

EVENTS may turn out to be different. But Prime Minister Atal Behari Vajpayee's 'Musings' from Kumarakom reminded me of the 'stray thoughts' by the late Prime Minister Indira Gandhi on the eve of the All-India Congress Committee meeting in Bangalore some 32 years ago. She was outnumbered in the Congress Working Committee. But her 'stray thoughts' came in handy to vanquish the party bosses in the name of economic radicalisation, including the nationalisation of banks.

She had her own person, VV Giri, elected as India's President instead of the official candidate Sanjeeva Reddy. She did not relent till she split the Congress Party and ousted Morarji Desai, a compromise candidate, from the cabinet. The Congress then went the dynastic way and it has not recovered since. The Vajpayee 'musings' too are meant to challenge his opponents in the BJP. Mrs Gandhi played the economic card and Vajpayee, the secular. Her fight was against 'the conservatives' while his is against 'the obscurantists.'

Vajpayee has realised that even the closest to him says one thing and does another to fit into the Sangh parivar's thinking. The appointments they make to various boards, committees or positions reflect their bias. The appointees are either the BJP members, the party's camp followers or, still worse, those who have links with the RSS. The plan to rewrite history or even to reshape it continues unabated. And there is a systematic penetration of the Hindutva elements to the system under the nose of Vajpayee. I trust the Prime Minister when he says, "be it the Dargah of Ajmer Sharif or the

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shine of Nizamuddin Aulia in Delhi, the Golden Temple of Amritsar or the Church of St Francis at Goa — these are all proud symbols of our syncretic national culture." But he alone cannot do much. His party and its mentor, the RSS, is too steeped in Hindutva to take notice of secular symbols. Vajpayee has tried to prod them to extract themselves out of the communal maelstorm in which they are stuck.

In contrast, Mrs Gandhi chose to break the Congress when she realised that she could not push it beyond a point. Vajpayee faces the same situation within the BJP. The hardliners are using him to put on an air of liberalism; mukut (mask) was the word used by RSS ideologue Govindacharya. Vajpayee knows it. But, at 76, he does not have the stamina to fight all alone, although he would like to challenge his tormentors. His dilemma is that he wants the party to be liberal. But he has no inclination to either split the BJP or to walk out of it.

Vajpayee is unhappy that most in the party do not come along with him. But they will follow him if he is prepared to go beyond writing treatises like the musings. Probably, he believes that he can create an atmosphere where the hardliners will come to feel isolated. This may happen but only to a limited extent unless he is willing to tackle the

intransigent elements within the Sangh parivar.

One of its members, the Vishwa Hindu Parishad (VHP), has already demanded from the Centre 68 acres of the acquired land in the temple complex for construction of a 'gopuram'.

BETWEEN THE LINES

Kuldip Nayar writes from New Delhi

Pillars, carvings and other embellishments are ready to be transported to Ayodhya. Will the VHP give up its plan after Vajpayee's plea that the building of the temple was dependent either on an agreement between the Hindus and the Muslims or on the court's judgment?

The VHP may be too blatant. But the RSS is no less adamant. Their insistence of building the temple is a symptom, not the disease. The disease is the effort to Hinduise the Indian State. The BJP ministers at the Centre are gradually fostering all that goes against the grain of our composite culture. Their statements are too general to let the public suspect that the BJP and the VHP are a committed lot, working relentlessly to attain the objective the parivar has before it.

How one wishes the Prime Minister had admitted in both houses of Parliament the two warnings he has enunciated in his 'musings'. One, "the status quo of Kashi, Mathura and other disputed places of worship must remain undisturbed," and, two,

rest of the BJP crowd. He is seen as a liberal who reflects a pluralism of sorts. But he disappointed the lobby when he said in the Lok Sabha that the "construction of Ram temple was an expression of national sentiment which is yet to be realised." These words left no room for any doubt or ambiguity. They equate the 'national sentiment' with jingoism of some Hindus who are determined to build a temple at the site where the Babri masjid stood before demolition. Vajpayee's interpretation could not have gone unchallenged because it hurt India's secular ethos, the basic structure of our polity. The Prime Minister probably realised the wrong impression his observation has created. He bailed the press for misinterpreting him. 'I had to explain in writing when you people misinterpreted my remarks,' the Prime Minister told me after the publication of his two-part article. 'I was misquoted and misjudged. Now I have at least the satisfaction of having explained what I actually said.' Never before was he so clear and categorical as he was in his 'musings.' Had he been unequivocal earlier, the question of misunderstanding him would not have arisen. In a recent statement, he has said that he does not know how he made the

