Shahbagh Movement : A Beacon of Hope for South Asia

- subhash gatade

Neighbouring country Bangladesh is going through a great churning.

As of now the most pressing question before everyone is how the process of elections to the next parliament would unfold itself. Whether every political party would participate in it or not or the country is in for a period of further instability and political violence. Awami League led ruling dispensation and the Bangladesh Nationalist Party (BNP) led opposition alliance seem to be at loggerheads at this juncture.

The ongoing ‘war crimes trials’ has also seen diametrically opposite positions being adopted by both the Parties.

Everybody knows that the issue - of war crimes and crimes committed against humanity during Bangladesh’s war of liberation in 1971 - is an issue which has continued to simmer for more than four decades. Despite the various attempts by different regimes and interest groups to deny or bury the past, it is a fact that it could never be suppressed. People remembered it in their own way and waited rather endlessly that there would be a closure one day.

As we go to the press daily one gets to hear reports of trials going on in the country with top leaders of the Jamaat-e-Islami, Bangladesh and its other friendly formations facing convictions for their controversial role in the 1971 war of liberation. Two senior leaders of the BNP have also been found to be guilty by the tribunal and have been given exemplary punishment. It is now history to see how they collaborated with the Pakistani army at the time of the liberation struggle of the Bangladesh people.

The ongoing trials have demonstrated one important thing that if people are willing then invisibilising of mass crimes is impossible. This part of South Asia has been notorious for innumerable similar crimes against people committed by the state or the non-state actors which have gone unpunished. Every peace and justice loving person from rest of the world would agree that people of Bangladesh and the formations which led them, deserve a roaring revolutionary salute for breaking this cycle of impunity.

It is equally true that apart from members, sympathisers of the collaborator organisations there is a section of people which does not seem happy with the ongoing trials against the ‘war criminals’. All of them - which includes different shades of Islamists, political formations who have been at loggerheads with the
Awami League led ruling dispensation - have tried to portray these trials as part of political vendetta, have raised procedural questions and even tried to pressurise the government through their network of international contacts.

Any discussion about the war crimes trials would remain incomplete without proper acknowledgement of the historic role played by what is popularly known as Shahbagh movement. A movement initiated by young bloggers of Bangladesh, which witnessed participation of hundreds of thousands of people for days together on the streets of Dhaka and other parts of B’desh, demanding strict punitive action against war criminals and their organisations, namely Bangladesh Jamaat-e-Islami. This massive initiative did not let any dilly dallying on part of the powers that be, did not allow any wavering on their part and forced their hand so that organisation(s) responsible for these crimes are duly prosecuted.

The manner in which Shahbagh movement raised the debate to a new level and raised the question of separation of religion and politics has been unprecedented. It is true that by taking lead in this historic movement and persisting against heavy odds, the youth of Bangladesh attempted in their own way to carry forward the forgotten legacy of all those unnamed martyrs who sacrificed their present for a better future for the people of the country - a future free of religious extremism, a future guaranteeing a life of dignity to everyone. The 'success' of the Shahbagh protesters could be better measured if we are able to have a look at rest of South Asia which is witnessing rise of communal mobilisation of various shades.

One is witness to the emergence/further consolidation of Sinhala-Buddhist chauvinist groups - trying to further bulldoze Tamil/Muslim aspirations - in Sri Lanka, or the likes of Lashkar-e-Toiba, Jaish-e-Mohammad exerting influence cutting across boundary lines or the likes of Wirathu, the 'Bin Laden' of Burma, a Buddhist monk and his rabid followers targeting Rohingya Muslims. India, which never forgets to pat its back for 'successful democratic transition' has had its own share of violent groups engaged in furthering their own exclusivist agenda. While not much is heard of the Khalistani (Sikh nationalist) groups these days, who had created furore in eighties and nineties; activities and actions of Islamist groups and Hindutva supremacist groups get regular coverage.

In this backdrop, Bangladesh’s Shahbagh Movement stands apart as a unique and ground-breaking venture, for it has demanded that secular principles and ethos alone should guide and govern all politics. Thus, this movement is qualitatively and politically far more mature than, say, movements which arose from the womb of what is known as Arab Spring. Undoubtedly, in an atmosphere of growing religiosity and faith based practices the world over, where one witnesses increasing intrusion of faith and religion in matters of governance as well as societal functioning, the Shahbagh movement offers the rest of humanity not only a beacon of hope but a promise that things can be changed for the better.

1.

Wheels of Justice Turn Slowly

Wily strategists meet their nemesis in unexpected ways.
Perhaps, Ghulam Azam, the once all powerful leader of Jamaat-e-Islami Bangladesh, at present in his nineties, might be brooding over this old dictum as he sits in his solitary cell in his wheel bound chair. Only a few months back he has been sentenced to 90 years of imprisonment for his crimes against humanity which he committed when people of the then East Pakistan - todays B'desh - had risen up against the occupation army of Pakistan in the year 1971.

According to the prosecution as ameer of the then East Pakistan Jamaat-e-Islami he had played a pivotal role in forming collaborator forces with the Pakistani army- namely Shanti (peace) Committee, Razakar, Al Badr, Al Shams , he was the 'torchlight' who guided massacres of intellectuals in Dhaka at the end of the conflict.(Dec 71). Not content with that he continued in his crusade to thwart the emergence and survival of Bangladesh even after the nine-month-long Liberation War in 1971, as he tried in vain to revive East Pakistan and spread propaganda against Bangladesh for several years.

After the assassination of Sheikh Mujibur Rahman in the year 1975, he had returned to Bangladesh on August 11, 1978 on a Pakistani passport. He subsequently got back his citizenship and rejoined his position as the ameer of the Jamaat-e-Islami. He served in the post until Motiur Rahman Nizami took over from him.

Definitely he is not the first leader among a pack of controversial figures, who are facing trial before the International Crimes Tribunal (ICT) constituted by the Bangladesh government to bring to justice all those people who opposed the liberation struggle of the people and had become willing collaborators of the Pakistani Generals. Till date the two International Crimes Tribunals of Bangladesh have sentenced a few of the leading figures of Jamaat-e-Islami as well as two senior leaders of Bangladesh Nationalist Party (BNP) for their complicity in crimes against humanity including killings, loot, arson, and rape. It may be noted that the Sheikh Hasina led government formed the first tribunal in 2010 and had constituted a second one two years later to expedite the trials. The maiden verdict in these trials came on Jan 21 this year when former Jamaat leader Abul Kalam Azad alias Bachchu Razakar was sentenced to death in absentia. The next on the line was its Assistant Secretary General Abdul Quader Molla who was awarded life term while the party’s No.2, Delwar Hossain Sayedee, and Assistant Secretary General Mohammad Kamaruzzaman got death.

Few of the ring leaders of these militia are either absconding or have been living as respectable citizens in western countries. While Ghulam Azam was convicted on 15 th July, two days later the tribunal ordered that another prominent Jamaat figure, Ali Ahsan Mohammad Mojahdeed, its secretary general would be hanged. Mr Mojaheed, was minister of Social Welfare, in the previous elected government led by BNP from 2001 to 2006.

Chaudhary Mueen-Uddin - who lives in London and Ashrafuzzaman Khan, who is said to be living in New York, were amongst those who were put on trial immediately after - in absentia - for their role in abduction, torture and killing of innocents and heading a militia during the war. Ashrafuzzaman Khan was reportedly the Al-Badr’s chief executor and Chowdhury Mueen-Uddin the plan’s operation in charge. As the official charge sheet in their case declared Al-Badr, the militia floated by Jamaat-e-Islami, was
entrusted the job of exterminating Bengali intelligentsia by the Pakistani military in mid Dec 1971 - because it was believed that they were the brain behind the struggle for independence.

As commented by an analyst, Ghulam Azam's conviction was a slap in the face of all those leaders/ formations who had no qualms in letting him stay in B'desh even after his visa had expired and were not at all keen to raise his dubious role in the independence struggle and had no qualms in seeking his support in holding reins of power or sharing power with the organisation he led.

It is now history how in the year 1991 the Bangladesh Nationalist Party (BNP) formed the government with support from the Jamaat .In 1998, the BNP and Jamaat formed the four-party alliance and Ghulam Azam appeared at a grand public meeting with BNP Chairperson Khaleda Zia.

As expected the Bangladesh Jamaat e Islami, which has consistently refused to own responsibility for its opposition to the liberation war and its criminal role in thwarting the struggle, has not taken kindly to the ongoing trials. Despite the documentary and other evidence available about their heinous role, they have always claimed war crimes charges had been leveled against its leaders as an act of “political vengeance” and alleged the tribunal judges had ‘failed’ to maintain clarity and neutrality and demanded that the verdicts against its leaders be repealed. (UK based Islamists mobilising against war crimes tribunal in Bangladesh: propaganda speech on youtube, http://youtu.be/wVTuEpFt8--E)

For those who see selective persecution because only a handful of leaders have been made to stand on the dock, it is worth noting that after the World War II during which some 40 million died in Europe alone, only 24 leading persons were indicted before the court at the Nuremberg Trial. Supporters of the war criminals have not deemed it fit to report that in the particular cases which are there before the Tribunal, defendants have the option to select their own lawyers, including foreigners and they also have a right to appeal in the higher courts, to challenge the verdict.

Each time its leaders were accused or convicted of war crimes, Jamaat had claimed they were ‘politically motivated’. To show its opposition, it has engaged in indiscriminate violence, burning cars, beating opponents, hacking to death activists who support these trials, hurling bombs at crowd of bystanders or destroying public property and demonstrate its brute power.

In his column in 'The Daily Star' Syed Badrul Ahsan, a leading journalist and executive editor of the paper tells us (Wednesday, July 17, 2013, Ground Realities):

>The wheels of justice do not always turn. But when they turn, they do so with the clear message that the perpetrators of ancient crimes always get their comeuppance at a point in historical time. The judgment delivered in the matter of the crimes committed by Ghulam Azam during Bangladesh’s War of Liberation reinforces the old argument that sooner or later those who commit misdeeds must pay for their acts. Now a frail ninety-one year-old man, Azam is proof that criminality is never forgotten, some sins are never expiated. He joins the ranks of men who have killed or helped to kill and were therefore condemned by law and censured by history.
Close on the heels of these judgments has come another judgment by the Bangladesh high courts which has barred Jamaat from contesting polls in future. Although it has not declared it illegal, but has said that since it does not seem to believe in Bangladesh’s constitution, they are taking this step. A formal investigation into Jamaat-e-Islami’s alleged role in war crimes has also started. (Published: Monday, August 19, 2013, http://www.thedailystar.net/beta2/news/jamaats-role-under-probe). As of now collection and analysing of documents has been taken up which would be followed by investigation into the role and activities of the various auxiliary forces of the occupation army formed with due help from Jamaat people namely Razakars, Al-Badr, Al Shams and Peace Committee. Once the probe is complete, a report would be submitted to the prosecution team and then after scrutinising the report, formal charges against the party would be submitted before the tribunal. It has been decided to start the probe from the very birth of Jamaat to its present activities, not to mention its role in 1971.

