

## **Spring Thunder in Bangladesh**

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#### **Introduction**

After the liberation of Bangladesh, Sheikh Mujibur Rehman, who had been arrested and taken to Pakistan and kept in Military custody was released and returned to Bangladesh. He formed the first Government of Bangladesh. The surrendered Pakistan Army, all 92,000 of them, were transferred to India as prisoners of war. This included about 300 odd officers and men of the Pakistan Army who were specifically named by the new Bangladesh Government for brutal crimes of rape and genocide. Meanwhile, the leader of the Jammāt-e-Islami Gholam Azam, who had sided with the Pakistan Army during the liberation struggle, and his lieutenant Abdul Khader Mollah, who during the holocaust earned the epithet 'the Butcher of Mirpur', fled to Pakistan secretly crossing the border into West Bengal and then slipping into West Pakistan.

The discussions between the Government of India and Pakistan about the return of the Prisoners of war (PWs) who had surrendered in Dacca in December 1971 continued till 1972. Under pressure from the United States, the Indian Government decided to return the 92,000 prisoners of war including the three hundred odd Pakistani Army officers, JCO's and others who had been accused of raping Bangladeshi girls and brutally killing hundreds of Bangladeshi men, both Hindus and Muslims for opposing the Pakistan Government. Finally, the Government of India and Pakistan signed an agreement and all the 92,000 PWs were returned to Pakistan. This included the three hundred odd personnel listed as having committed genocidal crimes during the liberation war.

#### **The Rise and Fall of Mujibur Rehman**

Mujibur Rehman, the head of the Awami League, the secular party of East Pakistan and now of Bangladesh began his role as leader of the newly born country of Bangladesh with immense goodwill. Unfortunately, Mujib squandered all this goodwill mainly because he thought that his people were behind him. Two factors pulled him down. The first was that there was an extreme left party; the Jatiya Samajtantrik Dal, Jashod for short, an extreme left wing party which had grown up as an undercover group in the Awami League. One of the leaders of Jashod was Major Ziauddin; a Bengali Muslim officer who had crossed over from Pakistan after the revolt had begun along with one Major Abu Taher, and surrendered to the Border Security Force on the western border. They were taken to East Pakistan and after training in guerilla warfare had fought against the Pakistan Army in two sectors on the Assam, East Pakistan border. Major Ziauddin had officially joined the Jashod after Bangladesh was liberated and so had Major Taher, who had become a Colonel in the new Bangladesh Army.

The second factor that influenced the development of Jashod was the way the Bengali officers, who were in West Pakistan when the revolution started, had now come back and managed to get their seniority over the many young Bengali Muslim volunteers who had been trained in the Mukti Bahini, fought against the Pakistan Army and had then been taken into the new Bangladesh Army.

As smuggling went on unchecked, the cost of rice in the rural areas became prohibitive and very soon famine conditions prevailed in interior rural areas. The Government meanwhile ordered the Army to assist the Police in detecting smugglers. In early 1974, the Army was ordered to search and seize unauthorised arms and prevent smuggling. The Army officers and soldiers deployed for checking smuggling and searching for arms found that most of the leaders of the holders of unauthorised arms and the leaders of smuggling gangs were protégés of powerful Awami League leaders including the brother of Sheikh Mujib. When the Army arrested the Awami League leaders, the Prime Minister's secretariat intervened and got the Awami league leaders released. This was when the divide between the Army and Sheikh Mujib developed and soon widened.<sup>1</sup>

The Jashod had done its homework well in the Armed forces during the revolutionary war through Colonel Abu Taher and Colonel Ziauddin and the Sharbohara party. It was natural for the Jashod to take the lead in striking the leader Mujibur Rehman, whose image had been tarnished. It was however the right wing that struck the blow. Mujib was assassinated along with his wife and several close relations by a group of Majors of the only Armoured corps regiment of the Bangladesh Army. Some of the officers and subordinate officers of the armoured regiment who had holed up in the President's building after the assassination were allowed to go abroad and are yet to be arrested and brought back to face trial in Bangladesh.