remark. He feels it was a slip of the tongue. What he has said in the 'musings' will go a long way to win back the lobby which disappointedly inferred that Vajpayee was a chip off the old block. The lobby too feels assured that he is still the same old Vajpayee. He is on probation. His future acts will tell whether the lobby is correct in letting him off the hook.

One thing Vajpayee must realise is that his explanation may put together the pieces of a damaged image somewhat into its original shape. But even the best of repairs to a shattered mirror will leave a few lines to remind the viewers that it was once broken. Already, the Congress has joined issue with him on his 'musings' by terming it as an exercise "obfuscation which would fool no one." The Congress, not convinced about his "protestations of innocence," has accused him of indulging in "double speak" to mislead the people on the sensitive issue. Some other political parties have felt the same way. Vajpayee will have to work hard to rub off such suspicions. No doubt, his 'musings' shall initiate a new thinking in the BJP. The country does not belong to the majority alone. The minorities are equal partners. The diversity is the nation's strength, not its weakness.

And, as the Ganges has taken into its lap a multitude of different streams, whether stormy, placid or dirty, India has also assimilated the strange and the strong from several climes reflecting its pluralism. The sooner the Sangh parivar realises this, the better it will be for India.

LETTER FROM KARACHI

HRC Report: Debate Continues

by M.J. Zahedi

As time passed, those who were involved in some way or the other in 'the East Pakistan debacle' wrote their memoirs, with a view to prove their innocence. They are Lt-Gen Gul Hassan, chief of general staff in the 1971 war. Lt-Gen Niazi followed him. Gen Yahya Khan did not write his memoirs but his statement to the commission has been published. It seems however that the debate that has followed the release of the report will probably continue for some time.

disciplinary action under the Pakistan Army Act against others and departmental against a third category.

Should the 'real architects of the ignominious defeat' be punished, as recommended by the commission, even at this late date? On this point *The Nation* wrote: "Anybody holding that the case against those who brought disgrace to the country has become time-barred is not really understanding the depth of the public sentiment". The paper has urged the present government to take action. "If cases against politicians for the distribution of plots or for unlawful public appointments can be dug up after a lapse of 16 years, why cannot those responsible for the loss of half the country be brought to book after 29 years?" It wrote in an editorial headlined "The burden of shame". Some of the officers against whom action had been recommended are now no longer alive but some are.

A section of the people and organisations including the Human Rights Commission suggest that it is not late even now to take action. "The army is a highly prestigious institution and would be doing itself a disservice if it was seen to be protecting individuals who constitute a blot on its fair name". *The Nation* wrote and assured the government that organizations were strengthened and not weakened when they get rid of their black sheep.

The HRC said that during the 1971 Pakistan-India war, the GHQ in Rawalpindi did not give any order to surrender, but in view of the desperate picture painted by the Commander, Eastern Command, the higher authorities gave him permission to surrender if he, in his judgement, thought it necessary. According to the GHQ, at the time of surrender, there were an estimated 73,000 to 93,000 men and officers under General Niazi's command who could have held out for at least two weeks. It was of the view that he could have disobeyed such an order (to surrender) if he thought that he had the ability to defend Dhaka.

The report mentioned the names of some 200 ladies (some also from Dhaka) who it said took a lot of General Yahya Khan's time even during the critical days of the war and during the period

immediately preceding the war. "During November 1971, when things were taking a serious turn in East Pakistan, the President (Yahya Khan) spent two to three days at the Governor House at Lahore where a certain lady used to visit him two or three times daily and would also come to him at about eight every night."

The commission said that it was not the President alone who was afflicted with these things. The CoS was a frequent partner with him in many of these adventures.

