

NECESSARY CONCERNS REGARDING MINORITY PEOPLE IN BANGLADESH

MEER MONJUR MAHMOOD*

Bangladesh is a Muslim majority country. From the very beginning, people of Bangladesh are leading their lives maintaining peaceful coexistence of both majority and minority. In fact, mass people do not cherish any communal thinking. It will not be an overstatement to say that they are not interested at all to divide our society based on the issues of majority or minority. They are philosophically convinced on it. Till today, there is no significant communal group found in Bangladesh. Though, in 20th century, apparently, we had experienced some communal conflicts at the time of i.e. separation of Indian sub-continent, 1971's Bangladesh's liberation war, without these, everything is under control of our government, society and culture.¹ In relation with this, the Government of Peoples Republic of Bangladesh is committed to keeping peace and harmony.

I. DEFINITION OF MINORITY AND MINORITIES UNDER INTERNATIONAL LAW

Minority is a popular terminology. The word 'minority' means, any small group in society that is different from the rest because of their race, religion, or political beliefs, or a person who belongs to such a group. It is opposite of majority. According to the United Nations Sub-Commission on Prevention of Discrimination and Protection of Minorities 1950, "only non-dominant groups in a population which possess and wish to preserve stable ethnic, religious or linguistic traditions or characteristics markedly different from those of the rest of the population", are identified as minorities. As this definition requires, such minorities must be a number of population sufficient by themselves to preserve their culture or traditions, and

* Manarat International University, Dhaka, Bangladesh monjur.nubd@gmail.com
Executive Director, Rakhsaani Education and Research Center, Dhaka, Bangladesh

1 All incidents has been recorded and under trial at different stages. Already some of them have punished.

they must be loyal to the State of which they are nationals.

According to the UN Minorities Declaration of 1992, persons belonging to minorities are entitled to: Protection, by States, of their existence and their national or ethnic, cultural, religious and linguistic identity- Articles [1, 2 (1-5)] and 3. The obligations of States to protect and promote the minority rights include: Articles-[4 (1-5)]. Considering the legitimate interests of minorities in developing and implementing national policies and programmes, and international programmes of cooperation and assistance (Articles 5-7). Finally, the specialized agencies and other organizations of the UN system shall also contribute to the realization of the rights set forth in the Declaration (Article 9).

Besides this Declaration, the rights of the minorities are protected in the International Covenant on Civil and Political Rights of 1966 (Article 27), the International Covenant on Economic, Social and Cultural Rights (Article 2 (2)), the International Convention on the Elimination of All Forms of Racial Discrimination (Article 1), the Convention on the Rights of the Child (Article 30). The UN Network was set up to develop a communication strategy to make people aware as regards the implementation of the Declaration, with particular focus to minority women and other potential victims of multiple discrimination.²

II. MINORITY PEOPLE OF BANGLADESH

From one perspective, there are no minorities in Bangladesh as our language and culture are same or similar. We all are Bangladeshis. And, we are not interested to divide our people on the basis of religion. It is their freedom of choice or belief which has given our constitution and universal fundamental rights. However, if we want to talk about Bangladesh's minority people, we may find a little number of tribal populations who are different in terms of culture and language. They, even, know how to communicate in national language Bengali. Now, just for the sake of discussion here, we may know the percentage of various religious communities' people. "According to the Bangladesh Bureau of Statistics, Islam has the higher percentage of the population accounting to 90% of the population and Hindus are 9% and the rest of the populations are Christians, Buddhists and Animist."³ The tribal race constitutes less than

² This write-up is prepared based on materials obtained from the UN Office of the High Commissioner for Human Rights (OHCHR.ORG). Source: *The Daily Star*, November 23, 2016.

³ US State Department's *International Religious Freedom Report for 2014* (IRF Report), which cites a 2011 census, "Sunni Muslims constitute 90 percent and Hindus make up 9.5 percent of the total population. Among

0.05% of the country's population. The major tribes who are culturally different are Santals, Chakmas, Marmas, Tipras, Kukis and Murangs. The main difference between the tribal population and the rest of the population in the country is in the death rights, food and other social customs.

A. DEMYSTIFICATION OF IMPRESSIONS ON PRESENT STATUS OF MINORITY

Someone may have some views contrary to what has been presented up to this point in this paper. As for example, we find, according to a statement of a pastoral solidarity team of the Christian Conference of Asia (CCA), "Bangladesh's religious minorities have been facing attacks since the 2014 national election. During the elections, minority-dominated villages were the worst attacked places, where individuals and groups associated with (so called) pro-Islamist parties looted and burned properties and residences owned by members of Hindu, Christian and Buddhist religions in different parts of the country. Some political parties deliberately used the religious sentiments of ordinary people to intensify communal and religious tensions and polarizations for political advantages." Again, members of the solidarity team were told that minorities in Bangladesh live in the midst of terror and fear. Extremist violence has been a recurring problem in the country, where religious minorities are intimidated, threatened, assaulted and killed by Islamic extremists' intent on silencing dissenting voices.⁴ But, these are not actual representation of the status of minorities in Bangladesh. In reality:

The government generally respected religious freedom in law and in practice. There was no change in the status of the government's respect for religious freedom during the reporting period; several High Court rulings bolstered the country's status as a secular state. Members of minority communities serve in several senior leadership positions in the government. ... Citizens generally were free to practice the religion of their choice. ... Religious studies were part of the curriculum in government schools. Children attended classes in which their own religious beliefs were taught." And, according to the government and many civil society leaders statement, violence against religious minorities normally had political or economic dimensions and could not be attributed solely to religious belief or affiliation.⁵

them about 95 percent of the religious minority population." U.S. Department of State, Bureau of Democracy, Human Rights and Labor, *International Religious Freedom Report for 2014*, <http://www.state.gov>.

⁴ Religious minorities in Bangladesh "victims of intolerance and persecution. <http://www.anglicannews.org/news/2017>.

⁵ *International Religious Freedom Report on Bangladesh*, July-December, 2010, Bureau of Democracy, Human

So, reality is that a few number of derailed out of their personal greed were involved with some unwanted activities. These are the basic human instincts which act as the basis of these incidents. There remains no scope of communal coloring. And, one important point is that the miscreants' deeds have affected not only the minority people but also the majority Muslims. Therefore, pointing out those incidents as communal violence is simply overgeneralization. We the Bangladeshis believe that those derailed people never can be successful in their inhuman and illegal activities. Till now, the miscreants have no courage to stand in front of our society. We Bangladeshis hate them, want to eradicate them and are determined to ensure rights of all communities. Therefore, doubtlessly, we can say that Bangladesh is a peacefully coexistent country and it is not impossible to reduce the negligible level of crisis we undergo.

B. PROTECTION OF MINORITY PEOPLE IN BANGLADESH

There are many dimensions of protection and supports available for the minority people of Bangladesh, like- legal and socio-religious. The constitution of Bangladesh is the main source of Minority rights on legal verdict. Because of different international treaties and as a member of UN Bangladesh should maintain some international rules and regulation. The 1972 constitution of Bangladesh gave certain rights to its citizens.⁶ There are some obtainable protections for minority people of Bangladesh. Namely:

1. Legitimate Provisions: The People's Republic of Bangladesh's Constitution itself gives highest safety clause for Minority people. It is affirming in its preamble that it shall be a fundamental aim of the State to realize 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."⁷

2. Legal Support: Bangladesh government always tries to give assistance and legal support to the minority people. You can see that the chapter XV of Bangladesh's Penal Code⁸ contains offenses related to religion, which prohibit "[d]eliberate and malicious acts intended to outrage

religious feelings of any class by insulting its religion or religious beliefs"⁹ and "[u]ttering words, etc, with deliberate intent to wound religious feelings."¹⁰ These are punished with fines, up to two years in prison, or both.¹¹

3. Traditional Law: From the basis of social, traditional and cultural arena citizens of Bangladesh are supportive to the minority. Even familial matters, including marriage, divorce, maintenance, guardianship, custody, adoption, and inheritance, are predominantly regulated by the personal status laws as dictated by the religion of the persons concerned.¹²

4. As per Doctrines of Religion: A religious people cannot be a harmful to anyone irrespective of race, creed, color, etc. Therefore, we believe that all religion has given direction to the followers to ensure human rights and protect mankind; because it is for them and their wellbeing only. And it is familiar to all that Bangladeshi people are pious and bear respect for others.

People think that adhering to Islam and making it the basis for regulating one's life, as well as the unity of the different races of a nation, one of the strongest pillars of modernist revival, are incompatible with the existence of non Muslim minorities within the Islamic nation. But it is totally wrong. Islamic law holds both Muslims and non-Muslims equal and no superiority or privilege is given to the Muslims on any ground. Allah says: "O mankind. We have created you male and female, and have made you nations and tribes that you may know one another."¹³ Likewise, it sanctified universal religious unity, putting an end to fanaticism, and ordaining its people to have faith in all the revealed religions (in their original). The Holy Qur'an says: 'Say: "We believe in Allah and what He revealed to us and what He revealed to Abraham, and Ishmael, and Isaac, and Jacob, and the Tribes, and that which Moses and Jesus received, and what the prophets received from their Lord. We do not distinguish between any of them, and we have surrendered to Him." And if they believe the like of what you believe, they are rightly guided. But if they turn away, then they are in dissension, and Allah will suffice thee against them. He is the Hearer, the knower! (Our religion is) the baptism of Allah and who is better than Allah in baptism?"¹⁴

9 Ibid. 295A.

10 Ibid.

11 Ibid.

12 Australian Government, Refugee Review Tribunal, Mrt Research Response No. BGD17626, Question 1 (Nov. 11, 2005); <http://www.refworld.org>; <https://perma>.

