

# VICTORY DAY SPECIAL

## The wounded spirit of 1971

Jamal Hasan writes from Washington, DC

Bangladesh was born in blood, sweat and tears. But we have not been able to live up to the obligation to our martyrs. Our quest for self-respect remains unfulfilled to this day.

AWAMI League's victory in the last elections had a profound effect on the political ambience in Bangladesh. It seemed like a resurrection of the long suppressed spirit of 1971. The people of the Gangetic delta had been forced to fight a heroic war of liberation against a ruthless enemy. Pakistani soldiers were armed to the teeth. To add insult to the injury, the people of Bangladesh received no support from the most powerful democracy on earth, namely, USA which itself had once fought an anti-British war of liberation. The immoral politics of a bipolar world had led the leader of the free world, the United States, to side with the Yahya Khan led military junta that was perpetrating the worst genocide since the days of Hitler. The American public was not only kept in the dark, but was even misled to view the desperate struggle of the Bangladeshis as just yet another Soviet adventure against the newly forged alliance between America and China. Nothing could have been stranger than the sight of Pakistan's Fascist junta engaging in a genocide in Bangladesh with the direct blessings of democratic America and revolutionary China. Cold war politics made a complete mockery of decency and of all avowed principles.

Awami League emerged from the war of liberation as the flag bearer of the spirit of 1971. But it didn't take long for the party to squander away its political capital. The Awami League cannot escape responsibility for the rise of anti-liberation forces in independent Bangladesh.

Bangabandhu failed to bring the war criminals to justice. This lapse proved to be a watershed in our history. It gave a new lease of life to all those that had betrayed Bangladesh in her hour of need. Furthermore, Bangabandhu failed to weed out the opportunists and anti-liberation turncoats who infiltrated the Awami League in the

wake of independence. But Bangabandhu wasn't the only leader who was at fault. We had the strange spectacle of a war hero going out of his way to rehabilitating the discredited collaborators once he came to power in the aftermath of the 1975 coup d'état.

Shah Azizur Rahman had lobbied on behalf of Pakistan's military junta at the United Nations in 1971. But General Zia chose to overlook his past. Shah Azizur Rahman went on to become the Speaker of the Parliament and then the Prime Minister of independent Bangladesh with Zia's backing. The diehard supporters of Awami League deny any wrong-doing by the party in the 1972-1975 period. But the fact remains that many an Awami League got enmeshed in the politics of self interest to the detriment of the nation. Corruption became rampant and merely lip service was paid to secularism which was one of the four pillars of the so-called Mujibism.

Anti-Indian sentiment had degenerated into an anti-Hindu stance. This is a far cry from what we see in today's America (thanks to its Department of Education) where the private media and the administration go out of their way to promote multiculturalism and the tolerance of diversity. In other words, America is following a policy that promotes secular and humanistic ideals among children in the nation's classrooms.

Shortchanging the ideals of a secular state wasn't the only failing of the party. Awami League leadership can be held directly responsible for the rise of quasi-fascist politics. Dissent was quickly and ruthlessly suppressed by branding the dissidents as "Pakistani agents". It didn't take long for the pro-liberation forces to become disillusioned. While the dissidents were being silenced, the real Pakistani agents were waiting patiently in the wings. These fifth columnists had the last laugh when the Awami League

was sent into oblivion by the bloody coup d'états of 1975.

Awami League's failure to live up to the ideals of our liberation movement was a tremendous setback. Successive military regimes after 1975 either inadvertently or deliberately served the interest of Pakistan. Under the pretext of containing India, the new rulers of Bangladesh deliberately chose to erase the memories of 1971 from the collective consciousness of the people. Both Zia and Ershad preferred to present themselves as apolitical but their actions left little doubt about their agenda to turn Bangladesh into a "born-again-Pakistan". Under their regimes, the Radio and TV were instructed to refrain from mentioning the crimes against humanity in 1971 by the Pakistani soldiers. Not even on independence day would the Radio or the TV use the word, "Pak army." "Hanadar bahini" was the word that was used instead. It is as if words like "German Nazi atrocities" and "war against Germany" had been banned from European and American media.