Box

Established by highly controversial Abul Ala Moududi in 1941, Jamaat got banned twice, in 1959 and 1964, for its communal role. It got banned again just after independence in 1971 but it was allowed to resume politics during the regime of late president Ziaur Rahman.

The two international crimes tribunals, set up to deal with war-time offences, through several verdicts put the spotlight on Jamaat-e-Islami’s role in 1971.

The Tribunal-1 in the verdict against Ghulam Azam observed, “… Jamaat-e-Islami, as a political party under the leadership of accused Prof Ghulam Azam, intentionally functioned as a criminal organisation especially during the War of Liberation of Bangladesh in 1971.”

It added, “There is no proof before the nation that those who played an anti-liberation role in 1971 have ever changed their attitude towards liberation war by expressing repentance or by showing respect to the departed souls of 3 million martyrs.”

The Tribunal-2 in the verdict against condemned Jamaat leader Muhammad Kamaruzzaman observed, “Jamaat-e-Islami had played a substantial role in the formation of the Al-Badar [Al-Badr], Razakar, Al-Shams and peace committees [during the war].

“The Jamaat had indulged in indiscriminate massacre of their political opponents belonging to the Bangalee nation in the name of liquidating ‘miscreants’ and ‘infiltrators’ for which it had used Razakars and Al-Badr,” it observed.

2. Jamaat set to face prosecution

It was February 17, 2013 when Bangladesh parliament held its emergency session for an important issue. The idea was to amend the International Crimes (Tribunals) Act, 1973, allowing the state to appeal
against inadequate sentencing of a convict and paving the way to hold trials of organisations for their criminal activities during the Liberation War. Victims of war crimes and their family members and seekers of justice have long been demanding the trial of Jamaat-e-Islami as a party.

Definitely it was not the first time that a party or an organisation was to be put on trial for crimes against humanity, genocide and other war crimes. We know how at the historic Nuremberg Tribunal in Germany, formed for trying Nazi war criminals of World War II, trials of seven Nazi organisations were held, including the Reich Cabinet, the Schutzstaffel (SS), and the Gestapo. We have in our recent memory the formation of International Criminal Tribunal for the Former Yugoslavia which looked into the Srebenica massacre or the Bosnian genocide case; or the formation of the International Criminal Tribunal for Rwanda (ICTR) under the auspices of the United Nations for the prosecution of offenses committed in Rwanda during the genocide which occurred there during April 1994.

But what had prompted the Bangladesh parliament to hold such an emergency session.

In fact, up to a quarter of a million people - a significant portion of them happened to be girls and women - had gathered peacefully everyday at Shahbagh - a famous intersection in Dhaka, witness to many historic gatherings of social-political awakening - and elsewhere across the country, since February 5th to demonstrate in favour of exemplary punishment for war criminals, a ban on Jamaat and pro-Jamaat student body Islami Chhatra Shibir. Solidarity rallies and programmes were reported from different parts of the country and the government led by Awami League had to bow before this demand.

The flashpoint of this youth led movement became the 'lenient punishment' meted out to a vice President of Jamaat-e-Islami Bangladesh, Abdul Quader Mollah, who was given life sentence on February 5 in spite of his proven guilty of the heinous crimes that he had committed. He was proven guilty on five counts out of six charges that were brought against him, including murdering more than 300 people. The photo of this man emerging from the court, smiling and making a Victory sign, so infuriated the youth that they gave a call on social network to gather at the historic Shahbagh Square. Rest is now history.

As has been written elsewhere, the uniqueness of the Shahdbagh movement - as hundreds of thousands of people from all walks of life converged in this important part of Dhaka and continued to demonstrate for weeks together - was that though it was principally initiated by those youth who run online blogs, and none of whom had actually witnessed the actual genocide, the historic churning quickly witnessed the participation of other classes of people as well. People could see the repetiton of Tahrir square in Dhaka, but not many could foresee that it went much beyond. Like Tahrir Square, the awakening stage of Shahbagh was definitely started by what can be called as “Face book generation” but as we all know the Tahrir uprising had the surreptitious backing of the ‘Muslim Brotherhood’ and a large section of the Egyptian Army which wanted the downfall of President Hosni Mubarak, whereas the Shahbagh movement targeted the religious fundamentalists themselves. Undoubtedly, by taking lead in this historic movement and persisting against heavy odds, the youth of Bangladesh were trying to carry forward the forgotten legacy of all those unnamed martyrs who sacrificed their present for a better future for the
people of Bangladesh - a future free of religious extremism, a future guaranteeing a life of dignity to everyone.

It was also an attempt to revisit the question of identity of Bangladesh and its people more than four decades after its emergence. The militant youth was trying to sort out the longstanding identity issue - whether its majority people are first Muslim and then Bangladeshi or vice versa. It was important to note that the leaders and followers of the movement also tried to link their struggle to the anti-colonial struggle led by Masterda Surya Sen and Pritilata Wadedar, heroes of the historic Chittagong Armoury Raid (1931). They claimed the “blood of these heroes flows in their veins.”

It would be opportune here to quote excerpts of the oath conducted by Imran H Sarker, Convener of the Bloggers and Online Activists Network, in his speech at Shahbagh in the early days of the movement:

"We swear an oath that the leadership of mass people from the Gonojagaran Mancha will continue the movement from Teknaf to Tetulia until capital punishment is handed down on those Razakar and Al-Badr members who committed crimes against humanity like mass killing and rape in 1971.

"We take the oath that we will remain vocal both on the streets and online until politics of war criminal Jamaat-Shibir is not banned and nationality of their members not cancelled.

...."We swear that we will boycott the war criminals' business entities -- Islami Bank, IbnSina, Focus, Retina and different other coaching centres. We know through these they collect money to continue with anti-liberation activities.

"We will also boycott the academic and cultural organisations through which they are spreading anti-liberation sentiments among the children. In brief, we will work for banning all the business, social and cultural organisations belonging to Razakars and Al-Badr activists.

"We swear that we will continue with our demand of stringent punishment to Jamaat and Shibir, who have committed crimes of sedition by threatening with a civil war, after making their immediate arrest by recognising them through video footages and newspaper pictures.

"We swear that we will boycott war criminals' mass media like Diganta TV, daily NayaDiganta, daily Amardesh, daily Sangram, Sonar Bangla Blog, etc.

“We will not subscribe to newspapers of war criminals at any office or house. At the same time, we will request the pro-liberation mass media to boycott war criminals and their accomplices."
A key demand of the Shahbagh protesters has been not only banning Jamaat-e-Islami but also boycott of the Jamaat affiliated educational and banking institutions as well as health service. It was not for nothing that many such institutions came under attack in the early phase of the Shahbagh movement; there were also reports that people were withdrawing their monies from banks affiliated to Jamaat.

For an outsider neither the demand of boycott nor reports of its implementation gives an idea of the extent of penetration of such institutions in the society or the influence they wield over different sections of people. Perhaps it would be opportune here to share important extracts from Prof Abdul Barkat's study of 'Political Economy of Fundamentalism in Bangladesh' (Mainstream, Mar 22-28, '13) It would be opportune here to add that Prof Barkat, is with Dept of economics, Dhaka University and President of Bangladesh Economic Association:

..fundamentalists have created an "economy within the economy" and "a state within the state" They have adequate economic strength (from micro to macro levels) to sustain their political organisations. The economics of fundamentalism, in the narrow sense of the term, can be explained in terms of enterprises ranging from large financial institutions to household level micro credit, from mosques and madrassas to news media and IT, from nationwide trading enterprises to local level NGOs. The estimated amount of annual net profit generated by these enterprises would be US $ 250 million. All these economic enterprises are run by ideologically motivated and professionally competent persons. At least 10 per cent of their net profits are being used to finance the political organisation, which is sufficient to fund the salary of 500,000 full-timers in Islamic fundamentalist politics. The relative strength of the economics of fundamentalism in B'desh can be traced to the fact that its annual net profit is equivalent to six per cent of the government's annual development budget and the annual growth rate of the economy controlled by the fundamentalists is higher(7.5 per cent to nine per cent) than that of the national economy ( five per cent to six per cent).

Discussing how fundamentalism is experimenting the effectiveness of various politico-economic models with the help of cadre based politics, he discusses how the following twelve, constitute the key sectoral elements of the model : "financial institutions, educational institutions, pharmaceutical-diagnostic and health related institutions, religious organisations, transport related organisations, real estate, news media and IT, local government, NGOs, Bangla Bhai or JMB, Jamaetul Muzahideen Bangladesh, Harkat-ul-Jihad-al-Islami (Bangladesh HuJi-B) (and such programme based organisations0, and occupational/professional activity based organisations including of farmers and industrial workers."

According to him

The estimated annual net profit of economic fundamentalism in B'desh would be about US $250 million. The highest share of such profit, 27 per cent (of the total net profit), comes from financial institutions (banks, insurance companies, leasing companies, etc.)
The second highest, 18.8 per cent of the total net profit, comes from NGOs, trusts and foundations, 10.8 per cent comes from trading concerns, 10.4 per cent profit comes from the pharmaceutical industry and health institutions including diagnostic centres, 9.2 per cent comes from educational institutions, 8.5 per cent comes from real estate business, 7.8 per cent comes from the media and IT business, and 7.5 per cent comes from the transport sector.

Explaining the methodology of estimation, Prof Barkat makes it clear that it is largely based on heuristic estimates, but the pattern is indicative of the direction.

It needs to be recognised that the rise of the politics and economics of fundamentalism in B'desh has led to institutionalisation of fundamentalism which implies organised penetration of Islamist fundamentalist forces in all key spheres of life and state operation. In fact, the relative strength of this institutionalised fundamentalism is also evident in formation and operation of Islamic Sharia Council against the usual norm of the Central Bank. Prof Barkat adds that this

"Islamic Sharia Council - the central policy making body of all Islamic financial institutions - is a body fully controlled by the mainstream Islamist Party (Jamaat-e-Islami in this case) and headed by the Pesh Imam (the head) of the National Mosque, who is a government servant, who preaches in favour of implementation of Sharia rule through the mosque based administration and judiciary. This Islamic Sharia Council is an illegal entity according to the Company Act and Banking Act operating in B'desh. The Central Bank's attempts to ban this Islamic Shariah Council and even the move to institute a "guideline for Islamic Banking" in B'esh could not be materialised in the past. And finally, an attempt to pass a law in the parliament "against religious extremism" ended up in gross failure."

