

GROUND REALITIES

Jinnah's sophistry, Mujib's logic

Discontent over the lenient verdict

Quader Mollah deserved a stiffer sentence

JAMAAT-e-Islam assistant secretary general Abdul Quader Mollah has been sentenced to life-term having been proven guilty on five counts out of six he had been charged with. On three charges viz. killing Bangla College student Pallob; killing pro-liberation poet Meherun Nessa, her mother and two brothers; and murdering journalist Khondoker Abu Taleb, he has drawn a sentence of fifteen years' imprisonment.

As for the accusations five and six Quader Mollah received a somewhat stiffer verdict of life imprisonment. The fifth charge related to attack on Alubdi village at Mirpur in collaboration with Pakistani occupation force and non-Bengali Rajakar in which 344 people got killed. The sixth charge pertained to finishing off Hazrat Ali Laskar, his spouse, two daughters and a two-year old child including rape of one his daughters at the initiative of Quader Mollah.

On count four relating to Quader Mollah and 60-70 Rajakars launching an attack on Khan Bari and Ghatarchar in Keraniganj in which more than one hundred innocent people were done to death. The tribunal acquitted him of this charge for a purported lack of evidence.

People bearing witness to the genocidal act on Alubdi village in which more than 300 people were killed have voiced their resentment against the verdict. They consider it too lenient for the severity of culpability of Quader Mollah's crimes. It is unacceptable to them, they want him hanged.

We had commended the government for its single-minded determination to start the trial process, persist with it, and the war crime tribunal handing down its first verdict meting out capital punishment to absconding Abul Kalam Azad alias Bachchu Razakar. In fact, we termed it as a historic verdict.

But we couldn't say the same thing about the second verdict against Abdul Quader Mollah which has fallen far short of meeting public expectations. What is more to the point, the victims feel justice has not been done to them, and they wait quietly for it.

We feel let down by this verdict as does this whole nation. The judgement admits that charges in most cases have been proved beyond reasonable doubt, and each of them can be deserving of the capital punishment. Hence, we are forced to say that we find the conclusion and the verdict somewhat discordant.

Back to business as usual

What happened to Destiny probe report?

IT appears that current government policy is to let money launderers off the hook with a mere slap on the wrist. How else does one explain the fact that the Destiny group is back in business? Astonishing as it may sound, the multilevel marketing company (MLM) is doing just that. According to Bangladesh Bank, the company has re-launched its operations with new bank accounts and under new stewardship.

We have written extensively on the Destiny scam. The probe committee formed last October found evidence on less than Tk200 crore that had been siphoned off Sonali Bank. The committee failed to trace an approximate Tk3,800 crore.

The probe committee made available its report to the government in October last year. Four months on, the authorities are yet to take action on the confiscation of the group's fixed assets. The recommendation was to dispose of the assets to compensate the thousands who lost their deposits when the scam was discovered. That decision remains pending. The question must be asked as to why the government is dithering on this issue. The enquiry headed by senior official of Bangladesh Bank found Tk5,132.46 deposited in hundreds of bank accounts. Again, thanks to the snail's pace in authorities' approach, it was found that Tk5113.95 crore had been withdrawn. In other words, the laxity of government agencies allowed for the withdrawal of practically all cash assets by the group's management.

The sedate pace taken by the Department of Cooperatives in formulating MLM laws is inexcusable. Equally unacceptable is the relaxed approach with which the government has moved to 'contain' companies like Destiny. Unless the authorities are willing to mete out exemplary punishment to those responsible, the string of scandals that has rocked the country's financial sector for the last few years will continue unabated; and we risk undermining



SYED BADRUL AHSAN

LAHORE has much more than a claim on culture in South Asia. It is a place where history has been made,

has been distorted, has tried to regain a foothold. On March 23, 1940, it hosted the conference of the All-India Muslim League and saw the call go out for the creation of Muslim states on the eastern and western ends of what was then pre-partition, colonised India. That demand was, of course, based on the premise of Hindus and Muslims, despite having shared the land and heritage for centuries, being actually two divergent nations.

At that gathering of enthusiastic Muslim Leaguers in March 1940, an ageing but energised Mohammad Ali Jinnah waxed eloquent about the joy of freedom that would be in the Pakistan he and his friends envisioned. Abul Kashem Fazlul Huq, honoured as the Tiger of Bengal by his acolytes, walked into the conference in grandiose manner. Everyone was happy.