The Bangladesh liberation movement had unfortunately taken place at a time when the American administration preferred to see everything in the light of cold war politics. Promoting the Washington-Beijing-Pindi alliance against the Russians was deemed to be far too important to worry about the genocide in Bangladesh. Nevertheless, Bangladesh managed to earn her independence, but at a stupendous cost. Three million Bengalis were murdered and hundreds of thousands of our mothers and sisters were dishonored by the brutal Pakistani soldiers. What hurt the most that much of the world ignored our plight during our travail much as they had once ignored the plight of Jews under Hitler.

History repeats itself if we fail to learn its lessons. That is why the Jews continue to say, "Never again." They continue to hunt down the criminals who

had shorn the Jews of all dignity under the Nazis. The Jews have been doing everything possible to recoup their dignity. And every self-respecting people are emulating them. The Koreans have self-respect. That is why the Japanese emperor had to apologize to the Koreans for all the atrocities of the Second World War. The Polish too have self-respect. That is why the Soviet foreign minister (during Gorbachev era) had to publicly apologize to the Polish people for the Soviet army's infamous crimes in Khatyn. As we see countries like Japan and Russia apologizing for crimes that took place a half century ago, we Bengalis have to ask ourselves why Pakistan has not bothered to do the same.

Public repentance for past crimes is becoming increasingly common. Switzerland is belatedly compensating the survivors of the holocaust. Japan is being nudged to apologize to China for crimes committed more than a half century ago. For the sake of self-respect we must demand an apology from Pakistan. But that is not enough. When the Soviet Union disintegrated, mammoth Russia was forced to cut a deal with tiny Ukraine which extracted its share of the assets that included the Baltic fleet. But Pakistan, to this day, has not bothered to give Bangladesh its share of assets. It has not offered any reparations for the crimes of 1971. The quarter million "Biharis" continue to rot in UN-run refugee camps. And Pakistan continues to thumb its nose contemptuously toward Bangladesh even as it delivers homilies on the virtues of Islamic solidarity.

This is hardly surprising in view of the fact that Bangladesh has not been able to extract even a simple apology from the present day rulers of Pakistan.

Bangladesh was born in blood, sweat and tears. But we have not been able to live up to the obligation to our martyrs. Our quest for self-respect remains unfulfilled to this day.

## Forgive us our trespasses, Sharmistha

by Tariq Ali

I would ask Sharmistha to look around her. There are so many others of her community much worse off. I recently met a group of ten victims from Lalpur thana in Natore who have lived a nomadic life for the last five years, away from their homes, because they had protested against the snatching away of their landed property.

I was at a friend's office recently and his secretary was going through the process of making an appointment for her boss with a client. "And who is this speaking?" I could see, was the persistent question from the other end. She demurred a bit but finally yielded. "My name is Sharmistha," said Sharmistha as she put the phone down and seeing the quizzical look on my face continued with a sad smile. "Sharmistha is more convenient. I have often blamed my father for pulling a name straight out of the Mahabharata for me. But how was he to know in 1972, in the secular nation that had just emerged, that the stigma of a Sanskrit name, which he had borne through his youth in East Pakistan, would continue to haunt his daughter even after thirty years of professed secularism, and that too, in a nation that had been created with so much blood." It was clear from the bitterness in her voice that what she really meant was that part of that blood was Hindu blood.

I could see why she was bitter. After her Masters in political science, at best a 'felna' degree from a 'not-look-felna' university, she had in vain tried for a job in the city and then rotted for two years in a primary school in Satkhira, where she was required to pay part of her salary to the school board members every month. In the end, an exasperated Sharmistha felled her 'felna' degree, took a secretarial course and then this job with my friend.

The immediate emotional response that this episode would evoke from 99 per cent Bengalis is — "but look at the way India is treating their Muslims." The question that these emotion-stricken people should really ask themselves is whether the appropriate response to the tat on the Muslims in India would be to give an equal tit to the Bengali Hindus on this side of the border. It would perhaps open an eye for those empty laden "brothers in faith" if they pondered over why a full 75 per cent of the minority population of this land have left their ancestral homes between 1947 and today, whereas only about 5 per cent of the Muslim population of West Bengal have migrated eastwards. The Pakistanis do not have to worry about this problem at all. They have "paaked" i.e. cleansed (no pun intended) their land flawlessly enough during the years following 1947 to take care of that problem. Even the Kafirs and the Hunzas in their land, having been made "paak" today, are fighting alongside their neo co-religionists for the cause of the Mujahedeen in Kashmir.