Box

What a time to be in Dhaka!

I am in Dhaka right now.

Being here at this moment, in Shahbagh (Projonmo Chottor, as it is now called) and on the streets with activists from the Gonojagoron Mancha – young people, academics, veterans of the liberation movement, singers, artists, writers, professionals and thousands of ordinary people – is a unique and inspiring experience.

The similarities and differences with the Delhi mobilisation are striking. There is the same exhilarating sense of reclaiming public space. The same energy and camaraderie, the same feeling of security and freedom. All kinds of unexpected encounters and conversations that leave one feeling both elevated and humbled. Hearing women and men who were part of the liberation war talking about their experiences. The “mashaal” rallies...
every evening – overwhelming when one is walking in the middle of it, and spectacular on TV, like an unending ribbon of light snaking down the streets.

Of course, this being Bangladesh, there is also a lot of very good music and poetry! The greats are singing on the streets. I feel so privileged to be here.

But this is a far more politically aware and focused movement than what happened in Delhi – it is an out and out confrontation with the Jamaat and Hefazat-e-Islam, which calls itself “a people’s movement” in defense of Islam. And of course BNP is right in there stirring the pot and trying to skim off whatever they can.

This confrontation has been simmering for a long time and most people I’m talking to are glad it came now, when the young people are mobilised in force on the issue of punishment of war criminals.

(Excerpts of a writeup by Ms Kalyani Menon Sen, www.kafila.org, 8 april 2013)

3.

No More Invisibilising of Mass Crimes

No Peace Without Justice

She lay hidden beneath a cot, transfixed, numb with fear, watching these ghastly scenes being enacted before her eyes. She struggled in vain to not shout but gave in to the horrific incident and let her pain come out loud. Then, it was her turn, to be brutally raped.

In the evening of Mar 26, 1971, Jamaat-e Islami leader Abdul Quader Molla and several other Biharis forced into the residence of Hajrat Ali Laskar in Mirpur. Ali was shot at, his pregnant wife and her two daughters aged 7 and 9 years were slaughtered.

Molla and his associates pulled Momena out from under the cot. All of them raped her as she fell unconscious. They took her for dead, but she survived to tell the tale.

...When she stood in the dock, deposing before the International Crimes Tribunal, she said, “I want to ask him: where is my father?”

Apparently, these atrocities against Momena’s parents and siblings had turned Molla’s life term into a death sentence on Tuesday.

(Momena seals Molla’s fate, Sumon Mahbub, bdnews24.com ,Published: 2013-09-19 01:19:53.0 BdST Updated: 2013-)

A look at Bangladesh’s post independence history makes it clear that soon after its liberation the process of punishing the war criminals began and attempts were made to set up a war crimes tribunal. The then government led by Bangbandhu Sheik Mujibur Rahman promulgated the Bangladesh Collaborators (Special Tribunals) ordinance in 1972 and the local collaborators of the Pakistani Army were being tried for specific crimes against humanity. It was July 1973 when the newly independent country’s Parliament
also passed the International Crimes (Tribunal) Act, so that individuals could be prosecuted for genocide, war crimes and crimes against humanity.

Haroon Habib, in his writeup ‘New Liberation War’ (August 2010, Himalmag) explains how “Around 700 were convicted by special tribunals set up all over the country, with several thousand still facing trial. The rest, accused of relatively minor offences, were freed under a government clemency programme.” As far as the Pakistani war criminals, most of them military officers were concerned; they were allowed to go back to Pakistan, thanks to the Simla Accord of 1972 between Pakistan and India and 1974 tripartite agreement between Bangladesh, Pakistan and India. The 92,000 prisoners of war who had surrendered to the Indo-Bangla joint command on 16th December 1971 were also allowed to go back to Pakistan.

Sheikh Mujibur Rehman’s assassination (15th August 1975) by disgruntled military officers and the subsequent change in government had a very negative impact on the trials of the war criminals. All such convicts and the prisoners who were still facing trials were released from detention and the issue of trials of war criminals became almost dormant. Undoubtedly people’s eagerness, persistence and enthusiasm that ‘war criminals’ should not be allowed to go scot free continued to simmer. Their efforts appear more impressive once we know that despite the fact that major political parties had either aligned themselves or were not keen to follow it up, that they did not lose heart and continued in their efforts.

Of course, time and again there were attempts at the non-official level to underline and emphasise this unfinished task. History of Bangladesh is witness to the efforts put in by the legendary Jahanara Imam (who was later declared Shahid Janani (Mother of Martyrs) after her death) and her group to restart the ‘war crimes trials’. Way back in 1992, an organisation led by her called ‘Ekattorer Ghatak-Dalal Nirmul Committee’ (“National Coordinating Committee for Realisation of Bangladesh Liberation War Ideals and Trial of Bangladesh War Criminals of 1971”) had held mock public trial of people accused of war crimes in a People’s Court. Thousands of people had participated in those 'trials' where many of the leading war criminals who are at present before the ICT were 'given exemplary punishment'. The immediate context of having this mock trial was that Ghulam Azam, whose citizenship was revoked by Sheikh Mujib, was elected as the Amir of the Jamaat-e-Islami. The High Court, however, in 1993 restored his citizenship which was later upheld by the Bangladesh Supreme Court in 1994. Jahanara Imam, as many people know, was a leading figure of the liberation struggle and her husband and son were killed by a squad of Al Badr. And for mobilising people on the question of war trials, the then BNP ruled government had filed charges against her for 'sedition'. It should not be forgotten that Sheikh Hasina led Awami League had then adopted ambivalent position about the cases filed against her.

The tribunals which were set up in the year 2010 were in accordance with the 1973 law only when Sheikh Mujibur Rehman was in power. To recapitulate, the government of Prime Minister Sheikh Hasina initiated the long awaited move of trial of war criminals on 25th March 2010. She announced the formation of a tribunal, an investigation agency and a prosecution team under a law which was in fact enacted soon after the liberation, nearly four decades back. Close watchers of the B’desh situation can vouch that the call for the trial of the ‘war criminals’ played a key role in the last general election held in December 2008 which
helped Awami League win the elections with a thumping majority. The youth of Bangladesh expressed its unequivocal support to the demand which eventually became one of the central agendas of the alliance led by Awami League.

Commenting on the restarting of the trial of those suspected of War Crimes Haroon Habib, leading journalist and author and freedom fighter in Bangladesh’s Liberation, had further added:

The trial of Bangladeshi war criminals is seen by liberal Bangladeshis as nothing less than a dénouement to the Liberation War by seeking accountability for atrocities. The challenge before the government is enormous. For the moment, Prime Minister Hasina seems determined, having pledged that there would be no distraction from this ‘moral stand’. The country’s very footings in secularism, badly needed to guard against the current resurgence of fundamentalism and religious militancy, would receive a major blow if the trials process were to be disrupted once again. (‘New Liberation War’ (August 2010, Himalmag)

The significance of the War Crimes Trials be better understood if we are able to situate the 1971 genocide in the later day conflicts in different parts of the world. As noted by Gita Sehgal in one of her write-ups Bangladesh of 1971 has sort of become the template for many of the conflicts which define the late 20th century. A closer look at the genocidal conflicts in Rwanda, former Yugoslavia in 90 s or for that matter in Gujarat in 2002, could said to have already occurred in Bangladesh. One has been witness to widespread and systematic gang rapes, targeted killings of men and boys and the role of militias, composed of religious fundamentalists, in all these regions and the havoc they played with lives of innocents.

Looking at this background, the key thing to remember at this juncture is that in whatsoever manner the struggle unfolds itself, Shahbagh demonstrated that ordinary people very well understand the great hiatus between words and deeds of the fundos and they want people to be punished for crimes, however, long it might take. Looking at the a culture of impunity which prevails in this part of South Asia, where the rich and the powerful get away after committing heinous crimes, it is definitely a positive development.

There are quite a few important features of these trials and the mass upsurge which followed it to give exemplary punishment to the guilty and the organisations they hailed from which need to be taken note of:

- It is after a long time that mass crimes are being punished and perpetrators of indiscriminate violence against ordinary people are being brought to book. These trials have broken the 'unwritten convention' much vogue in this part of South Asia that genocides or similar crimes against humanity are normally 'invisibilised' or best covered up and the cause of rendering justice to aggrieved individuals, communities or formations is always pushed under the carpet. The net result is that there is no closure. For individuals, people, communities who had faced brunt under specific circumstances with the powers that be either in connivance with the perpetrators or deciding to remain neutral, the festering wounds/ the tragic experiences that get reduced to private grief best shared with near and dear ones.
May it be the case of partition riots or the killings of innocents which happened on a mass scale with political forces leading the carnage, or the genocide of Tamils in Sri Lanka which happened few years back or the Nelli carnage which witnessed more than two thousand killings of Muslims in few hours (1983), or the carnage which followed after assassination of Ms Indira Gandhi - which saw deaths of thousands of innocents , or the riots accompanying and preceding demolition of Babri Mosque (1992) or killings of innocents in the year 2002 in Gujarat ; we know very well that final word has not yet been said in any of these cases.

- Usual reasons offered for not taking up such cases – like lapse of time, issues like ‘why unnecessarily open old wounds’- a tradeoff between peace and justice- have not deterred the powers that be from taking up the issue of trials of ‘war criminals'. And the key factor behind this is the people’s quest for justice itself. As an aside it may be mentioned here that not some time ago we have been witness to the conviction of former Liberian President Charles Taylor by the Special Court for Sierra Leone (SCSL) on all 11 counts of aiding, abetting and planning war crimes and crimes against humanity in Sierra Leone. As has been noted the jurisprudence of international human rights law and international criminal law, by attaching liability to a former head of state, has expanded in its application and covered the situation of impunity that prevailed during Taylor’s regime.

Or remember the Rwandan government, which enacted special legislation (4) in 1996 in order to address the genocide that took place in Rwanda, in 1994. It created four levels of culpability: 1) Leaders and organisers of the genocide, and perpetrators of particularly heinous murders and sexual torture. 2) All others who committed homicides. 3) Perpetrators of grave assaults against persons not resulting in death. 4) Those who committed offences against property (5).

Here it is important to note that the ICT in Bangladesh has expanded its ambit of late. In fact till recently its focus was on actual perpetrators of violence - basically as individuals - which had left the possibility open that the organisation under whose guidance, protection they had committed the said crimes against humanity was left untouched. The Awami League led government was forced to amend the terms of reference of the ongoing trials and include Jamaat-e-Islami as well because of the historic Shahbagh movement.

