

PLEASURE IS ALL MINE



SHAH HUSAIN IMAM

FORTY years of Bangladesh's independence has evoked outspoken criticism from some influential Pakistanis against "atrocities" Pakistani armed forces had committed on the unarmed people of the then East Pakistan, from March 25 to December 16, 1971. As if in a chorus, breaking out of the selective amnesia of that period, they have urged their government to formally apologise to Bangladesh.

Actually, Pakistani intellectuals and human rights activists had occasionally voiced similar sentiments before. But former Pak prime minister Nawaz Sharif and military dictator Pervez Musharraf did not go beyond expressing "soft regrets," falling short of issuing an official apology.

In fact, Bangladesh government's formal approach to Pakistan for such an apology has met with a cryptic "let bygones be bygones" reaction from the Pakistani side.

The latest to articulate that Pakistan seek an apology from Bangladesh is cricketer-turned-politician Imran Khan, the chief of Tahreek-e-Insaf party. Because of his new clout -- as a rising star in Pak politics given the mammoth jalsas he's been addressing lately -- his words are a touch weightier.

Now, what has Imran exactly said about Bangladesh, going by a BBC World Service programme on 40 years of Bangladesh's independence? If my memory serves, he has made three points: one, Pakistan needs to formally apologise to Bangladesh

through its parliament and if he is elected to power he would see to it; two, Bangladesh should be given its due share of assets on breakup with Pakistan; and three, the Urdu-speaking Biharis who had opted for Pakistan ought to be repatriated to their country of choice.

Two prominent Pakistanis, journalist Hamid Mir and human rights activist Begum Nasim Akhter Malik, have also aired their denunciation of the "Pakistani war criminals." BSS, Dhaka had quoted Hamid Mir as saying: "I appreciate and support any move against anyone responsible for the killing of innocent civilians in 1971. Genocide is a crime against humanity and every sensitive human being must support a move to put the criminals on trial in a court of law." He "threw his weight" also for the trial of Pakistani war criminals (195 Pakistani officers were listed as war criminals soon after Bangladesh's independence, but were let off -- that story in a bit).

Nasim Akhter for her part suggested "Bangladesh carry out a massive campaign for building public opinion regarding the trial for the sake of justice so that the perpetrators of the crime do not get a chance to hatch 'fresh plots' in the name of religion 'as they did in 1971.' "

Two other Pakistani journalists Saad Hafiz and Shahzeb Jillani, also critical of the Pak army role in Bangladesh, referred to atrocities committed in Baluchistan as well.

So much for the encouraging sentiments,

mostly voiced by middle-aged eminent Pakistanis. The younger generation of Pakistanis, however, sounded a different note when the BBC had turned its recording device to them. They clearly gave the lie to accusations against Pakistan army for its role in 1971 saying they did not simply believe in such a narrative. Unsurprisingly, they have been groomed with such admiration for the army through their history books that they bluntly refused to lend credence to any other version.

Even a man like Imran Khan had been apparently hoodwinked by the disinformation campaign as he frankly admitted that

breadth of Bangladesh? Why was there no questioning from the intelligentsia into the conduct of Pakistan army and their collaborators?

Zulfikar Ali Bhutto binned the Hamoodur Rahman Commission report. It didn't even invoke the specific instances of genocidal acts to try the perpetrators named in the HRC report.

The sequential dropping of curtains on options for broad-based and comprehensive trials of war crimes of genocidal proportions and crimes against humanity reads like a story of betrayal. What could be a broad-spectrum dispensation of deterrent justice has been narrowed down to a limited exercise.

This is how it happened: Simla peace accord in 1972 between India and Pakistan provided for return of 195 POWs to Pakistan. Then in 1973, India and Pakistan met again at the level of P.N. Haksar, Principal Secretary to the Indian PM, and Aziz Ahmad, Defence Minister of Pakistan, deciding to start a three-way repatriation process whereby 93,000 alleged Pakistani collaborators returned to Pakistan; stranded Bangladeshis in Pakistan were repatriated to their homeland; and Urdu-speaking Biharis opting for Pakistan started to repatriate to their country of choice. In 1974, for the first time, there was a trilateral meeting among Aziz Ahmad, Sarwan Singh and Dr. Kamal Hossain. In this meet, Bangladesh insisted on the term "clemency" for the 93,000 "collaborator" returnees to Pakistan, to which

Pakistan objected saying "clemency" implied offence committed by them.

Then we dropped off to 37,000-38,000 Bangladeshis accused of collaborating with the Pak army and arrested. Bangabandhu Sheikh Mujibur Rahman accorded general amnesty to all but 11,000 with the caveat that those who committed murder, loot, arson and rape would be brought to trial under Collaborators' Act. Then came Ziaur Rahman who abolished the Collaborators Act and the remainder 11,000 were set free.

The narrative does not in any way detract from the importance of the ongoing proceedings of the international crimes tribunal but only to point to the narrow canvass on which Bangladeshis accused of crimes against humanity will be tried.