Let us leave this "paaked" land of Pakistan to wallow in whatever farrago of a state philosophy they see as their raison d'être, although it looks increasingly to me that they are firmly set on a course to extinguish themselves into oblivion. If we, as citizens of a country with secularism enshrined as one of the principles of the state for at least ten out of its thirty years ask ourselves whether we

have worked for or against this fourth pillar of our constitution, the answer will be uncomfortable indeed. We shall, to our surprise, discover that our mental block against the very notion of secularism subdued throughout 1971 with the population constantly fleeing from one Pakistani atrocity to another, took no time to eradicate the rays of rationality that the blood of the three million slaughtered had painted on our intellectual horizons. When in January 1972, the first seeds of communal tension were sown by the bogey of an ultimate colonization by India, it was the nimble operators within the government itself who prevented the government machinery from dealing with it with the severity that was needed.

The truth, though sad, is that although the Pakistanis had been humiliated in battle, they convincingly had won the "mogol-dhofa" battle, waged over their entire 23 years, and had been able to lock into our minds the fear of Indian expansionist designs. Thirty years later, despite a global situation which is radically different, the present government is yielding to the same pressures by soft-pedaling the issue and by its policy of appeasement of these fatwa-rattling soldiers of medievalism. This medieval mindset, from which we show no signs of trying to come out, is in my opinion the root cause for the sufferings of the minorities of Bangladesh today. The absence of the practice of democracy in this land for twenty-odd years, is no trivial offender either. It has bred greed-infinitesimal far mindless acquisition by deprivation of others. It has also given validity to the percept that power and money is a fail-safe means and the only end. The absence of democracy has also all but driven away from our minds the pluralism that has been the strength of the society in Bengal for the last five hundred years, the absence of exactly which, in my opinion, is the cause of Pakistan's journey towards extinction today.

One does not have to look very hard for the deprivation in every day life that the minority community has to live with in this country. Take a casual look at the attendance registers of the remotest thana health centres in the country. It is no mere coincidence that the only doctors who are posted there are from the minority community. Rare is the case where there is a name from the other community there, and if there is, he refuses to live in that forsaken thana except for the meagre salary. Go to the collector's office. The sprinkling of minority names that can be found there are stuck behind musty p.s. and p.a. desks in departments which have not achieved eminence as yet, such as environment or statistics. And if someone from the minority community has committed the colossal error of judgement of being lured into the civil service, he is doomed to languish on the 'snakes and ladders' board for the rest of his life at around the 60

number. Or for that matter, take business. In the 50 years since 1947, minority dominance in commerce and industry have dwindled, say from 95 per cent, to a whimpering 5 per cent today. And when one takes into account how much was actually transacted for any business that was not literally wrested away, one may be embarrassed to find that acquisition was made for a pittance.

There will of course be thunderous protests from the already, as well as the aspirant beneficiaries as to how the Hindus have always kept a foot on the other side of the border, and how they have surreptitiously transferred their assets. Surreptitious is right indeed — the rules in force in Pakistan never did allow a legal transaction when it came to Hindu property. Hindu property, ever since 1947, has been considered maal-e-ganimat (fatwatised in 1971) by all successive governments. It is a slap to the conscience of a nation that fought its war of independence on the grounds of social justice that it condoned, in fact legitimized the continuance of banditry under the garb of a draconian law called the Enemy Properties Act. Readers may not be aware, as I was not until recently, that the enemy properties act was not made applicable to property in West Pakistani territory. And if one could cast his 'enemy property' net over any Hindu property, a bit of influence peddling was perhaps all the investment one would need to devour it.

Then there are those who are obsessed with the notion of loyalty, rather disloyalty, of the Bangladeshis. Apart from the foot on each side of the border, story the other favourite is overseas scholarships. I was actually discussing this a couple of years ago with a Bengali friend now living in USA. He was fuming over how students of the minority community on government scholarships returned, at the completion of their studies, not to Bangladesh but to India and stayed there. However, when it came to the actual taking of stock, between the three of us engaged in the conversation, we could not identify one person we knew who had done that. My friend in the heat and fury of the argument had, of course, forgotten that both he and also his wife had come to the United States on government scholarships, had stayed back and acquired American citizenship. So had, we found out, most other Bengalis living in that State, teacher-elders from their own universities, now comfortably employed in large US corporations. Looking at it from a philosophical perspective, we cannot dispute the fact that it is really the state which must bear the foremost the responsibility for giving its citizens the confidence that the state machinery is there to protect him. Wherever that confidence has been eroded, whether it be in the failure to protect the self and property of a minority citizen or in the failure to guarantee a comfortable income to the university professor, it has

lost the claim to loyalty of the citizens.