#### **Bangladesh Under Army Rule**

Shortly after the assassination of Mujibur Rehman, a military coup was attempted by Brigadier Khalid Musharraf. It was generally believed that India was behind this coup but it soon transpired that the coup was an individual attempt by Brigadier Musharraf. General Ziaur Rehman was meanwhile being persuaded by Colonel Abu Taher to lead the secret rebellion brewing in the Bangladesh Army by the Jashod. At the last moment General Ziaur Rehman held back and had Colonel Abu Taher arrested by using the Bangladesh Police. The Jashod's rebellion had meanwhile started in several cantonments and several officers were killed by the revolting soldiers. General Ziaur Rehman immediately rallied the Army after Colonel Abu Taher was arrested and confined in Dacca jail. Very soon the Army rallied behind General Ziaur Rehman and the leftist rebellion was controlled with several rebelling subordinate officers of the Army being arrested. Many officers who had joined the Jashod went into hiding. The Jashod was never able to revive the spirit of rebellion that had been built up by Colonel Abu Taher and Colonel Ziauddin. Colonel Abu Taher never saw the light of day after his confinement in Dacca jail. His trial was conducted with full speed and in secret and he was convicted and hanged in the jail. The leftist rebellion died with this gallant officer, who had only the well being of his country in his mind.<sup>2</sup>

With the ascendancy of General Ziaur Rehman, the policy of the Awami League was reversed and good relations were re-established with Pakistan. The Jammāt leaders who had fled from the liberated Bangladesh were allowed to come back to Bangladesh. Gholam Azam, the Amir of the Jammāt-e-Islami who had fled to Pakistan and Saudi

Arabia returned to Pakistan on a Pakistani passport.

With the liberation from Pakistan and the creation of Bangladesh, a couple of developments took place that began to transform the rural scene in the newly born country. This was the growth of a Non Governmental culture that made a big effect on the rural scene. The first was the creation of the Grameen bank that began giving micro-credit loans to women in the rural areas. Non Government Organisations (NGOs) were set up in Bangladesh since independence. They however came into prominence in the late 1980's, largely because of the failure of the State to deliver basic services in marginalised poor segments of society, especially in rural areas. By 1998, there were 997 local and 135 foreign NGOs as per the NGO Bureau, Dacca.

With the return of the Jammāt-e-Islami leaders to Bangladesh and the Army on the ascendant in ruling the country, the rural clergy and the Jammāt-e-Islami began to flex their muscles. There was a system in the rural areas of Bangladesh for the rural clergy to pass fatwas and salish to settle domestic feuds and local disputes. On all matters concerning women or girls, the Islamic clergy was brutal and cruel in meting out punishments. The Press in Bangladesh was however free and faithfully reported incidents of crude and horrifying punishments meted out by rural Mullahs particularly on women.<sup>3</sup> The rural Mullahs also began a campaign of maligning NGOs who had managed to make a dent in the rural economy of Bangladesh by their continual efforts at empowering rural women. The Islamists headed by the Jammāt-e-Islami despite their best efforts could not suppress the work of the NGOs. A Freedom Fighters organisation had been formed headed by Jehanara Imam, the mother of a freedom fighter who had been killed by the Pakistan Army. This organisation wanted the Judiciary to exercise full jurisdiction in all criminal matters and did not want any powers to be vested with the rural Mullahs. The Islamist groups like the Jammāt-e-Islami and Oikya Jote opposed this and wanted the rural Mullahs to be vested with judicial powers.

The Freedom Fighters League (FFL) organised a massive procession pleading with the Government to try the persons who had collaborated with the Pakistan Army, to remove all powers with the rural Mullahs to try cases locally and to allow the NGOs to function so that rural women would have some control of their lives. As the momentum was building-up, the incident of the demolition of Babri Masjid took place in India on 6 Dec 1992. The effect of this demolition was horrendous. The movement built-up by Jehanara Imam was crushed on the day the information of the demolition of the Babri Masjid in India was received. The Muslim fundamentalist right seized the opportunity and within hours mobs were out and attacking Hindu temples and killing and raping Hindu women. The agitation of Jehanara Imam was simply blown away.