Since there is a murmur, however faint and feeble, in Pakistan for holding the war criminals to account, could the government explore ways to associate Pakistan with the trial process?

According to a *Times of India* report, Pakistan's leader of the opposition Maulana Fazlur Rahman, on a visit to Delhi, asked: "Why stick to Simla accord in resolving disputes confronting the two countries" (since much water has flown down the Indus, parenthesis mine)?

By the same token, could we perhaps move to a wider inclusive trial of war crimes committed in Bangladesh in 1971?

Ending on the issue of Bangladesh's claim to share of assets on gaining independence, there is whiff of a message in Germany's "bailout" money to Greece being equated with the Greek "reparation" claim for the World War II.

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previously he was also of the opinion that army operation was a good thing because there was no independent media in Pakistan in 1971. It was only when he went to England in 1971 that his eyes were opened to the reality of the army operation courtesy of his "Bengali friends."

There was total blackout of news from East Pakistan of any negative nature. Instead, a disinformation campaign was set afoot and vigorously pursued. Granted, but weren't the educated Pakistanis exposed to international media which had been so full of sinister, ethnic-cleansing-type, genocidal swipes going through the length and

Final face of BNP on war crimes trial?

MOZAMMEL H. KHAN

ON December 4, the BNP came up with its latest position on the government initiative to hold the trial of war criminals. Over the last many months different BNP leaders came up with different positions vis-à-vis the proposed trials. On April 2, 2010, BNP said: "The government has stepped away from the trials of war criminals and now they are holding the trials for crimes against humanity, deviating from the election manifesto." On October 5, 2010, the BNP chairperson called the trial "a conspiracy to throw the nation into chaos in the name of war crimes trial four decades after the general amnesty to the collaborators."

To make its final (so far) position clear BNP called a press conference, incidental or pre-preplanned is better known to them, in the month of December itself, when pains of our wounds and joys of our victory are revisited with solemn pledge to fulfill the dreams of martyrs and living heroes of our great liberation war.

At the press conference, a BNP standing committee member made no bones about BNP's position vis-à-vis the ongoing trial process, the International Crimes Tribunal (ICT) Act and the composition of the tribunal, and demanded that the government immediately stop the proceedings of the war crimes tribunal. The party also called on the international community "to put pressure on the government to fulfill the commitments Bangladesh had made through signing international covenants on crimes against humanity." It concluded: "The BNP has no confidence in this tribunal. It believes that in the existing legal structure, the tribunal is nothing but a servile, rubber-stamp organisation."

BNP's statements are simply intolerable for anyone who has the slightest respect and gratitude for those who have laid down their lives for freedom. BNP used lies, distortion and deception, the party's forte, and quoted someone (Stephen Rapp) whose nation is not the best role model for upholding human rights in trying war criminals to make its case.

In my limited research I have not come across any war crimes tribunal whose proceedings are so transparent and where the defendants are given VIP treatment. Does the BNP leader know how a 17-year old by the name of Omar Khadr, a Canadian citizen, has been tried in Guantanamo bay for his alleged killing of a US soldier in the battlefield (war crime!) in Afghanistan? The US military used bone-chilling torture techniques.

He was not even allowed to hire a Canadian lawyer. Which judicial tribunal killed Bin Laden and Anwar al-Awlaki (a US citizen), both of them unarmed civilians? Telecasting of a court proceeding is solely a matter for the concerned court to decide. Does the US telecast any of the proceedings of the so-called war crimes tribunal of Guantanamo bay? Yet, the BNP leader found it appropriate to quote Stephen Rapp whose country's president signed a law that allows the president to "identify and arrest members of al-Qaeda, 'associated forces' and those who 'substantially supported' them to hold them indefinitely without charge or trial."

The BNP leader's attempt to find flaws with the ICT while terming its proceedings as "farfetched activities," either reflects his self-purported ignorance of the law or is an ill-motivated attempt to mislead the public. In fact, to maintain international standard and to meet the pre-requisite of being a signatory to the Rome Statute, the Bangladesh cabinet, upon recommendation of the Law Commission, approved the International Crimes Tribunal (Amendment) 2009 on July 6, 2009, aiming to try those involved in acts against humanity during the 1971 liberation war.

It is a matter of great pride for Bangladesh that, according to a press release from the International Criminal Court (ICC) in the Hague on March 24, 2010, "Bangladesh has become the first South Asian country to ratify the pact that established the ICC and gave it a mandate for trying people accused of genocide, crimes against humanity and war crimes."

The justices those who are presiding over the trials were justices of the highest court of the land. So far, their rulings have not corroborated BNP's allegation that they are partisan.