So, I return to the case of Sharmistha. I would ask Sharmistha to look around her. There are so many others of her community much worse off. I recently met a group of ten victims from Lalpur thana in Natore who have lived a nomadic life for the last five years, away from their homes, because they had protested against the snatching away of their landed property. Since 1972, in this thana alone, a documented 1500 families have been forced to flee across the border by a group calling itself the Georgis Bahini. One hundred and forty of these families actually fled after 1996. It is alleged that the leader of the bahini, Ataur Rahman Georgis is a politician so powerful that when the TNO reported these atrocities to the district authorities, he was transferred.

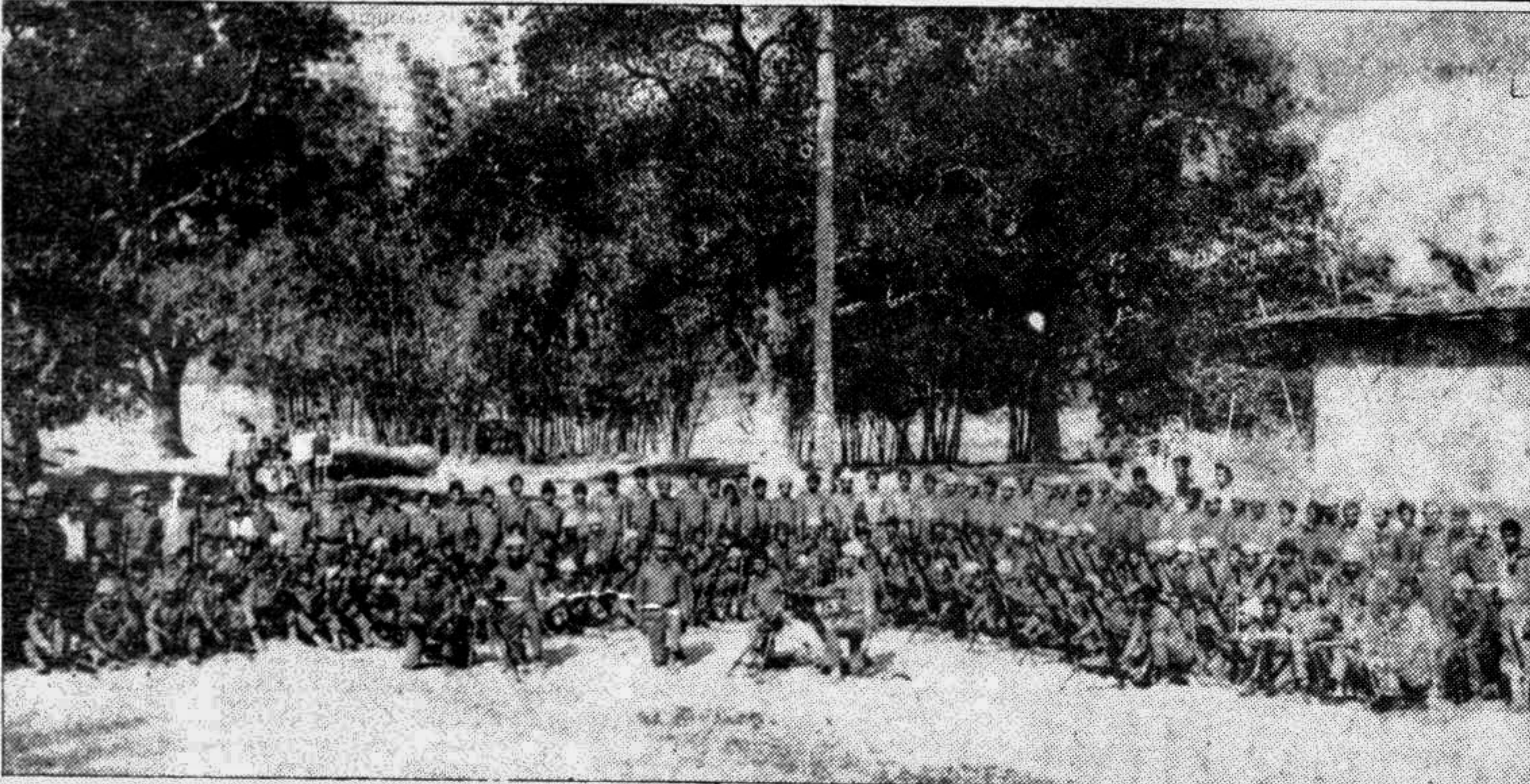
Then there is, Alokkrani Kundu from Naria thana in Shariatpur, whose tenacity at 75 years of age, Sharmistha should take inspiration from. She has actually got assurances of redress from no less than three Presidents and Prime Ministers over the last fifteen years, and there it had ended — each time. Her husband died after of being allegedly beaten up by the Sekander Daktra gang and she lives in exile in Dhaka. Her daughter, who has managed to hold on to a corner of their once sprawling property spends each night under the threat of being murdered and wakes up each morning to find new encroachments.

