORSEY

**L**ONG banned, Christmas has finally—at least tacitly—arrived in Saudi Arabia; just don't use the name in marketing or be ostentatious about your tree. Coffee shops serving beverages in red cups with snowflakes on them are okay. So is the sale of soap bars named Tis the Season and Vanilla Bean Noel.

Christmas trees that sell at up to USD 3,000 apiece are slightly more complicated. The religious police no longer harass shopkeepers for selling items that reference a non-Muslim holiday. But shopkeepers remain uncertain about trees and sometimes still keep them in a backroom. Religious references and carols remain beyond the pale.

The loosening of the rules of the game in a country that still bans non-Muslims from worshipping in public and the building of non-Muslim houses of worship is part of an effort to ensure that the kingdom does not lag in the competition with the UAE and Qatar to project itself as an enlightened, modern country that can attract foreign investment and vie for foreign talent and tourists.

The loosening is also part of an effort to position the kingdom as a beacon of Muslim moderation in competition with the UAE, Qatar, and Indonesia.

While Indonesia, the world's largest Muslim-majority country and democracy, is struggling with creeping conservatism, and Qatar is seeking to ensure football fans that it will welcome diversity of any kind during next year's World Cup, the UAE has sprinted ahead by leaps and bounds.

In the last year, the UAE, where public references to Christmas and carols are not an issue and non-Muslim houses of worship exist alongside mosques, far-reaching legal reforms have been enacted that legalised alcohol and non-married cohabitation and ended censorship of cinematic releases. The caveat, like elsewhere in most of the Muslim world, is that the reforms are anchored in secular—not in Islamic—law and jurisprudence.

Nahdlatul Ulama, the world's largest Muslim civil society organisation, which is at the forefront of the projection of Indonesian moderation, has started a process of reform of Muslim jurisprudence, but has so far shied away from hot button

issues that top the agenda of its Middle Eastern rivals.

Saudi loosening of norms also serves to distinguish the kingdom from other competitors for religious soft power and leadership of the Muslim world, like Turkey and Iran that are governed by Islamists, who either are inspired by or more strictly apply conservative interpretations of Islamic law. The loosening further aims to bolster economic reforms and efforts to diversify the economy and create jobs.

To be sure, Saudi Arabia has been signalling for several years that it is travelling down a road of greater religious tolerance and social liberalisation. Meetings between Saudi leaders and

for the first time in shop windows.

However, increasingly, same-sex relationships are emerging as a red line in Gulf social liberalisation.

The kingdom's top cleric, Grand Mufti Sheikh Abdulaziz bin Abdullah al-Sheikh, came out swinging this week in a *fatwa* or religious opinion that denounced same-sex relationships. He appeared to be responding to a United Nations General Assembly resolution adopted earlier this month that called for recognition of "women in all their diversities," including "gender identity" and "sexual orientation."

In what amounted to rare public—albeit implicit—clerical criticism of the crown prince's liberalisations, al-Sheikh also appeared to be reacting to a major



Is Saudi Arabia relaxing its anti-Christmas rules in an effort to position itself as a beacon of Muslim moderation?

PHOTO: ARAB NEWS

Evangelical and Jewish leaders and support for interfaith dialogue served the purpose.

Crown Prince Mohammed bin Salman has turned the Muslim World League, once a major vehicle for the global propagation of Wahhabism, the ultra-conservative interpretation of Islam that dominated Saudi Arabia for its first 85 years, into the propagator of his vaguely defined concept of moderate Islam.

Bin Salman has also lifted the ban on women's driving, liberalised gender segregation, created greater job and leisure opportunities for women, and generated a Western-style entertainment industry. But, like the UAE and Qatar, he has stopped short of fully abolishing male guardianship.

Saudi shops started catering several years ago to Valentine's Day, long a no-go in the kingdom, by selling red roses, and in October Halloween costumes appeared

electronic dance festival, the MDLBeast Soundstorm, held near Riyadh in recent days and reportedly attended by 732,000 people.

Some reports suggested that some attendees had been publicly intoxicated and had displayed behaviour that raised suspicions that they were queers.

The kingdom punishes homosexuality by death.

Al-Sheikh, a descendant of Muhammad ibn Abd al-Wahhab, the founder of Wahhabism, described homosexuality as among the "most heinous and ugliest crimes."

He asserted that "human rights ... find first and foremost position in God's law" and warned that "the whole world is afflicted with outrageous boldness, false claims, and despicable perversion, which is intended to strip man of his humanity!"

Al-Sheikh appeared to be drawing a red

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line for social reform on an issue that was likely to enjoy public support.

A recent public opinion poll concluded that 67 percent of the people applauded the kingdom's rejection of the UN resolution, while 33 percent said they did not have an opinion.

Scholar Matthew Hedges, who was arrested in the Emirates and sentenced to life in prison on charges of espionage while researching a just published book, noted that countering "immoral" sexual conduct is one way Emirati authorities appeal to the public's cultural sensitivities to justify the construction of a surveillance state.

Al-Sheikh's *fatwa* contrasts starkly with efforts by Qatari officials to downplay criticism of the Gulf state's anti-same sex laws and reassure LGBTQ fans that they would be welcome during next year's World Cup and would even be allowed to fly the rainbow flag at games. LGBTQ Qataris insist that the same tolerance is not extended to them.

For Saudis, Al-Sheikh's *fatwa* contains a cautionary note. Saudi Arabia may have enacted significant social liberalisations, but beyond red lines they rest on a fragile fundament as long as they are not anchored in changes of religious doctrine and jurisprudence.

"While the changes (in Saudi Arabia) are potentially far-reaching, their ultimate direction is uncertain. Most ... remain quite reversible. And while state structures and officials have accepted and even applauded the moves, some social resentment and resistance is still possible—and unintended consequences might still materialise," warned scholars Yasmine Farouk and Nathan J Brown.

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