If that was history in the making, it was history which underwent a whiplash six years later, in 1946, when new versions of the Pakistan Resolution spoke of a single state for Muslims, to be comprised of the east and west of India. An early instance of political duplicity, the switch from "states" to "state" would nevertheless be considered insignificant by Jinnah. He explained away the insertion of "states" in the resolution as a typing error. He did not explain if the typist had been brought to heel. More ominously, he did not think it necessary to educate people on why so many hundreds of Muslim League members and supporters attending the 1940 conference, assuming they wanted a single Muslim state, had overlooked the error. And then error led to blunders. The Muslim League's Direct

Action Day on August 16, 1946 left five thousand people, Hindus and Muslims, murdered on the streets of Calcutta. A year later, Pakistan was cobbled into shape. Fifteen million people would leave their ancestral homes and make their way to villages and towns they had never seen. Along the way, thousands of Muslims, Hindus and Sikhs would be killed, raped and looted of their meagre possessions. Freedom would dawn in blood-soaked darkness.

Twenty six years after March 1940, the Six Points of the Awami League sought to modify or even correct the history that had gone



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badly wrong since Partition. Pause awhile, to recollect the Points as they were revealed in Lahore by Sheikh Mujibur Rahman in February 1966:

1. Pakistan will be a federation based on the Lahore Resolution as it was adopted in March 1940, with a constitution providing for a parliamentary form of government resting on the principle of adult franchise;

2. The federal government will deal only with foreign affairs and defence, and all residuary subjects will be under the authority of the federating units of Pakistan;

3. There will be two separate,

freely convertible currencies for the two wings of Pakistan; alternatively, there will be a single currency with two separate reserve banks to prevent a flight of capital from one wing to the other;

4. All powers of taxation and revenue collection will be vested in the federating units, with the federal government being given a fair, proportionate share to meet its financial obligations;

5. There will be two separate foreign exchange accounts for the two wings and the federating units will be empowered to enter into trade relations with foreign countries;

6. A militia or paramilitary force



will be set up to answer the defence needs of the eastern wing of Pakistan.

Throughout the period between the mid 1960s and early 1971, the Six Points were excoriated by the entrenched political classes of West Pakistan, as also by their camp followers in East Pakistan, as a step toward Bengali secession. Nothing could have been further from the truth. Had the Six Points been adopted in Pakistan, a liberal, democratic Pakistan functioning on globally recognised, modern political principles would have replaced the increasingly atrophying state created by the

Muslim League and nurtured by a civilian-military bureaucratic complex and eventually imploding through the Bangladesh war. Pakistan would have found rebirth as a confederation, to the relief of all its constituents.

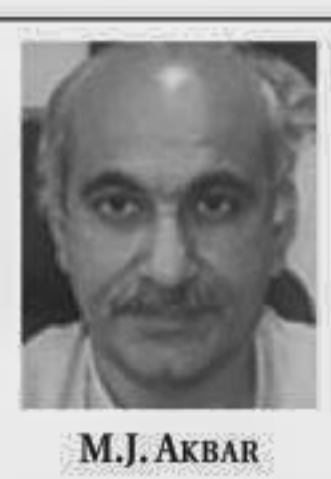
The Six Points did not destroy Pakistan. A refusal by Pakistan's military and its feudal political classes to accept the Six Points did. At another level, the Six Points were revealing of the growing maturity of a Bengali political leadership unwilling to take things lying down any more. The programme was also a tribute to the sagacity of the young Bengali economists -- Nurul Islam, Anisur Rahman and Rehman Sobhan -- who responded to Bangabandhu's call for the development of a formula that would not only ease matters for all of Pakistan's federating units but also leave the door open for a future independent Bengali republic to emerge. And having revived the Awami League in 1964, Sheikh Mujibur Rahman and his colleagues in the party were now ready for a major leap forward, or in the dark. Either way, change was the promise. Students, academics and broad swathes of the Bengali nation agreed with Mujib that the Six Points were a charter of survival for a province that now envisioned being a free state.

The Six Points were a clear reminder that Pakistan was not a nation but a state comprising several nations. In Lahore, the Awami League sent out the message that Pakistan would need to be refashioned, even if that meant repudiating Jinnah. In Lahore, in March 1940, Mohammad Ali Jinnah's sophistry won the day. In Lahore, in February 1966, Sheikh Mujibur Rahman's logic promised a necessary correction in politics. In the end, Bangabandhu's politics would turn out to be more durable than that of the Quaid-e-Azam.