It is not only the politicians who are usurping minority property. The 'jamal' (son-in-law) of an MP in Kalapara, Patuakhali, has forcibly occupied nine acres of land from U-Sue, a leader of the Rakhaine community there, a community whose population has shrunk from 63 thousand in 1974 to five thousand today. One wonders why. If the fact of U-Sue being a leader of his community has not deterred the 'jamal' of the MP — why should a poor school master's daughter, Sharmistha, expect better?

Even razzakaars in the Bangladesh of today are more valuable citizens. A razzakar from Chittagong, who happens to be a political bigwig today although he suffered defeat in the elections at the hands of a more widely known razzakar, has evicted Midrud Rakshit from his Chittagong home, where the family has been living for the last 100 years. Notwithstanding this and the fact that Rakshit's family has had three generations of prosperous legal practice in Chittagong, he is now completely dispossessed. He, however, credits his ancestors for their truly visionary intelligence in choosing the surname for the family, which he says, aptly describes the plight of minorities in this country today.

Sharmistha then should consider herself fortunate that all her father did was to pull out a name from the Mahabharata to give to his daughter.

The writer is a freedom fighter, presently running his own business.



Freedom fighters undergoing training in a border district during the liberation war.

## Realities of division of assets between Pakistan and Bangladesh

by M Matiul Islam

THAT Bangladesh got separated from the western wing of Pakistan through a bloody war that ended 28 years ago should not diminish the legitimacy of her claim to a share of the assets held by the Government of Pakistan on the day of separation. The span of 28 years since the cessation of hostilities has helped to heal the wounds of war and should pave the way for a negotiated settlement through a constructive dialogue. As an aggrieved party, however, the initiative should come from Bangladesh where Prime Minister Sheikh Hasina should place the subject par passu with other outstanding national issues. In reaching an equitable settlement of this thorny question, handing of a similar situation in 1947 between India and Pakistan could provide some guidelines notwithstanding that the circumstances of separation between Bangladesh and Pakistan were dissimilar.

India's freedom through division of the country was a negotiated settlement brokered by Lord Mountbatten on behalf of the British Labour Government. A high-level partition council, with Pandit Nehru, Sardar Patel and Baldev Singh on one side and M A Jinnah and Liaquat Ali on the other, was in place to oversee orderly partition of India. Two Boundary Commissions, one for the partition of Bengal and the other for partitioning Punjab, were constituted for drawing national boundaries. Separate Committees were established to partition the armed services and other elements of the vast administrative machine. Despite the umbrella of high-powered

Council and Committees, the territorial boundaries were drawn and the assets of the subcontinent were divided in a most haphazard fashion, much the way a hostile divorcing couple divide their worldly goods and possessions.

In allocating the assets of the then Government of India and the Government of Bengal and Punjab, the Partition Council's approach was pragmatic. "As is where is" basis seems to have governed the division of fixed and immovable assets between the two newly created states. It does not appear that there was any attempt at dividing the immovable assets, created out of the central outlay in the capital city of New Delhi, nor was there any talk of compensating East Bengal for the movable assets of the Bengal Government in Calcutta. The assets that were subjected to division were the moveable or floating assets as well as liquid assets i.e., cash and sterling reserves. The most visible moveable assets shared by the two countries were the rolling stocks and locomotives of the Railways, the hardware of the army, navy, and the air force. As a share of the Indian Navy, Pakistan received one destroyer and perhaps one frigate. The Government of India undertakings, like the two mints — one in Lahore and the other in Calcutta — as well as the sea ports, vested on the basis of their physical locations. The division of moveable assets, especially in Bengal, reached a ludicrous level when East Bengal's share of the tables, chairs, almirahs, typewriters and other fixtures of the offices of Bengal Government in Calcutta as well as of the Cen-

tral Government were physically moved to Dhaka or other places of East Bengal, as Dhaka was too small to accommodate all the offices. The physical hardship undertaken by the optee officers to transport old and dilapidated furniture and fixtures were unbelievable. Principal Abdus Samad, former principal of the Chittagong College of Commerce, once narrated to the writer how he spent weeks on the platform of the Santahar Railway station waiting for the transshipment of the divided assets of the predecessor institution in Calcutta from broad gauge to meter gauge to reach its final destination to Chittagong.