General Ziaur Rehman had re-established links with the Inter Services Intelligence (ISI) of Pakistan and raised a parallel organisation called the Director General of Forces Intelligence (DGFI) for Bangladesh. This organisation was to play an infamous role in assisting insurgent groups of India's Northeastern states-Assam, Nagaland, Tripura and Manipur. He also set-up a political party called the Bangladesh Nationalist Party (BNP). Incidentally, though he was responsible for bringing back the Jammāt-e-Islami leaders who had run away after the liberation war to Bangladesh, he also continued to head the FFL of Bangladesh.

General Zia was assassinated by a coterie of officers of the Bangladesh Army when he was on a visit to Chittagong. This appeared to have been as a result of some disagreement between a group of officers posted in the Chittagong area and General Zia. No involvement of any outside agency or country appeared to have been involved in this assassination plot. General Ershad took over as the new Army Chief and later on as the President of the country. It was only in 1991 that Ershad stepped down and elections were held and Begum Khaleda Zia, the President of the BNP took over as the Prime Minister. The point of interest is that the BNP allied with the fundamentalist Islamic party (the Jammāt-e-Islami) that had collaborated with the Pakistan Army against the people of Bangladesh in the liberation war.

After the elections of 1991, when the BNP led by Begum Khaleda Zia, the widow of General Ziaur Rehman won the elections taking the Jammāt-e-Islami (JEI) as a partner in the Government, politics became polarised with the Awami League (AL) headed by Sheikh Hasina, the widow of Sheikh Mujibur Rehman, being secular while the BNP was pro-Islamic, particularly as the BNP and the JEI Bangladesh fought the elections as a coalition. Regrettably, a polarisation to some extent took place in the bureaucracy. Luckily, the Bangladesh Armed Forces were not affected by this.

In her first term as Prime Minister Sheikh Hasina and the AL could not do much to clear the issue of the war criminals of 1971. When she won the elections in 2006, the developments after the BNP laid down office and the interim Government that had been formed by the BNP who were to conduct the elections turned out to be quite partisan in organising the elections. It was at this time that the Army Chief, General Moin stepped in and in a partial coup, removed the partisan members of the Interim Government and appointed new members. The election was smoothly conducted and the AL won the majority and formed the Government. Immediately after the elections, there was a rebellion in the Bangladesh Rifles (BDR); with their Chief and his officers and some families being trapped in the BDR Headquarters. The Army stepped in and the rebel personnel were quickly killed and arrested. Some weapons were recovered from the BDR campus which were not Government issued weapons of the BDR, confirming the suspicion of outside elements being involved in the mutiny. The Armed Forces of Bangladesh stood solidly with the AL Government.

It was only after settling down after the BDR mutiny that the AL Government took up the old issue of trying the war criminals of the 1971 Liberation war. An International War Crimes Tribunal was created after framing the necessary laws and the leaders of the JEI Gholam Azam, Abdul Khader Mollah and others were charged with offences of murder and collaborating with the Pakistan Army during the liberation war.

### **The International War Crimes Tribunal of Bangladesh**

The issue of setting-up of this tribunal to try leaders of the JEI, a coalition partner of the alternate main political party the BNP, was a bold and necessary step. To consider the issue dispassionately, the facts as given in the succeeding paras should be considered.

It is a fact that the JeI sided with the Pakistan Army during the liberation war and committed considerable atrocious acts like raping women and girls; and killing people of East Pakistan who were supporting the liberation of East Pakistan. The fact that these incidents took place cannot be disputed, as the Indian Army who went into East Pakistan were direct witnesses to the brutal acts of the Pakistan Army and the JeI leaders and cadres, who supported the Pakistan Army against the freedom fighters of East Pakistan. The point however is that it is now more than forty odd years since the Liberation war of Bangladesh in 1971. Obviously the offences like rape and murder shooting and killing of innocent East Bengal civilians, both men, women, cannot be proved by medico legal evidence. The issue is of vital national importance for Bangladesh and it has to put behind the horrendous genocide that was committed on the civilians of East Pakistan. The trials therefore have to be carried out and the ghosts of the 1971 war exorcised if the country has to go forward with dignity.

The only trial that can be compared to this is the trial conducted in Israel by the Government of Israel against Adolf Eichmann a German who took a leading part in exterminating the Jews in Germany in the 1930s and 1940s when Israel had not yet been created. Incidentally, Adolf Eichmann had managed to flee to Argentina and was living with a false identity and was traced by the Israeli Intelligence the Mossad, kidnapped and brought to Israel, tried and executed. The legal issues involved were apparently impossible to prove. Yet the crimes of genocide by Eichmann could not be denied.