Box

- The year 1948 saw the adoption of a Convention by the international community in the form of Convention on the Prevention and Punishment of the Crime of Genocide by the UN General Assembly (9 th December 1948) which came into effect on 12 January 1951. This contained an internationally-recognized definition of genocide which was incorporated into the national criminal legislation of many countries, and was also adopted by the Rome Statute of the International Criminal Court, the treaty that established the International Criminal Court (ICC).
The Convention on the Prevention and Punishment of the Crime of Genocide (in article 2) defines genocide as:

...any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such:

(a) Killing members of the group;
(b) Causing serious bodily or mental harm to members of the group;
(c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;
(d) Imposing measures intended to prevent births within the group;
(e) Forcibly transferring children of the group to another group. As reports tell us the trials of key leaders of collaborators of the Pakistani regime, many of those leading 'war criminals' would go on despite resistance from fundamentalist forces and their political allies. One can see for oneself the degree of resistance offered by these forces with due help from their national and international allies.

The Rome Statute, the legal basis for the existence of the International Criminal Court, defines four substantive types of mass crimes -- genocide, crimes against humanity, war crimes and crimes of aggression. As has been noted in the Indian context, specific acts and omissions committed by heads of state in the context of genocide and crimes against humanity have not yet been criminalised either through statutes or through judge-made laws. Till date, mass atrocities/crimes or gross human rights violations have not been defined in national legal jurisprudence; nor has it been acknowledged that the Indian state has committed specific types of mass crimes.

4. Apologists All?

Any death is regrettable and those who died due to police fire may also come under this category. What is interesting is Jamaat’s modus operandi. The lone survivor of 14 December mass murder of intellectuals described in a recent TV documentary how Al Badr killed Prof Munier Chowdhury and others. Some were bitten with iron bars to death and at the final point; they would insert such bars into the head of their victims to ensure death. Jamaat-Shibir reportedly did exactly the same couple of weeks ago when they killed some police constables and others. It shows Jamaat-Shibir’s Standard Operating Procedure has remained unchanged for the last four decades...

“The Pakistani soldiers unleashed a reign of terror on the soil of Bangladesh in 1971. They brutally killed innocent people, molested Bengali women and ruined the economy. The Jamaat leaders, Ghulam Azam and Matiur Rahman Nizami, issued the fatwa that those activities were permissible to save Islam”

(Dr Mohammed Hannan, Page 252, Bangladeshe Fatwar Itihas, 1999).

What is common between Syed Md Nurur Rahman Barkati, Shahi Imam of Tipu Sultan Masjid, Kolkatta and Maulana Syed Athar Abbas Rizvi, imam, Cossipore Masjid or Md Qamruzzaman, general secretary, All Bengal Minorities Youth Federation? Well, if media reports are to be believed then they were the leading lights of a 'one lakh strong demonstration' which was held on March 30th 2013 in Kolkata demanding stepping down of Bangladesh Prime Minister Sheikh Hasena. The participants in the well attended demonstration had come from different parts of West Bengal. In fact, a dozen odd Muslim outfits had meticulously planned the demonstration to protest against the verdict of the 'war crime tribunal' against Jamaat-e-Islami’s leaders in connection with the atrocities committed by them during 1971's Liberation War. According to them the actions of the Bangladesh government was not only 'anti-Islam' but 'anti-humanity' as well. The organisers of the demonstration emphasised that if their demands are not met then they would appeal to the Indian government to severe all ties with Bangladesh.

Definitely this was not the first demonstration of its kind held by the various Islamist groups in this part of South Asia. Not some time ago, similar organizations like Minority Youth Federation, and others had organised a protest in the city which had turned violent. It was in response to the death sentence given to Delawar Hossian Sayedee, the Vice President of Jamaat-e-Islami by a war crimes tribunal after he was found guilty for mass killing, rape and atrocities during the nine month war against Pakistan.

There was a similar demonstration held in Karachi in the second week of March led by the Jamaat-e-Islami (Pakistan) 'to protest the indictment of Jamaat-e-Islami (Bangladesh) war criminals of 1971 and the treatment of its activists by the Bangladesh government, judiciary and the police in the aftermath of the Shahbagh movement against the Islamists in Dhaka.' President of Jamat-e-Islami of Punjab, Pakistan who participated in the demonstration reportedly insisted that, 'the sentenced leaders of the razakars (pro-Pakistan militias) were innocent. 'Incidentally, close to this protest site a protest against the mob attack on the Christians of Badami Bagh, Lahore by a rampaging mob of fanatics, was also held, although it was not as large. (The Express Tribune, 15th March 2013)

In fact, opposition of the Islamists to the new awakening in Bangladesh - popularly known as Shahbagh movement - which wanted to reinvigorate the basic principles of secularism and democracy which became a basis for founding of the country, was not limited to civil society organisations or political groups alone. Leaders of many Islamic countries especially President of Egypt and Prime Minister of Turkey had written letters to their Bangladesh counterparts expressing their 'displeasure' over the war crimes tribunal. Few other Islamic countries had through informal channels also 'requested' the
Bangladesh government to 'go slow' on the trials or ensure that 'violations of human rights' does not take place. Wittingly or unwittingly all such 'protests' or 'displeasures' about 'danger to Islam' or 'danger to humanity' or alleged concern over democratic rights violation which the ongoing trials have allegedly provoked make one thing very clear.

None of them wanted that the role of organisations like Jamat-e-Islami or or many of its not so illustrious leaders in the 1971 war of Bangladesh's independence be investigated afresh. They did not want to look into the fact that how many Jamaat activists became Razakars - literally volunteer - which was the paramilitary force organized by the Pakistan Army in East Pakistan during the Bangladesh Liberation War in 1971 and whose main function was to arrest and detain nationalist Bengali suspects. There were allegations that such suspects were tortured during custody. The Razakars received training at the hands of the Pakistan Army. Both organisations were later accused of having violated Geneva Conventions of War by raping, murdering and looting the locals.

In fact they wanted to dilute gravity of Jamat's support to the Pakistan army and also cover up its shameful attempts to provide religious justifications of torture, rape and murder, arson etc under the specious plea that it has been more than 42 years that the developments took place, and it is time that people should 'move on' or 'forget and forgive'.

It needs emphasising that the demands of the Shahbagh protesters was not limited to trials of the war criminals, they had demanded that Jamat-e-Islami be banned and its financial sources be confiscated by the state. Launching the second phase of the movement on the 42nd independence day of Bangladesh (26th March) activists had reiterated their immediate demand of trial of the war criminals, many of whom were senior leaders of the Jamaat and strongly criticised the Awami League government for dilly dallying on their central demand of banning Jamaat-Shibir politics.

II

It was not difficult to understand why Islamists from this side of the border had also suddenly woken up to the 'human rights' of all the Jamaatis, those very people who were involved in unspeakable crimes against humanity during that tumultuous period in the nation's history. To be very frank, the Bangladesh Jamaat was finding itself in unforeseen situation, put on the defensive by the youth led uprising demanding capital punishment to the war criminals of 1971 coupled with the actions of the Awami League government against its leaders. A press release issued by the Jamat itself (http://www.jamaat-e-islami.org/en/newsdetails.php?nid=NzU0) on 20th March 2013 described how 'the leadership of Jamaat is either in jail or is living in fear of arrest'

Its Ameer (i.e. President) is in jail. There are warrants of arrest issued against the Acting Ameer and he is now in hiding. The party’s Secretary General is in jail. The two people who were subsequently appointed (one after the other) to replace him have also been arrested and are now in jail. The third person appointed is now avoiding arrest in fear of custodial torture. Of the 7 Assistant Secretary Generals, 6 are in jail. 12 of the 16
member Executive Committee have been arrested. Of the 6 City Ameers in the 6 metropolitan cities, 2 is in jail, while the remaining 4 are in hiding.

At the grass-root level, the situation is far worse. 54 of the District Ameers in the 64 districts of Bangladesh have been arrested. The rest have warrants of arrest issued against them. All of the sub district (or Upazilla) Ameers in the 493 Sub Districts of Bangladesh have warrants issued against them and are now in hiding.

It was clear that none of the dozen odd Muslim organisations who never missed a moment to talk about 'Umma' (community) and who participated in the Kolkata protest were really concerned about the impact of the depredations of their Bangladesh counterparts on the common masses - a majority of them happen to be Muslims only. They just wanted to save the skin of fellow Islamists from that side of the border despite their acts which were anti-human to say the least.

As already mentioned many of the Islamists have talked about the 'passage of time' and need to 'move on'. It is clear that in their hurry to save these Razakars they had either not thought over this proposition or wanted to rake up the principle selectively.

Does a passage of time lessens the quest for justice or lessens the gravity of the crime ?

In fact those who claim that forty years have elapsed, that evidence is not possible, they be reminded that the hunt, prosecution, and trial of the Nazi criminals by the Allied forces continue till today, even after almost 70 years.

Those who discover selective persecution because only a handful of leaders have been made to stand on the dock, they can be told that while World War II witnessed more than four million deaths in Europe alone, only 24 leading personalities were indicted before the Nuremberg trial.

If Islamists peddle this ‘passage of time’ logic then the struggle for justice for the victims of Gujarat 2002 carnage or for that matter Babri Mosque demolition (1992) would have lost the case quite early. In fact, this logic to 'move on' has been used time and again by people in power whenever justice loving persons/ formations have demanded that perpetrators of say massacre of Dalits at Kizzevanamani (1969), Nellie massacre (1983), which witnessed killing of more than 2,500 in a span of few hours (1983), the killings of innocent Sikhs in their thousands in 1984 after the assassination of Indira Gandhi, the genocide of innocents in Hashimpura (1986) and similar other carnages are punished. The moves by the powers that be to substitute justice by 'compensation' has always been questioned and challenged.

It is clear that people like Syed Md Nurur Rahman Barkati, Shahi Imam of Tipu Sultan Masjid, Kolkata and Maulana Syed Athar Abbas Rizvi, imam, Cossipore Masjid and many of their ilk, who led the demonstration on 30 th March seriously jeopardised struggle for justice in all such cases by their espousal of Bangladesh Jamat-e-Islami's cause. Their support to the handful of the razakars and murderers who had committed crimes against humanity and who had been indicted by the tribunal was nothing but a betrayal of the cause of the ordinary people of Bangladesh who struggled against heavy odds to live a life of dignity and free themselves from the yoke of Pakistan's subjugation.
Would all these people have any moral right left tomorrow to speak for justice in other cases of genocide. What weight their voice would carry if they give a fiery speech in future demanding that perpetrators of Gujarat carnage be punished or justice should be done to all those Hindutva formations who were instrumental in the demolition of Babri Mosque. All of them would appear as nothing but windbags.