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BYLINE

Questions for Hafiz Saeed



M.J. AKBAR

A question for the internationally recognised terrorist, ideologue and mastermind of the 2008 Mumbai attack, Hafiz

Saeed, resident of Lahore, who has just offered sanctuary in Pakistan to our superstar Shah Rukh Khan. Pakistan was carved out in 1947 to ensure security for this subcontinent's Muslims in a separate homeland. Why, six decades later, has Pakistan become the most insecure place for Muslims in the world? Why are more Muslims being killed each day, on an average, in Pakistan than in the rest of the Muslim world put together?

This continual mass murder is not being done by Hindus and Sikhs, who were once proud residents of Punjab and Sindh but are now merely a near-invisible trace. Some Pakistan leaders even express pride in the fact that non-Muslims, who constituted around 20% of the population in 1947, have been reduced to less than 2%. In contrast, the percentage of Muslims in secular India has increased since independence. Hindus and Sikhs are not killing Muslims in Pakistan; Muslims are murdering Muslims, and on a scale unprecedented in the history of Punjab, the North West Frontier and Sindh. Why?

There have been riots in India, some of them horrendous. But the graph is one of ebb from the peak of 1947. When a riot does occur, as in Maharashtra recently, civil society and media stand up to demand accountability, and the ground pressure of a secular democracy forces even reluctant governments to cooperate in punishment of the guilty. When Shias, or other sectarians, are mass-murdered in Pakistan on a regular basis, the killers celebrate a "duty" well done.

History's paradox is evident: Muslims today are safer in India than in Pakistan. The "muhajirs"

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who left the cities of Uttar Pradesh and Bihar in 1947 would have been far safer in Lucknow, Patna and dozens of cities in their original land than they are now in the tense streets and by-lanes of Karachi.

Could Shah Rukh Khan have become an international heart throb if his parents had joined the emigration in 1947? Since he is talented he would have gained some recognition on the fringes of elite society, but he could not have become a central presence of a popular culture that has seeped and spread to every *tehsil* and village. Nor is Shah Rukh the only Muslim

superstar in Mumbai's film world; Salman Khan is bigger than him. Shah Rukh and Salman and Amir Khan do not hide their identity through an alias; their birth name is their public persona.

The television set in my office serves two main purposes: it shows cricket and offers access to an FM radio station which plays old film songs. A song by Muhammad Rafi was on the air while the previous paragraph was being written: *Man re tu kahe na dheer dhare*. It is a beautiful classic, written by Sahir Ludhianvi. Rafi, as his name confirms, was a Muslim. He was born

in 1924 in western Punjab and came to Mumbai as a very young man in search of dreams. Those dreams had not come true by 1947. Rafi had the option of returning to Lahore. He chose to remain in Mumbai, and brought his family in what might be called the reverse direction. It was a wise choice. Mumbai made Rafi's voice immortal. Rafi, like India, was the distillation of many inspirations.

Hafiz Saeed and his ilk possess cramped, virulent minds which condemn the ragas upon which our subcontinent's music, both classic and popular, is based, as inimical.

They want to destroy a shared Hindu-Muslim cultural heritage in which Muslim maestros took classical music to splendid heights under the patronage of *padishahs*, rajahs and nawabs. Instead of art, they possess vitriol, even as the violence they spawn turns Pakistan into a laboratory of chaos. They call themselves guardians of their nation, but they are in fact regressive theocrats who are shredding the Pakistan that Jinnah imagined.

There is an answer to the opening question. Extremists who reduce faith to a fortress do not understand a simple truth: faith cannot be partitioned. Islam was a revelation for mankind; it cannot be usurped by a minor tract of geography. Nations are created by and for men, within boundaries of language or culture or tribe. Religion comes from God; it is not a political tool for human ambition. Those who equate religion with nation distort the first and destroy the second. Pakistan has become a battlefield for dysfunctional forces because theocrats will not permit it to become a rational state.

Logic suggests a reciprocal offer: Pakistani Muslims would be safer in India. But that offer cannot extend to Hafiz Saeed. His mission is to be India's adversary. What he does not understand is that he is really Pakistan's enemy.

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THIS DAY IN HISTORY

February 6

1900
The international arbitration court at The Hague is created when the Senate of the Netherlands ratifies an 1899 peace conference decree.

1952
Elizabeth II becomes the first queen regnant of the United Kingdom and the Commonwealth Realms since Queen Victoria upon the death of her father, George VI. At the exact moment of succession, she was in a treehouse at the Treetops Hotel in Kenya.

1989
The Round Table Talks start in Poland, thus marking the beginning of overthrow of communism in Eastern Europe.