The case of the Jammat leaders being prosecuted today for committing genocide of innocent people of East Pakistan who were siding with the liberation forces are much less of a legal issue than the case of Adolf Eichmann. The only relevant point is the long interval between 1971 and 2013 and the obvious absence of medico-legal evidence.

The only conclusion that we can come to is that for Bangladesh, the ghosts of 1971 have to be exorcised. the trials have now to be concluded on the available evidence and the Judiciary of Bangladesh, represented by the International Crimes Tribunal should weigh the evidence and do justice to the innocent victims of the genocide of 1971.

The first trial to be concluded was that of Abul Kalam Azad alias Bachu Razakar, who was condemned to death in absentia. The accused had slipped into India and probably is in Pakistan. The second trial to be concluded was that of Abdul Khader Mollah also known as the butcher of Mirpur, one of the first to flee from East Pakistan when the tide turned against the Pakistan Army after the Mukti Bahini and the Indian Army were winning the war of liberation in 1971. He was given life imprisonment, when everyone was expecting the death penalty. It is reported that the accused made an insulting gesture when the sentence of life imprisonment was announced, meaning that he had escaped the death penalty.

The third accused to be convicted was Dilawar Hussain Saydee, Deputy Chief of the JeI, on 25 Mar 2013 who was given the death penalty.

### **The Shabagh Square Gathering**

The young people of Bangladesh, began collecting at the Shabagh Square on 5 Feb 2013, after the sentence of Abdul Khader Mollah was announced by the International Crimes Tribunal giving him a life sentence. The next day, young people began collecting at the Shabagh Square and started shouting slogans "Khader Mollah Fansi Chai" (Khader Mollah should hang!) Since then, the groups have been collecting and shouting slogans that the Government should appeal against the verdict of life sentence to Khader Mollah and give him a death sentence. The AL Government have since moved the Parliament to amend the International Crimes Tribunal Act to allow the Prosecution to file petitions to enhance the sentence awarded.

The interesting fact about the crowds gathering at the Shabagh Square is that they have not allowed politicians of the AL to address them. This has surprised the JeI leaders. The reaction of the JeI and the Islamic Chatra Shibir (ICS), its student wing, was expected and groups started to organise themselves from their bases in Chittagong and other towns. The JeI and the Islamic Chatra Shibir started their agitation immediately after the International Crimes Tribunal was notified on 25 March 2010. The later development has been the creation of the Hifazat-e-Islam (HEI), obviously organised by the JeI and probably abetted by the BNP, their coalition partner.

The Government of Bangladesh has taken stringent action against the first marches by the JeI and the ICS and then later by the HeI. In the police actions against the marching groups of the JeI and the ICS and then the HeI, there have been a number of people injured both on the side of the militant groups opposing the movement and also on the side of the Police and the Rapid Action Battalion. Besides this, several Muslim young men who have protested at the Shabagh Square have also been surreptitiously attacked and killed. There have also been revenge killings of close relations of crucial witnesses who testified against the accused JeI leaders.

### **Bangladesh at the Cross Roads**

The Islamic fundamentalist Tahrir groups led by the JeI, its student wing, the ICS, the Hizb-ut-Tahrir, Hizb-ut-Towhid, the Jagrata Muslim Bangladesh have all joined hands to fight the AL Government. The issue is simple. Is Bangladesh going to be a democratic country where all religions can peacefully coexist? Of course fundamentalist Islam is not a religion that can co-exist with moderate religions. This is a crucial issue that would not be decided soon. The AL Government has to play its cards in a firm but balanced manner. The Government's Police and Para Military forces have taken a number of casualties and the fundamentalist forces have also taken a beating and suffered many casualties. The Government has been firm and balanced in dealing with such large scale agitations. We can only wait and watch and hope that the forces of moderation will ultimately triumph.

### **Endnotes**

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2. Bangladesh, the Unfinished Revolution, Lawrence Lifshultz, Zed Pres, 1979.
3. Three battles of the Secularists, God Willing. The Politics of Islam in Bangladesh, Ali Riaz. Lowman and Littlefield. USA, 2004.

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