As an aside it needs mentioning that while the Pakistani army has expressed regrets that it made “mistakes” during the 1971 war but Jamaatis have yet to express any formal apology for their criminal actions. They have yet to say “sorry” to the nation and express sincere remorse over their actions which involved not only siding with enemies of the nascent Bangladesh but also their participation as hired mercenaries of the occupying army.

Lest anyone claim that it is mere propaganda it would be opportune here to quote Jamaat leaders themselves.

..On 20 June 1971, Ghulam Azam at a press conference at Lahore Airport said, “With support from many non-Muslims in East Pakistan, Sheik Mujib intends for secession. (Pakistan) Army has uprooted almost all miscreants from East Pakistan and now there is no power which can challenge the dominance of the army”.

..On August 12, 1971, Azam declared, “the supporters of the so-called Bangladesh Movement are the enemies of Islam, Pakistan, and Muslims”.

..On 5 August 1971, Matiur Rahman Nizami (then head of Al Badr) said “Allah entrusted the pious Muslims with the responsibility to save His beloved Pakistan. (But) when the Muslims failed to solve the political problem in a political way, then Allah saved His beloved land through the (Pakistan) army”.

(Courtesy : Daily Prothom Alo, 11 January 2012, a compilation of statements based on what was published in Jamaat’s own newspaper The Daily Sangram in 1971)

Undoubtedly, the key demand of Shahbagh movement which talked of banning Jamat politics and confiscating its financial sources in fact put it far ahead of other democratic movements in most parts of the middle east. It tried to deal with the debate - about place of religion in politics - which is still raging in the Muslim majority countries in a unique manner. Even a cursory glance at these countries makes it clear that citizenry of most of these Muslim majority nations not only want religion to be a part of their daily lives but are also keen about greater religious orientation in governance. Victory of Islamic Parties in many of the countries of the region, may it be Egypt, Turkey or Iraq and many other smaller countries makes it clear how the wind is blowing.

Peter Custers, international correspondent of 'The Daily Star' rightly put it then: "After all: here is a movement which does not just have an uneasy relation with Islamist parties. No, Bangladesh’s mass upsurge from its inception has borne the seal of secularism and tolerance, and is opposed to
fundamentalist politics. Indeed, the South Asian country is not just re-living its own historical legacy, i.e. the secular spirit that pervaded the struggle for the country’s independence. Perhaps it is on its way to setting a fresh example for the Muslim world and for the West.”

A section of the people supported the Jamat's cause under the pretext that the historic Shahbag movement was being led by youth who are atheists, un-Islamic.

The brutal manner in which Islamists youth murdered Ahmed Rajib Haider, a very active blogger and a professed atheist, who was part of the bloggers network which initiated the movement, was for everyone to see. One Maulana Shafi who happens to be the Principal of the Hatazari Madrassa, in an open letter published in the mouthpiece of Jamaat-e-Islami (Daily Sangram) had even issued a fatwa (edict) which said that Shariar Kabir, Professor Muntassir Mamoon and some other leaders of the Shahbagh uprising are ‘murtad’, ‘kafirs’ (non-believers). Twenty one years back they had similarly hounded Jahanara Imam and many other senior leaders of the ‘Nirmul Committee’ (Forum for Secular Bangladesh) in the same language.

A cursory glance at the then East Pakistan (modern day Bangladesh) history makes it clear that this tactics of 'name calling' has been used by the Islamists since the days of the language movement (1948-52). Youths, who fought for such worthy causes, were then also called atheist and anti-Islamic and it is no surprise that today Jamaat-e-Islami and its apologists would call Shahbagh youths- “atheists”.


“The Worship of Language for the sake of Language or of Race and Homeland is the idolatry of the age and Pakistan has come to smash these idols and emancipate man from the slavery of Race, Language, territorial nationalism and materialism”. (page 77)

Bengali “far from being akin to Islamic spirit it is absolutely anti-Islamic and anti-Musalmman in its origin, form and spirit. The “Musalsman Bengala” of the Muslamans is not fully developed and requires careful culture to bring it in tune with Islamic culture and ideology of Pakistan”. (page 80) ..

In a book named “Political History of Bangladesh” (2001), Dr Mohammed Hannan, says, “Prior to the general election in 1954, the Muslim League Government of Pakistan even
gave a fatwa issued by their Moulavis that casting vote against the Muslim League would dissolve marriages of the concerned voters”. (Page 251)

In his memoir, “Amar Dekha Rajneeteer Ponchash Bochor” (1989) Abul Mansur Ahmed, provided a vivid description of the Muslim League and Pakistani mindset in 50’s and 60’s:

“They (i.e. leaders of Muslim League) started to say that opposition of Muslim League was akin to opposing Pakistan. Gradually they started to claim that Pakistan came into being for the wellbeing of Islam. In essence opposing Muslim League is opposing Pakistan, which in turn means opposing Pakistan means opposing Islam. …therefore opposition party in Pakistan means enemy of Pakistan and Islam”. (page 40)

While Islamist groups and politicians protested in Kolkata in solidarity with the Razakars of the Jamaat-e-Islami, it was noteworthy that the ongoing movement generated a different type of reaction among a section of the Muslim majority countries. Take the case of Pakistan. Pakistani band ‘Laal’ paid a rich tribute to the protestors. A video of the song “Na Honay Pai”, released on the band’s Facebook page is said to been made with assistance from Bangladeshi group ‘Ei To Somoy’.

The description of the video says:

“In this new work, we not only wish to express our solidarity with the Shahbag Movement in Bangladesh but also to speak about that unspoken part of our history that simply refuses to acknowledge the historical wrongs that were committed. Many people may find it disturbing; others will shower us with all sorts of abuse and accusations. We will face all these, speaking truth to power, and representing the point of view of all oppressed humanity without fear.

“No good will come of pretending that we have nothing to do with those events. All of us have a direct relationship to this past and cannot escape our role or responsibility in it. I feel a grave sense of historical duty to raise my voice against the atrocities committed. Similarly, I hope that my fellow Pakistanis, who today suffer from the same extremist forces in our own country, have the courage to recognise that all this has happened before and will happen again if we do not speak truth to power and if we do not stand for justice.”

5.

**Shahbagh No Imperialist Conspiracy Mr Umari**

Maulana Syed Jalaluddin Umari, President of Jamaat-e-Islami Hind, (Born in 1935), seems to be a learned man, at least that's what his biographical details tell us. Elected for the second time as Ameer (President) of the Jamaat he is known to have 'authored more than thirty books' and is 'considered an 'authority on human rights in general, and women and Islamic family system in particular'. Interestingly,
despite his long innings in social-political life and exposure to the outside world his understanding of some crucial developments in this part of the subcontinent seems to be at variance from what can be said as a general consensus around the issue.

The manner in which he and the organisation he leads reacted to the developments in B'desh, the emergence of what is known as Shahbagh movement is indicative of this disconnect between what Mr Umari and the organisation he leads thinks and what actually happened.

Forget words of appreciation for this historic churning in our neighbourhood, and the youth's resolve to set right 'historical wrongs' happened more than four decades ago and their attempts to bring to book the 'war criminals' who were responsible for indiscriminate killings of innocents - which included people belonging to different faiths or political outlook - and rapes of women, during the struggle for liberation, ;

forget the fact that people on this part of the border had once played a very supportive role for their struggle, Maulana Umari had nothing but scorn for these young fighters and it appeared that he was trying every way to sanitise the crimes of the Bangladeshi Jamaatis. He lamented :

"[..][t]he death sentence for popular leader of Bangladesh Jamaat Islami Maulana Abul Kalam Azad and renowned religious leader and speaker Maulana Dilawar Husain Sayeedi by the ruling Awami League-appointed war tribunal. While terming the conviction as cruelty and injustice, Maulana Umari demanded Bangladesh government to revoke the sentence against Sayeedi and all leaders of Jamaat Islami, rescind the cases and release them. He said this punishment is the worst example of devaluing the nation’s most caring and concerned Jamaat and its people.Those who have observed international affairs and politics know well that Bangladesh Jamaat Islami did great service to the nation in the field of religion, politics, economy and social welfare. ..


The glorification of Jamaatis in B'desh did not end at that. And this despite the fact that all historical evidence pointed to the contrary, which again and again underlined the criminal role played by them during the war of liberation.

The facts regarding the bloody period which accompanied B'desh's emergence have been recounted n number of times. It need be noted here that Bangladeshi authorities claim that as many as 3 million people were killed in this struggle, while news outlets like BBC have quoted the figures in the range of 3,00,000 to 5,00,000 for the estimated death toll as counted by independent researchers, whereas an official Pakistan government investigation after the debacle of 1971 - under the Hamoodur Rahman Commission after 'acknowledging its mistakes' itself had put the figure as low as 26,000 civilian casualties.Even if for arguments sake we focus on the figures presented by Pakistani government, it also boils down to hundreds of civilian deaths daily during that tumultuous nine month period in 1971.
Should not we call such deaths 'genocide'? In fact, the United Nations Convention on the Prevention and Punishment of the Crime of Genocide (CPPCG) is quite explicit about it. Article 2 of this convention defines genocide as

"any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such: killing members of the group; causing serious bodily or mental harm to members of the group; deliberately inflicting on the group conditions of life, calculated to bring about its physical destruction in whole or in part; imposing measures intended to prevent births within the group; [and] forcibly transferring children of the group to another group."

It would be opportune here to remind Mr Umari, that the first one to make such charge happened to be Anthony Mascarenhas, a noted Pakistani journalist, himself. In fact, his write-up in 'Sunday Times' (London) created great sensation during that period and let the outside world know what is happening in then East Pakistan. Perhaps, Mr Umari and his colleagues at Jamaat Islami Hind would be crestfallen to know that even Archer Blood, the then US consul-general in Dhaka - while his government was actually supporting Pakistan then - had used the “dissent channel” of the US department of state to protest against American support for Pakistan during this crisis. In his telegram, Blood had written, “the much overused term ‘genocide’ is precisely applicable in this case”...(The Shame of Kolkata, Sumit Ganguly, 1 April 2013, Asian Age). It prompted his recall from his post as consul general in Dhaka. He was the senior official among 20 members of the U.S. diplomatic corps who signed the dissenting cable, which was prompted by the Pakistani military's brutal crackdown against the Bengali inhabitants of what was known as East Pakistan in March 1971. In their cable, Mr. Blood and his fellow signatories charged:

"Our government has failed to denounce the suppression of democracy. Our government has failed to take forceful measures to protect its citizens while at the same time bending over backwards to placate the West Pakistan-dominated government. Our government has evidenced what many will consider moral bankruptcy, ironically at a time when the U.S.S.R. sent President Yahya Khan a message defending democracy. . . ."