The commission also repudiated General Niazi's claim that he was merely to act as a Corps Commander under orders of the GHQ and there was no responsibility cast upon him to plan for an independent war or for taking independent decisions on his own. Lt-Gen Niazi, like his superior commanders, failed to make a proper appreciation of the situation that was fast developing in the eastern theatre and continued to delude him in the false hope that the Indians would not go for a regular war, instead they would continue with 'the undeclared war'. Discussing the military situation prevailing in Dhaka on or around between the 14 and 16 of December, the commission said that things had not yet come to such a pass that Gen. Niazi was left with no other alternative but to surrender. From the evidence before it, the commission felt that there were roughly 16,500 combat troops in the eastern sector and wondered whether they could not have held on longer, particularly in the light of General Niazi's 'bold statement that Dacca would fall only over his dead body'.

According to the commission, the assessment of the Pakistan

delegation at the UN Security Council was that 'even a few hours would have made all the difference'. If that is, then decidedly, we think General Niazi could, with some effort and doubt at the cost of some human lives, have held out'. Moreover, his instructions from Rawalpindi were not an order to surrender, so he alone was the judge of its propriety. "In these circumstances, a refusal to surrender would at least have saved the army from ignominy and public humiliation unprecedented in the history of Muslim soldiers."

The commission was at a loss to understand "what induced General Yahya Khan to authorize, even advise, General Niazi to surrender". It noted that Yahya Khan had refused to accept political settlement with the Awami League when peace was being offered "by no less a country than Russia". The Russian proposal was for an immediate ceasefire, withdrawal of the troops and political talks with the Awami League. It concluded that having seen that under no circumstances could he (Gen. Yahya Khan) continue his personal power over East Pakistan, he was making a last bid to keep himself in power in the west. "Even on the 16" (of December, 1971) he was ready to promulgate a constitution the prominent feature of which was the perpetuation of his own power", it noted. "We have not been able to escape the conclusion that General Yahya allowed the country to blunder into a war from which no good result could be expected and continue in the course of his obstinate conduct merely because he would not, at any cost, agree to a political

solution of the country's troubles and finally to permit, even instigate, a surrender ...", the commission wrote. It even went on to discuss about the need to hold a surrender ceremony. "General Niazi seems to have been all too willing to agree to a ceremony ... he himself expressly said that this was because, if he did not do so, the massacre threat would be carried out... General Niazi then himself went to receive General Aurora at the airport which again, we think, was not only wholly unnecessary but even disgraceful", the commission commented.

On the political front, the report supports the view that Z.A. Bhutto too was not keen to reach a political settlement. Had he struck the right chord with other West Pakistani leaders, and also with Sheikh Mujib, Bhutto was best placed to win him (Mujib) over on the promise of supporting Awami League's rightful claim to power and, of course, maximum provincial autonomy.

The report has been described as 'a portrait of our ignominy'. The roots of it obviously go way back into the past with many more villains than the Yahya Khan coterie. But the latter had eagerly assumed power against a constitutional alternative, and then led the country to destruction. This is culpability enough, and there must be trials, an analyst in *The News* thinks. The government of General Musharraf deserves credit for being bold enough to put the report in the public domain. A senior journalist (Hussain Haqqani) has written in *The Nation* that the real message for

the present leadership is to avoid soldierly over-confidence and to make the transition from soldier to ruler with wise civilian counsel. Unless that is done, we would end up once again with the kind of political confusion General Yahya Khan presided over, albeit in a different form and varying shape. The release of the report (although many organizations and institutions do not seem to be satisfied with the incisions that have been made and have sought release of the full version) reflects an open-mindedness on the part of the current military rulers of the country.