13 . Al-Qur'an, 49:13.

14 Al-Qur'an, 02:136-138.

Rights, and Labor, https://www.state.gov/j/drl/rls/irf/2010_5/168243.htm.

6 There are two types of rights: fundamental rights and human rights. 'Fundamental rights' which came with birth and applicable to all persons irrespective of sex, race, religion, etc. and 'human rights' it means those legal and moral rights which can be claimed by any person for the very reason that he is a human being.

7 Constitution of the People's Republic of Bangladesh (Constitution) Preamble, <http://bdlaws.minlaw.gov.bd>

8 Penal Code, 1860, Act No. XLV of 1860, <http://bdlaws.minlaw.gov.bd>

The Prophet (peace be upon him) warned against commitment of injustice against non-Muslims and diminishment of their rights. He vowed to be the opponent of their aggressors. He said: “Beware, if anyone wrongs a contracting man, or diminishes his right, or forces him to work beyond his capacity, or takes from him anything without his consent, I shall plead for him on the Day of Judgment.”¹⁵

He (Peace be upon him) observed people’s rights in terms of good neighborliness, as he said: “The best of companions with Allah is the one who is best to his companion, and the best of neighbors with Him is the one who is best to his neighbor.”¹⁶ The tradition included every neighbor, even if he was a non-Muslim. Muhammad (Peace be upon him) also preserved and guaranteed the security of non-Muslims’ lives, wealth and honor in the Islamic community. So, no one is permitted to hurt them whether Muslim or not, as long as they residents of Islamic territories.

Information under this point “Protection of Minority people in Bangladesh” makes clear about the legal, cultural and religious shields of protection Bangladesh has in support of religious, lingual and cultural minorities in Bangladesh. This may somehow pacify the persons concerning treatment of minorities in Bangladesh.

III. OBLIGATION TO THE CONCERNS

Now, we have been informed that, in spite of every positive aspects of Bangladesh’s Culture, there have happened some unwanted incidents. As we are civilized global citizens, the point here to contemplate on is that whatever the causes behind these incidents are, whatever level of the crisis may be and whichever shields of protection we have, those incidents, somehow relating to communal issues, have taken place. And, we are to study on this point and take right steps to prevent all these incidents in future starting right from this moment. There remains no alternative to ensuring all levels of minority rights and safety. Bangladeshis should think of following points and take steps accordingly:

1. Government: Our government is bound to establish and maintain the minority rights

in all levels and dimensions as per the clauses of constitution and international agreements. Appropriate punitive measures to be employed by the government on the miscreants of any class and position. All educational materials and cultural arena to be institutionally more concerned on dos and don’ts in relation with establishing inter-communal harmony. It is the government’s regular and customary duty also. I believe that government will continue and take all necessary initiatives in this regard.

2. Political Parties: All political parties of Bangladesh are dead against these type of unpleasant and inhuman activities. But, as some incidents are evident, political parties are to work with the government hand in hand and establish a strong structure of protesting and preventing any kind of unwanted deeds by any miscreant. Political parties should understand that any kind of incident like this may generate some loopholes that may lead the whole nation to the state of having dangerous consequences.

3. Socio-Cultural Organization: Some NGO’s of Bangladesh are working in this field. The NGO’s should be more careful to the minority issues and increase their vices properly concentrating on the real nature of the problem. They should work continuously as the supporting hands in championing the cause of communal harmony raising the voice- “Save minority, save humanity”.

4. Religious Activists: Most of religious people of Bangladesh are peaceable. In the context of minority concerns, religious people, in addition to just having a peaceful mind, must act by all means and take initiative to resist the miscreants and stand beside the minority people strongly. They should be realizing that minority people are the citizen of our country having same level and kind of contribution like the majority and are member of mankind. I hope that Bangladesh government and various religious activists will work together to ensure the more safety of minority people.

5. For People of Minority: People of minority should identify and understand the real nature of the crisis and work themselves accordingly which is true for any kind of crisis of the world. Inability in doing that in any kind and extent may let them work for themselves inaccurately and let the much desired peace remain out of reach.

15 Sunan Abu Dawud, 3052.

16 Sunan At-Termidhi, 1944.

CONCLUSION

Bangladesh is culturally, religiously and traditionally a minority friendly country. There is a little number of miscreants being controlled by their basic instincts is trying to create unrest and disharmony among our mass people. We are nationally highly conscious and willing to ensure minority rights in all aspects. But, as some unwanted incidents are reported, we have to raise the level of our consciousness through microscopic observation and study in this regard, and, rather than just having awareness, we have to serve as activists of inter-communal harmony and peace. We hope that both the people of Bangladesh and government will take necessary initiatives in this regard. Now, as part of global community, Bangladesh hopes same level of devotion from the people of other countries where minority people are brutally attacked and killed only because of their religion, creed, color, heredity and castes. Let us raise the slogan—“One globe, One human race”.