(http://www.washingtonpost.com/wp-dyn/articles/A43422-2004Sep22.html)

It is clear that Mr Umari does not want to look at facts of the case, nor the genocide which took place and the heinous role played by the Bangladeshi Jamaatis and wants to reduce the whole question to alleged 'different views' between Bangladesh Jamaat Islami and Sheikh Mujibur Rahman during the 1971 conflict in East Pakistan, which according to him '..cannot be called a crime'. Naturally when lakhs of Bangladeshis agitated on streets demanding punishment to leaders of the Jamaat he was singing paeans to the '..great service to the nation in the field of religion, politics, economy and social welfare' which Jamaat rendered. And referring to the war crimes tribunal was alleging that 'due to political differences,' Jamaat leaders are being implicated in false cases and are being awarded even death sentences which was 'against the Islamic and democratic values.'
Not to be left behind the press release issued on behalf of Jamaat-e-Islami, Hind urged “[...] our Government here to impress upon Dhaka to abolish the so-called War Crimes Tribunal and stop atrocities on Jamaat-e-Islami and other Islamic organisation."It is important to note that " On prosecution of leaders in Bangladesh, Jamaat Secretary (Media), Ejaz Ahmed Aslam said:

What is going on in Bangladesh is part of larger international conspiracy to suppress Islamists all over the world. It is not in the interest of Bangladesh and the Muslim community.


It appears that the Jamaat people in India have not properly thought over this label 'international conspiracy' in their hurried efforts to sanitise the acts of Jamaatis of B'desh. Do they want to say that all those people who poured out on streets of B'desh, to pressurise the government to ensure exemplary punishment to the 'war criminals' were paid agents of the imperialists ? Do they want to say that demanding justice in case of deaths of all those people who were martyred during Bangladesh's war for liberation is ‘dancing to the tunes of the imperialists ’? In fact, by stalling further enquiries in the war crimes, Jamaatis here indirectly seem to serve the agenda of their occupiers and their imperialist masters.

II

Abdul Bari had run out of luck. Like thousands of other people in East Bengal, he had made the mistake - the fatal mistake - of running within sight of a Pakistani patrol. He was 24 years old, a slight man surrounded by soldiers. He was trembling because he was about to be shot...

..“General Yahya Khan’s military government is pushing through its own ‘final solution’ of the East Bengal problem. ‘We are determined to cleanse East Pakistan once for all of the threat of secession, even if it means the killing of two million people and meeting the province as a colony for 30 years’,

(Genocide : Anthony Mascarenhas, Pakistani Journalist, The Sunday Times, 13 th June 1971)

To be fair to Maulana Umari, it can be added that neither he or nor for that matter Jamaat-e-Islami, Hind were alone in denouncing this historic movement. Many Muslim leaders and their organisations were found to be vying with each other to stigmatis the protests knowing fully well that majority victims of genocide undertaken by the Pakistani army to suppress national aspirations of the Bangla people belonged to the same Umma (community) they seem more concerned about. The other prominent organisations which either maintained silence or opposed the 'war crimes tribunal' included : All India Muslim Majlis-e
Mushawarat, All India Milli Council, All Bengal Minority Youth Federation, West Bengal Sunnat Al Jamaat Committee etc

Interestingly, echoes of Shahbagh could be heard in far off UK as well which witnessed daily events in solidarity with Shahbagh then. (The youth of Shahbagh: A Bengali spring? Ansar Ahmed Ullah 15 February 2013. www.opendemocracy.net). In fact, on one of those days there was a direct confrontation between Bengali Muslim secularists and Islamists in East London. A number of young Bengali bloggers from London had called for a peaceful demo in Aftab Ali Park, Whitechapel in solidarity with Shahbagh movement. (8th Feb 2013) And when the young bloggers went there at the scheduled time, they found to their surprise that UK Jamaat-e-Islami activists had reached there in large numbers and forcefully occupied the sacred Shahid Minar. The standoff between the two groups continued for eight hours. During and at the end of the event Islamists pelted the secular gathering with eggs and stones, abused the women folk and physically attacked a number young bloggers and hospitalised them. No arrests by the police followed.

From Dhaka to London, from Cairo to Riyadh, it is not difficult to understand why Jamaat-e-Islami-Hind and many other Muslim organisations from this side of the border, as well as their counterparts in other countries felt so agitated and threatened over the Shahbagh movement and were going all out to defend the indefensible.

Their immediate interest was definitely to lessen the pressure on the Bangladeshi Jamaatis who were facing bad times inside B'desh, put on the defensive by the youth led uprising demanding exemplary punishment to the war criminals of 1971 coupled with the actions of the Awami League government against its leaders.

They could also foresee that if the Shahbagh experiment for banning religion and religious organisations from politics - led by the seculars and democrats - succeeds in a country which is fourth largest in the world as far as Muslim population is concerned (160 million, 90 percent Muslims) then it can definitely start a chain reaction in other Muslim majority countries as well and it would be extremely difficult for the forces of political Islam of various hues to suppress the democratic aspirations of the people there.

Today it might be the case that people in many of the Muslim majority countries are veering around the idea of giving more space to Islam in governance but it has not been the case always. In fact, during the 1960s, the predominant ideology within the Arab world was in fact pan-Arabism which deemphasized religion and emphasized the creation of socialist, secular states based on Arab nationalism rather than Islam. And in many other newly independent countries with a significant population of Muslims also the there was still more space for running governments on secular principles.

6.

Hefazat-e-Jamaat, Nothing Else !:

To such a degree has Religion fuelled conflict, complicated politics, retarded social development and impaired human relations across the world, that one is often tempted to propose that Religion is innately an enemy of Humanity, if not indeed of itself a crime against Humanity. Certainly it cannot be denied that Religion has proved again and again a spur, a motivator and a justification for the commission of some of the most horrifying crimes against Humanity, despite its fervent affirmations of peace. Let us, however, steer away from hyperbolic propositions and simply settle for this moderating moral imperative: that it is time that the world adopted a position that refuses to countenance Religion as an acceptable justification for, excuse or extenuation of – crimes against Humanity.

(Wole Soyinka, Source: http://www.granta.com/New-Writing/Religion-Against-Humanity)

I

The above quote was part of a long intervention made by Wole Soyinka, Nigerian writer, as part of UNESCO International High Panel, in a Conference on the Culture of Peace and Non-Violence. (21 September 2012) The immediate context for Soyinka's speech - recipient of the 1986 Nobel Prize in Literature, and the first one from Africa - was the desecration and destruction of centuries old tombs of Muslim saints in Timbuktu, Mali by radical Islamist group Ansar-al Dime which had 'discovered' them to be unIslamic. There were rumours that the 'invaluable library-treasures of Timbuktu may be next.' on their agenda. Cautioning people about the fact that "[t]he science-fiction archetype of the mad scientist who craves to dominate the world has been replaced by the mad cleric who can only conceive of the world in his own image, proudly flaunting Bond’s 007 credentials – Licence to Kill." he urged leaders to "[u]nderstand this, and admit that no nation has any lack of its own dangerous loonies, be they known as Ansar-Dine of Mali, or Terry Jones of Florida, the earlier they will turn their attention to real issues truly deserving human priority."

One was reminded of Soyinka's words when one was witness to the march organised by the group ‘Hefazat-e-Islam’ (can be loosely translated as 'Defenders of Islam) on the streets of Dhaka, capital of Bangladesh and the consequent mayhem that followed few months back. The contrast was evident even to laypersons.

While people of Bangladesh were seem to reinvigorating the spirit of its four decade old war of liberation, the campaign launched by youth activists and bloggers demanding exemplary punishment to war criminals was gaining further momentum, and Bangladesh’s largest religious-political outfit, Jamaat-e-Islami was further finding itself in a tight spot since the war crimes trials began, came the news that Hefazat-e-Islam, a relatively new group based in Chittagong, bursting out on the centre stage of the
nation's politics with its demands which were at complete variance with this new mood. While the overwhelming demand was to ban 'politics based on religion', the Hefazat brigade was seeking the exact opposite.

It was a time when this new historic moment in the not so long history of the nation was seen to "empower people, particularly urban youth, to speak up and realize that even ordinary people can make a difference when they unite; that they do not need political patronage to voice their demands and dissatisfaction."; a moment which "instilled in people to encourage them to be active citizens instead of waiting for the state to take action"; a moment which aimed to "end the culture of impunity"; (quotes from http://kafila.org/2013/05/07/savar-tragedy-solution-in-solidarity-navine-murshid/) came the news that these loonies of a different kind were targeting the bloggers themselves who had played a key role in the new mobilisation as being 'atheist' and asking for strict action against them. The charter of demands put forward by them talked of banning public mixing of sexes and death penalty to those who according to them are engaged in 'blasphemy'. As has been noted elsewhere the charter of demands presented by them made their intentions very clear which were meant to reverse the achievements made by the four decade old country - which has passed through different turmoils in the intervening period - in its journey towards secularism and democracy and aimed at turning it into an Islamic nation.

While participation of young girls and women outnumbered men at Shahbagh, Hefazat jamboree was an all men affair, while the Shahbagh protesters were keen that there movement remained completely peaceful, the conduct of the self proclaimed defenders of Islam who descended on Dhaka in May again was its antithesis. As reported on a blog –

"..beating up bystanders, ransacking political party offices and killing political workers, looting shops and homes, attacking and mauling journalists and torching entire neighbourhoods – went on for a whole day and left the city in flames. The police crackdown last night has been violent and brutal as well. At the end of the day, more than 25 people are dead and many hundreds are injured or missing." (http://www.thedailystar.net/beta2/news/hefajat-strikes-horror, http://www.bbc.co.uk/news/world-asia-22423815)

According to a leading newspaper (The Daily Star, Hefajat’s barbarity, Shocking and condemnable, 7 May 2013):

THE wanton violence and destruction perpetrated by Hefajat-e-Islam on Sunday and Monday defies logic and description. We wonder what measure of madness can overcome a group of people who, in the name of ventilating their demands, can go berserk and indulge in senseless destruction of public and private property. They behaved as if they were in an enemy territory. We condemn this in the strongest possible terms...By creating mayhem, by destroying public and private assets, by turning a part of the capital into a battle-zone, Hefajat has blatantly violated its democratic right, and for which, we feel, it owes an apology to the nation."
It is true that the violence engaged in by the activists of Hefazat-e-Islam with help and support from the Jamaat-Shibir as well as from the main opposition party BNP, and the strong reaction of the security forces leading to many deaths would be debated for a long time to come. It is also possible that the way the people in power in B'desh have tried to pander to the demands of the fanatics by arresting four bloggers and the general clampdown on political gatherings may create a situation in the near future when the struggle against fundos/fundamentalists may not be able to achieve the crescendo it reached earlier or may be put on the backburner for a while.