The HRC recorded evidence of as many as 72 people. As for implementing the punishments as recommended by the commission, Lt-Gen Niazi is the only military personnel to be punished for his role in the fall of Dhaka. He was removed from the army in May 1975 and was not given pension or any other benefit. Zulfikar Ali Bhutto put him behind bars during the PNA movement in 1977. The Zia government finally released him. Gen. Yahya Khan was given two pensions and benefits entitled for an ex-president and ex-commander-in-chief. However he was put under house arrest by the Bhutto regime, only to be released by General Zia. Yahya died in August 1980. As time passed, those who were involved in some way or the other in the East Pakistan debacle wrote their memoirs, with a view to prove their innocence. They are Lt-Gen Gul Hassan, chief of general staff in the 1971 war. Lt-Gen Niazi followed him. Gen Yahya Khan did not write his memoirs but his statement to the commission has been published.

It seems however that the debate that has followed the release of the report will probably continue for some time.

THE hue and cry over the release of the report of the Hamoodur Rahman Commission (HRC) was not unexpected. As *The Nation* said in an editorial, 29 years are too short a period for the injury inflicted on the honour of the country to be healed and forgotten.

The HRC was appointed in December 1971 to enquire into the causes of the debacle that Pakistan suffered in its war with India in the same year. The Commission consisted of three senior judges of the country, viz., Mr Justice Hamoodur Rahman, chief justice of Pakistan, who was also president of the committee, Mr Justice Anwarul Huq, chief justice of Lahore High Court, and Mr Justice Tufail Abdur Rahman, chief justice of Sindh and Balochistan. They were assisted by a retired senior military officer. The Commission submitted its report in time but it was not published immediately or soon after, in fact it has been lying in cold storage since then. It consists of 675 pages (452 in the main part and 223 in the supplementary part). Some portions of it did appear in foreign papers from time to time, but the latest publication (in an Indian paper) of parts of the supplementary pages caused a stir in Pakistan. This led to a great demand to declassify the report. Chief Executive Gen. Pervez Musharraf promised to do so and set up a committee (consisting of the interior minister and cabinet and foreign secretaries) to go through it with a view to declassifying and publishing it after keeping the sensitive parts back. It was done on December 30 last year, after 29 years of its submission to the government.

But the way it was done obviously irked the pressmen. *The News* (in an editorial entitled 'Shaky release of HRCR) wrote: "The government has taken a gigantic, and welcome, step to release the HRC report for the public but it appears to have done so with trembling hands and shaking knees". After officially declassifying it, the report was placed in the Cabinet division and the media was informed about this important document through a press conference. However the report's accessibility was restricted by a policy of disallowing photocopies or taking the official text out of the room where it was placed. The media was put to the unnecessary pain of taking long notes from about 700 pages and even typing these notes was not allowed. Besides only six copies were made available for the entire national and international media.

Naturally, now the question that is being discussed is about the implementation of the recommendations made by the commission. The commission had recommended court martial of a number of senior commanders,

To the Editor ...

Freedom Fighters' interests

Sir, We are grateful to the government for providing benefits for the welfare of Freedom Fighters. Thousands of Freedom Fighters, in remote villages, are in a distressing condition, as reported in the media. These Freedom Fighters left behind their families, and for nine long months, risked their lives to gain independence for the country. The benefits given by the government, are: 1) Freedom Fighter Welfare Trust; 2) Bangladesh Freedom Fighter Council; 3) Memorial for Freedom Fighters; 4) Museum and Library; 5) Quota in service and admission for higher education for Freedom Fighters' wards; 6) Burial of Freedom Fighters with full national honour; 7) Reception for Freedom Fighters and wards; 8) Rehabilitation of disabled and distressed Freedom Fighters; 9) Grant of allowance to the family of the Shaheed Freedom Fighters; 10) Rehabilitation of Freedom Fighters in the Freedom Fighters village (Barguna)

To implement the above measures properly, the government should form a powerful monitoring cell. If it is properly implemented, the nation will remember the brave sons of the country.

It may be mentioned that the British government established an institution in the name of Shakespeare spending a huge amount to honour him. We should highlight the achievements of the Freedom Fighter in school and college textbooks. The father of the nation declared that as long as Bangladesh exists, Freedom Fighters will be remembered by the Nation. To keep alive the activities and sacrifices of the Freedom Fighters, a separate ministry for them is essential.

I request the Honorable Prime Minister and also the Freedom Fighter Council Authority to give sympathetic consideration to form a separate ministry or a powerful monitoring cell.