In spite of the propaganda campaign initiated by BNP-Jamaat duo to sway international opinion in their favour, very few organisations that are genuine human rights watchdogs found any flaws in the ICT and its proceedings. The Amnesty International (AI), reading through a few of my pieces on this issue in *The Daily Star*, wrote to me (October 20, 2010): "Amnesty International (AI) has for years been calling for an investigation of the human rights violations committed during the 1971 Bangladesh war of independence, and for those responsible to be brought to justice." AI asked for a few clarifications and documents,

which I gave to circumvent BNP's falsehood that "Bangabandhu declared general amnesty to all collaborators."

By demanding the abolishing of the trial process BNP has lost its moral right to pay homage at the victory mausoleum and the monument for the martyred intellectuals. To make the mockery even more wounding, BNP arranged a reception for freedom fighters. It was surprising to see a few non-BNP freedom fighters attending the so-called reception, without questioning the BNP's stance on war crimes trials declared only two weeks ago. These are the personalities who befittingly joined the freedom movement, not because of any circumstances, even though they never believed in AL politics. Likewise, this time around as well, maybe they are distraught by AL's governance and politics.

The trial of war criminals is an issue not only for AL but, just like the freedom struggle, is also dear to the heart of the whole nation. At this crossroad, it is imperative that the force of law, and the force of the masses join together to thwart any conspiracy against the nation's resolve to finish the unfinished task of erasing, once for all, the perfidious mark from our history.

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In Memoriam Dr. Bazlul Mobin Chowdhury: The perennial pedagogue

KISHWAR MUBIN CHOWDHURY

PRIOR to December 30, 2010, strange things were known to have been possible. Education came free of cost for many: enlightenment could be attained from a mere encounter; a thousand children looked up to one father; and an angel treaded the same ground as us mere mortals. Up until December 30, 2010, we had shared our world with Dr. Bazlul Mobin Chowdhury.

Words seem futile when talking about a man who taught more through his silence than others did through their words. As boundless as his knowledge was, the best examples he would set for others was through his own actions. As a citizen he was the epitome of patriotism, on a never-ending quest to explore, unravel and acquaint himself with all there was to know about his motherland, from the history of her birth, to the people, to each river that ran through her. As a son he was dutiful and devoted. As a husband he was a pillar of support and empowerment, the embodiment of loyalty, love and reverence. As a father he offered his daughters the greatest gift of respect, the strongest source of guidance and the open arms of a friend.

Despite being the highest authority in the household he was never rigid in his ways and never faltered in his expressions of love towards his loved ones. As a confidante he was an ocean of buried secrets, where you could express your anguish, unleash your dreams, whisper your hopes, and they would be preserved in silence. With his grandsons he shared his unforgettable childlike laughter, with innocence that mirrored that of a newborn. With his friends he was affectionate, loyal and sincere, taking pride in their achievements, standing by through their tribulations, growing old with them through decades of unending companionship.

Aside from being a source of superpower for his friends and family, Dr. Chowdhury was in essence an exemplary teacher. He believed in the power of knowledge and its endless acquisition. His success as a teacher was largely ascribed to the humility with which he always remained a student at heart. And it is that humility which allowed him to remember the names of each student that ever walked up to him. His paternity extended far beyond the walls of his home to the doors of each student. He always took a keen interest in their ambitions, and paternal pride in their achievements.

Dr. Chowdhury's pedagogy extended far beyond the classroom to anybody who had had the privilege of an encounter with him. He would teach about the importance of respecting peers and elders alike through the way in which he addressed them. He would teach about loving immediate and extended family the same through his relentless efforts to maintain close ties with relatives worldwide.

Through his humble daily chitchat with the chauffeur, discussing the traffic, weather and even political situation, he taught us to never discriminate against the impoverished. Seeing him impart knowledge about his motherland, through his stories about the liberation war, and through his extensive knowledge about his culture and heritage, would teach any citizen to remain as loyal to their origin as they would to their parents.

Dr. Chowdhury was a natural leader, with charisma that was impossible to overlook. However, it wasn't his professional stature that would leave you awe-struck upon encounter as much as it was just his aura alone. Apparent admiration existed wherever he walked into a crowd and I have had the privilege of witnessing this marvelous occurrence many a times myself. Silence transpired when he spoke, as he truly was a captivating speaker. With his contagious smile and heart-warming demeanour, he won the hearts of those he met -- from friends, family, students and peers to even the hospital staff who saw him through his last days.

Though this angel no longer walks the same ground as us, his pedagogy will persist forever. His was a life lived as per God's great guidance, free of crime, free of sin, and free of wrong. A man, who never told a lie, never broke your trust, never hurt a soul and never breached a bond, is a man who continues to teach beyond his mortality. A year has passed since his demise, yet he still speaks to me from photographs, helps me tell right from wrong, keeps me company when I am alone, smiles down on me when I reminisce and guides me when I'm lost. Today, I can only seek solace in knowing that I am not alone when I pray to God to grant my father his rightful place in Heaven, for that is where angels are known to return.

The writer is daughter of Dr. B.M. Chowdhury.