II

And what about Jamaatis!

Despite all their tantrums - raising the bogey of 'Islam being in danger' through Hefazat-e-Islam and other similar desperate acts, whether the Jamaatis would be ever able to obfuscate their crimes which they committed during B'desh's war of independence? It seems impossible. In fact, as far as their gory past is concerned it would come back to haunt them again and again as the series of judgements by the War Crimes Tribunal demonstrated.

Mr Nikhil Chakravartty, editor of 'Mainstream' in his 'Dacca jottings' (February 1972, Mainstream) written after his first visit to Dacca after its liberation writes:

The Mullahs were called by the Pak army authorities and told that since East Bengal would have to be ultimately in the hands of Bengali nationals, the time had come for them, the faithful flock, to take over and build a true Islamic state. As part of this theocratic enterprise, it would be necessary to exterminate beforehand all heretics. And the heretics included not only the political elements, the progressives in politics, but anybody who stood for a modern outlook.

It is worth emphasising here that Jamaat's 'crimes against humanity' were not a one time affair, it did not mend ways even after B'desh's liberation. Developments in the first decade of the 21st century are a living reminder how its agenda unfolded itself.

"..Should the nation of ours be inundated with blood? Will the humanity get a shiver watching Bangladesh in this pathetic state? We don’t have much time. You decide what would be the proper step to take, and this is my earnest request to you all, my countrymen, including you-respected PM and the leader of the opposition."

These were the words of late Professor Humayna Azad, one of the foremost litterateurs of Bangladesh and a leading human rights activist which he had expressed in an open letter to his countrymen just before his mysterious death. (The Bangladesh Observer, 16 August 2004). It was a period when Ms Khaleda Zia happened to be Prime Minister of the country and the present PM Sheikh Haseena was opposition leader. Very few people remember today that Prof Azad, a proclaimed atheist, and a teacher at Dhaka University, had consistently taken a firm stand against the growing talibanisation of Bangladesh then and tried to expose their anti-human activities. In his magnum opus 'Pak Sar Zameen Azad' he had questioned the idea
of religion becoming a basis for a nation formation. Not only his words but his deeds as well proved to be an anathema to fanatics. It was not surprising that he was brutally attacked by one amongst them in Dhaka when he was coming out of the well known annual book fair in the city. He could never recover completely from the incident. A trip down memory lane makes it clear why Prof Azad was worried about the fate of the nation being 'inundated with blood'.

It was a period when one was witness to repeated, abuses by Islamist vigilante groups which were engaged in a campaign of attacks on minorities. The rising wave of hate speeches in public rallies inciting acts of violence against the Ahmadiyyas and the Hindus and Buddhists had become a regular feature. It was disturbing to note that even cinema halls, sufi shrines, traditional village fairs and cultural functions were then made targets of bomb attacks. Prof Abdul Barkat, ('Political Economy of Fundamentalism in Bangladesh' Mainstream, Mar 22-28, '13) has given a compilation of 25 such terrorist acts of religious extremists (1999-2005). Starting from ' Bomb explosion at cultural programme at Udichi, Jessore (March6, 1999), bomb explosion on Ahmedia mosque, Khulna ( Oct 8, 1991) ; time bomb explosion in CPB meeting, Dhaka (Jan 20, 2001) ; bomb explosion on Poila Baisakh - Bengali New Year - celebrations, Dhaka (April 14, 2001) ; time bomb explosion on Church, Gopalganj ( June 3, 2001) he ends his list with bombing on Deputy Commissioner's office, Gazipur (Dec 1, 2005) ; bomb explosion on Udichi Cultural Office, Netrokona ( Dec 8, 2005).

The series of assassinations of respected secular intellectuals, journalists and academics had rather accompanied assassinations and violence against opposition party Awami league leaders as well. In fact, Bangladeshi intelligence agencies warned the government back in 2003 about JMB (Jama’atul Mujahideen Bangladesh) and the threat it posed to the state (Daily Star, August 28, 2005). Sheikh Hasina, then leader of the opposition, herself was the target of a bombing at the Awami League Headquarters at a massive rally in Dhaka.(September 2004). Incidentally she had a miraculous escape. Ofcourse Ivy Rehman, the president of the women’s wing of Awami League and 21 other League workers could not prove that lucky. Another towering leader of Awami League, ex finance minister Shah A.M. S. Kibria also faced death at another political rally organised by Awami League, in Habibganj situated in Northeastern Bangladesh merely five months after the attack on Sheikh Hasina. Just when he had finished his speech hand grenades were thrown at him in which he was fatally wounded. Four other workers of the Awami League also died in the melee.

Situation inside Bangladesh looked so grim that around hundred former civil bureaucrats, diplomats and IGP's jointly issued an appeal to the government in the aftermath of the killing of Mr Kabria plainly stating that

“Bangladesh will suffer the fate of Afghanistan, Darfur / Sudan, and Somalia unless the evils of extremism and intolerance are stemmed immediately,”( January 2005)

Few months after Kibria’s killing an unprecedented number of suicide bombings rocked the country. On 17th August 2005 there were 350 simultaneous bomb blasts throughout Bangladesh, across 63 of Bangladesh’s 64 district headquarters. A wave of fear struck Bangladesh as bombs exploded almost
The bombs targeted government offices, courts, press clubs and universities in Dhaka and 63 of the country’s 64 district headquarters, sparing only Munshiganj. Leaflets left at blast sites, bearing the name of banned Islamist outfit Jamaat-ul-Mujahideen, asked the government and Parliament to establish Islamic rule in Bangladesh.

The officially banned terrorist group Jama’atul Mujahideen Bangladesh (JMB) claimed responsibility for the attack. Bangla Bhai’s Jagrata Muslim Janata Bangladesh was also the other principal suspect for the serial bomb blasts. The blasts brought Bangla Bhai back at the centre of discussions on the threat of Islamist jihad in Bangladesh. A former schoolteacher, whose followers were believed to number over 10,000, he had taken part in the Taliban’s jihad in Afghanistan. It would be opportune here to share the manner in which the infamous Banglabhai was engaged in terrorising people.

The young man’s feet were tied to a tree, his head dangling inches above the ground. A microphone was held to his mouth while he was tortured so that the villagers who were not present to witness the “trial” could hear his screams. The first to hear them were the men in uniform who did not stir from the police station, not far from the tree. The screams rose and fell till the man was dead. Their mission accomplished, the killers issued fresh warnings to villagers against straying from the Islamic way, swore their loyalty to Bangla Bhai and left the scene.

The incident is one of about 500 cases of killing and torture by Bangla Bhai’s armed Islamic bands that were documented by Taskforce Against Torture, a human rights group founded in Bangladesh three years ago.

(Teacher to tormentor, via Taliban, ASHIS CHAKRABARTI, The Telegraph, Aug 20, 2005)

For any keen observer of Bangladesh the trajectory of the country which declared itself a secular democratic republic at the time of liberation appeared incomprehensible. Parties like Jamaat-e-Islami which had never hidden their sympathies towards Pakistan and had agitated against independence in 1971 were then part of the ruling coalition led by Bangladesh Nationalist Party (B.N.P.). The party had been banned after independence for its role in the war but had slowly worked its way back to political legitimacy. Of course the most radical party in the governing coalition and a junior partner to the Jamaat-e-Islami was Islamic Oikya Jote (IOJ). As an aside it may be mentioned here that the founder of IOJ happens to be son in law of founder of 'Hefazat-e-Islam'. Responding to the American invasion of Afghanistan supporters of IOJ even chanted in the streets of Chittagong and Dhaka "Amra sobai hobo Taliban, Bangla hobe Afghanistan," which roughly translates to “We will be the Taliban, and Bangladesh will be Afghanistan.”
A question worth pondering over is the relationship between spurt in Islamic militancy and Bangladesh's Jamaat-e-Islami. Few links/commonalities between the mainstream Islamist Party and what could be called as religious extremists is obvious.

- The common vision of not only the armed Jihadis but the mainstream Islamic formations is same i.e. "to capture state power" and "establish an Islamic rule".

- Mainstream Islamic Party has never denounced the bombing activities by these fanatics, forget condemning the bombing organisations

- As newclippings tell us all the militant activists and leaders of JMB who were arrested were either members of Jamaat-e-Islami or its student wing

- Financial transactions related to organising the bomb attacks have been carried out through their bank accounts only

- Mainstream Islamist Party has always lobbied for the release of the terrorists and used administrative support and government machinery to facilitate the release.

Sample some of the newsclippings published during heydays of terrorist activities: "Five JMB leaders arrested in Chittagong were involved with Jamaat politics, Tk 160,000 was transacted through the Islami bank (Prothom Alo, Sep 21, 2005); "Jamaat link to militants becomes evident" (Daily Star, Sep 22, 2005); "Over 1000 militants have been released, and 40 per cent of them belong to Jamaat-e-Islami (Daily Ittefaq, Sep 26, 2005) etc.

Two incidents widely reported are self-explanatory. (See 'Islamo-fascists in Bangladesh – Whose side are you on?: Javed Anand' www.kafila.org, May 1, 2013):

Syed Najibul Bashar Maizbhandari, international affairs secretary of the ruling Bangladesh National Party (BNP) resigns from the party protesting “the government’s failure to act” against the Jamaat-e-Islami (part of the then ruling coalition) which he said had direct links to terrorist activities across the country. The Daily Star published from Dhaka, quoted police records that the over 100 militants who were arrested during 2005 in connection with the bombings (including the simultaneous bomb blasts at 459 spots in 63 districts across Bangladesh on a single day – August 17 – aimed at establishing Islamic rule in the country) either belonged to the Jamaat or its various wings, or had worked with them previously. (September 26, 2005)

Syed Najibul Bashar Maizbhandari, was not a lone voice which made the Jamaatis direct connection with terrorist activities explicit. Within two months of his resignation BNP expelled one of its own MPs Abu Hena from the party for blaming a section of his own government and party for patronising militants. What’s more, he charged that two ministers “are doing everything for the militants”. Hena further alleged that the Jamaat was directly involved in the emergence of the outlawed Jamaatul-Mujahedeen Bangladesh (25 Nov 2005).
Notwithstanding his expulsion, BNP’s standing committee member and former minister Oli Ahmed and BNP whip Ashraf Hossain also spoke out, implicating the Jamaat-e-Islami in the rise of militancy in the country.