The two-nation theory of Quaid-e-Azam was the genesis of India's partition but it was the regional economic disparity which led to the dismemberment of Pakistan. The cause and effect of economic disparity between the two wings of the country have been the subject of bitter controversy during the 25 years of our co-existence and if made a basis now for laying claims on assets that were physically located in West Pakistan and vice-versa, we would only prolong our agony and further postpone the process of settlement.

The pragmatic and practical approach would be that the immovable assets created through foreign project loans and grants in the two wings of the country as well as through transfer of resources from one wing to another should automatically belong and vest in the country in which the assets were physically located. The visible assets would consist of fixed assets outside of Pakistan, floating or moveable assets as

well as the liquid assets of the Government of Pakistan on the day of separation and assets that can still be clearly identified as financed from the provincial resources.

Keeping in view the historical perspective of the separation, the lesson of 1947 partition of India and that time is the essence for obtaining an acceptable deal, the formula noted below could very well form the basis for negotiating the division of assets between Pakistan and Bangladesh.

- A. Non-negotiable Assets:**
1. Assets of the provincial governments whether created through resource transfer from the erstwhile Government of Pakistan or financed from foreign aid.
  2. Immovable or fixed assets of the then Government of Pakistan in the two wings of the country.
  3. Private sector investments in East or West Pakistan irrespective of the source of finance.
  4. No claim for war reparations by Bangladesh for the massive damage and destruction to the infrastructure by the Pakistani army as a war strategy including destruction of individual homes after the army crackdown.
- B. Negotiable Assets:**
1. Foreign assets, both moveable and immovable, belonging to the Government of Pakistan, land, building, and premises of embassies and chanceries abroad and all other identifiable assets outside the country should be in the divisible pool. In 1948, Pakistan acquired its first chancery in Washington for US \$150,000,

now worth millions. Other such acquisitions followed.

2. Gold reserves as well as reserves of precious metals of the Government of Pakistan held by the State Bank of Pakistan in Karachi and elsewhere. In 1972, Canada had to provide the gold to enable Bangladesh to pay for her subscription for the membership of IMF.
3. Foreign Currency Reserves of the Government of Pakistan. The entire foreign exchange reserves of Bangladesh in December 1971 consisted of \$5 million placed with RBI Bombay by the Government of India and another Rs 10 crore in India currency placed with SBI Calcutta.
4. Contribution in gold or in foreign currency made by Pakistan for membership of IMF, World Bank, IFC, Asian Development Bank and the United Nations.
5. Principal and interest on foreign loans pertaining to the period prior to December 16, 1971 assumed by the Government of Bangladesh.
6. The proceeds from exports originated from East Pakistan but not repatriated to Pakistan before December 16, 1971.
7. Moveable assets of Shipping Corporation of Pakistan, Pakistan International Airlines and other corporate bod-

8. Naval ships, air force planes, and army hardware.
  9. Assets created in one wing of the country with the resources of the Provincial Government of the other wing.
  10. Any other floating or liquid assets not noted above.
- The initiative to bring Pakistan to the negotiating table must come from Bangladesh whose only weapon now is moral pressure and the goodwill of the Government of Pakistan. Bangladesh today is as helpless to force the issue as Pakistan was in 1948 when India withheld release of Pak-

istan's share of the reserve bank of India's cash balance amounting to Rs 550 million. Pakistan had no money to meet the day to day expenses of the Government. It was Mahatma Gandhi's resolve to fast unto death on this issue that Pakistan got its due share which along with Rs 200 million given by the Nizam of Hyderabad saved Pakistan from a total financial collapse. There is no Gandhiji like personality in Pakistan to take up Bangladesh's cause, but justice is on our side.

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Freedom fighters and allied force entering capital Dhaka, December 16, 1971.