M Shahjahan Bhuiyan (FF)
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OPNIOUN

Fatwa and Fanaticism: Where do We Stand?

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HUMANS are the most powerful organisms currently in existence on this planet. Being the flag-carriers of civilization from generation to generation, it would be unwise to separate these humans into genders or to adopt any view discriminating any of the sexes in order to allow dominance of one on the other. In spite of being the 'better-half' of every married man of the society and a major portion of the population, Eve's daughters have all through been denied the basic and fundamental right of voicing their opinions, desires and judgement. Freedom of conscious actions and liberty of speech can be treated as the lowest denominators for the citizens of a free country and although the Constitution of Bangladesh allowed these rights, the Mullahs and Muftis dared to deny these rights to as many women, and men, as they could. How can the torch-bearers of a religion as democratic, progressive and liberal as Islam act like fanatics?

It is a shame for any conscious society that its people use religion as a shield and weapon to fulfil their unjust desires and to maintain undue, continued dominance over a section of innocent people who have little or no access even to proper ways of living decently in today's world. Religion has been drama-tised to such an extent in rural areas that any self-proclaimed Mufti turns into a Shakespeare, dictates scenes and makes the

illiterate and God-fearing villagers perform act after act of inhuman episodes. And when the victims, mostly women, dare differ or protest they are ostracised to such a humiliating state that most of them turn up taking their own lives!

In such a situation, the historical declaration by the respectable Judges that Fatwa is illegal and punishable by law, even if not executed, has done more justice and far-sighted good to the developing society of ours than has already been discussed in the last few days.

When an individual is being forced to act contrary to survival of himself, his family, mankind, his life or the demands of life, he is being forced to remain unintelligent, uninformed, aberrant and unproductive. This is exactly what happens in case of those women who are trapped in chains of illogical rules and justice being issued at the free will of the self-styled religious-minded men. The most desirable and celebrating situation now is that the slab of oppression is removed from the lives, minds and conscience of women who were victimised at each turning point of their heart's desire.

Women are now relieved of the fanaticism and the extremity of so called religious guidance in their lives. This has not been unimaginable even a couple of years ago, neither did this issue get much exposure in open discussions as religious issues are very delicate to handle and

any dissatisfaction or difference of opinion against religion are taken as blasphemy. But today's self-realisation and global culture has made it a demand of the time to apply logic and reason in every thing we do or say. In the context as aforesaid, it is imperative that the following points are given due thought and consideration by the mass before protests or demands are made to abolish the illegality of Fatwa.

* Two streams of legal administration cannot be allowed to exist in one single country. The welfare and legal matters of the people will be decided by the State law and not through the Fatwas as defined by the inadequately educated Mullahs

* The Muslims Family Law of 1962 has clearly defined and stated the nature of legal proceedings in the country and leaves no scope of expectancy or acceptance for other bodies to take over, even in rural areas.

* Multi-channel laws cannot be permitted in the Constitutional government of ours and it is to be ensured that a uni-channel system of State law is administered for all.

* Women have formed nearly half of the population of most of the countries of the world and have also contributed as much with their potentials and capabilities for the overall development and prosperity of their motherlands. In fact, the countries that we call developed today have become so because they created opportunities both

for men and women to work and bring about prosperity in homes and henceforth in the countries. Same is the case with their intellectuals and women scholars have been given similar possibilities to nurture their aptitudes and intellects.

To summarise, the learned and the concerned have rightly felt the burning need of women's total freedom and equal rights of both sexes. The nation must be educated, groomed and equipped to emerge as a powerful and developed one without any gender discrimination or unlawful Fatwas enacted by unauthorised persons at any level. Being almost half of the total population of Bangladesh women must be allowed to educate themselves, bring economic solvency to their families and themselves, contribute to the development in all sectors of the country and, above all, play a national role. The far-sighted after-effects that have been hinted to at the beginning of this write-up are to be fully visualised by us.

It is hoped that with such a constructive decision we can give our generation a future where logic and secular outlook will reign supreme in every sphere of life and the fundamental objective of global peace and prosperity will be achieved in the long run.

Ayesha Hossain Shahnila