III

Definitely this is not going to be the end of Jamaat's ongoing depredations against people and their shameful attempts to save its followers from facing punishment for their crimes against humanity. The way it brought in Hefazat-e-Islam on the scene to further shift the discourse from trial of war criminals to debate on atheists versus believers is for everyone to see.

Much has been written on the manner in which it used social media to target the bloggers - the initiators of the Shahbagh movement as atheists - to mobilise the believers. Whereas these young bloggers consistently campaigned for a trial of war criminals, banning of Jamaat-e-Islami and also boycotting Jamaat affiliated institutions and some of them were also atheists, it was mischief makers associated with Jamaat only who posted anti-Muslim posts on one of the bloggers account to justify his elimination. It was later found that Ahmed Rajib Haider's facebook account was hacked after he was brutally murdered in front of his house. Few activists associated with Jamaat-e-Islami belonging to affluent families have been charged with his murder.

It is true that with such mischiefs Jamaat has been able to confuse a section of people who are supporting the Jamat's cause under the pretext that the historic Shahbag movement is being led by youth who are atheists, un-Islamic etc.

It is a different matter that neither the Hefazatis (as they are called in Bangladesh) - activists of Hefazat-e-Islam - nor the Jamaatis would have imagined in their wildest dreams that their joint actions mainly to save the bunch of war criminals would help open up another front against them. Thousands of women who rallied in the capital on 11th May raising their voice against the ‘evil designs of fanatic and communal forces’ and demanding a law to stop use of religion in politics for protection of the rights of all citizens, irrespective of gender, race and faith were a testimony to this. It was worth noting that the said rally was organised by a platform of more than hundred women's, socio-cultural organisations and NGOs under the joint banner of Pratibadi Nari Ganasamabesh to protest the 13 point 'anti women' demand charter of Hefajat-e-Islam. The rally was organised in front of the National Press Club which asked the government to take a clear stand against the evil forces for the sake of women’s development and protecting constitutional rights of women. (See: New Age - 12 May 2013, Women call for halt to religion-based politics)

As a recap it may be added here that Hefajat’s demands, including repeal of the education policy and the women development policy, enactment of an anti-blasphemy law and a ban on free-mixing of men and women, have triggered protests from various quarters, including women.

The rallyists also called for an end to repression and discrimination against ethnic and religious minorities, all types of violence against women, exemplary punishment of the killers of workers in the
Rana Plaza collapse and other factory accidents, compensation for workers and capital punishment for all war criminals.

Social activist Khushi Kabir said, “Together, we will have to fight against communal forces in every house, workplace and anywhere they [fundamentalists] would try to retard women development.”

Chairing the rally Bangladesh Mahila Parishad president Ayesha Khanom clearly said Hefajat-e-Islam was an offshoot of Jamaat-e- Islami and they were plotting to keep women in shackles when they were making significant contributions to the country’s economy and development. She also urged politicians not to use those who traded in religion in the name of ‘voting equation’.

Rejecting the 13 point demand and terming it anti-constitutional, the rallyists called upon the people to build up a social resistance against the ‘evil forces’. Speakers at the rally were unanimous that Hefajat-e Islam appeared just when the war crimes trials were entering the decisive stage and they are trying to victimise women and remove them from the path of progress. (See :The Daily Star, May 12, 2013 Gender equal Bangladesh, Demand women’s organisations, raise voice against Hefajat demands)

In a declaration, the women leaders placed a 10-point demand that includes taking legal action against those who want to curb women rights, implementation of all national and international charters for women development, a ban on use of religion in politics, restoration of the constitution of 1972, arrangements for compensation and rehabilitation to all victim garment workers and their families, including those of Rana Plaza collapse, and ensuring security to indigenous and religious minorities.

7. Shahbagh and Silence of the Progressives

..While the big names are keeping a mum about the issue, ..in Kolkata, small groups have taken programs like rally, seminar, deputation to Bangladesh high commissioner in support of the Shahbagh issue. We are maintaining a living support base in West Bengal for this and maintaining a facebook page to keep people informed. ..We are facing problems in doing whatever little we are doing on this as the political system is not feeling good about our initiatives. We are finalizing a draft document detailing the history and chronology of Shahbag movement starting from independence.

Excerpts of a letter by 'Shahbag Sanhati Paschimbanga' (Shahbagh Solidarity Committee, West Bengal)

Way back in 1971 left and democratic formations in this part of South Asia had welcomed the Liberation Struggle of Bangladesh people, had even supported the refugees of this war and had even taken out solidarity marches in support of the struggle, denounced the ongoing crimes against humanity committed by the Pakistani army with the help of its local accomplices.
Come 2013, youth of Bangladesh is up in arms against the war crimes committed then and demanding exemplary punishment to the perpetrators especially to those who were its masterminds, asking for banning their outfits and even boycotting their business and other establishments, and thus giving rise to an unprecedented mass struggle against fundamentalism which was rarely seen in this part of the world and what do the left as well as other democratic formations do? The mainstream left either remained silent or maintained ambivalence about the movement, maximum it did was it issued statements. Barring marginal left groups and secular individuals/democratic formations none took much interest in the developments there.

The contrast is more clear if one had a look at the mobilisation on the streets. No, the seculars and the lefts - if at all they were seen - then they were visible in small dharnas (sit ins) or candlelight vigils attended by handful of people, and people sympathetic to the war criminals were on streets waging violent demonstrations. Kolkata, which is merely three hundred plus kilometers away from Dacca, witnessed massive - which at times turned violent - mobilisation of youth which were recently demanding that Sheikh Haseena stop this 'illegal trials' of the perpetrators.

First and foremost, it was the duty of the left and the democrats to declare unflinching support to the struggle against war criminals, it was time that they mobilised their forces to declare solidarity with the Shahbagh protesters. They should have understood very well that by basing their struggle on the four principles of Bangladesh's liberation namely secularism, democracy, nationalism and socialism, and by emphasising separation of religion from politics, the Shahbagh movement, was addressing a key question of nation building in our times.

For left and democratic forces it was a good opportunity to question and expose the Muslim right for its support to the war criminals and the conspiracy of silence maintained by them over killings of innocents. The great hiatus between their talk about welfare of ‘Umma’ (community) on every occasion and their actions which was at variance with it should have been underlined.

But it is for everyone to see that they did not prove worthy of occasion. Question arises why they failed to do so?

The whole thing needs to be understood at many levels.

First and foremost seems to be the left’s general reticence to be on the offensive - at least whenever situation permits - while dealing with rightwing ideas/forces, may it be of the Hindutva type or the Islamist type. Witness how they reacted when the phenomenon of Hindutva terror was brought to the fore by the investigations undertaken by committed police officer Hemant Karkare after the Malegaon bomb blast. (2008) While the investigations unearthed a nationwide network of Hindutva terrorists involving many RSS workers and members of other fanatic organisations and the way they were even planning to form government in exile with due support from Israel and the then King of Nepal, the left let the initiative remain in the hands of the ruling dispensation itself and at best issued statements or participated in talk shows. History had presented before them an opportunity to take an offensive against the anti-
human politics of Hindutva, but it failed to utilise it. As opposed to left’s reticence, one observed that the Hindutva organisations themselves were on streets, mobilise forces so that the investigation undertaken by Karkare could be brought into disrepute.

Secondly, while in principle, left has always maintained that it is opposed to majority communalism as well as minority communalism, in practice, the situation is bit different. There is no denying the fact that in a multi-religious country like India, majority communalism poses a bigger danger to the basic principles of secularism and democracy, and if situation worsens further India can metamorphose into a Hindu Rashtra but even close supporters of Muslim right would not even claim that India would one day metamorphose into Islamic state.

Thirdly, uncritical internalisation of the logic of Islamophobia by the left has definitely created problems. With the help of its broad network of Islamists organisations the world over Muslim right has projected the ongoing ‘war crimes’ trials, as an integral part of the politics of Islamophobia which is being peddled the world over chiefly by the US regime post 9/11. It is evident that the left has not dared to challenge this narrative.

Fourthly, at a more practical level, the 'parliamentary' left did not want to 'annoy' the minorities further. Its near debacle in last assembly elections (in West Bengal) supposedly because of alienation of a large section of Muslims from it, has landed it in a situation where it somehow wants to gain the community's confidence once again. And with communitarian/communal organisations active among the minorities calling the 'war crimes tribunal' a vendetta against Muslims, it preferred to remain ambivalent.

It is clear that it did not brood over the fact that with such a compromising stand, it was inadvertently strengthening the rightwing projection of the Muslim community as being a monolith.

It appears that maintaining silence about the Muslim right is not limited to this part of the subcontinent. In fact, the logic of opposing US imperialism so heavily rules on people's minds that they are ready to concede that Muslims are inherently 'anti-imperialist'.

Explaining this Meredith Tax writes in the preface to her book 'Double Bind' (2013)

'Some on the left support the Taliban, the Iraqi insurgency, the Iranian theocracy and even Al-Qaeda, in the belief that they systematically oppose US imperialism. This idea does not accord with reality.

The Taliban began as an ally of the US, financed by the CIA, Pakistan and Saudi Arabia to fight the Soviets in Afghanistan.

Most of the people killed by salafi-jihadis in Afghanistan, Iraq, Nigeria, Yemen and everywhere else they are fighting are not US soldiers but other Muslims, or local people of various religions,...
- The main financial support for salafi-jihadi groups comes from various sources in S Arabia, arguably the most reactionary country in the world and a staunch ally of the same US imperialists that Jihadis say they are fighting

8. In Lieu of Conclusion

While the organisation, reach and tactics of Shahbagh are admirable, it is in the area of demands that they are trapped inside a circular set of symbolisms. This is where the movement could become trapped in its own semiotics, blending the symbols (death, noose, blood, teeth, vampires) into an unprocessed call to action. The signifiers signal generational transition, others try to also speak of inclusiveness. All day we hear the slogans "Ami ke, tumi ke?" (Who are you, Who Am I?), and thousands roar back "Bangali Bangali." Anthropologist Rahnuma Ahmed reminds us that, for those of us aware of the chauvinistic side of that concept in post-1971 Chittagong Hill Tracts, we cannot be at peace with such ethnically singular determinism. We must have a more inclusive movement.

(Bangladesh: History is hard work, but are we willing? by Naeem Mohaiemen, 4 March, FULL TEXT AT: http://www.thedailystar.net/forum/2013/March/history)

There is no denying that this movement has brought and united the Bangladesh people who, for too long, were torn apart, frustrated, and cowed by political violence... Shahbag is a different imagination, an imagination beyond partisan politics. Shahbag is a space to harvest hope. The Shahbag protest will never be over. There will be a new way of writing, thinking, and singing, which will shape our new reality. Shahbag gave us the scope to reclaim our shame and the trauma of our history, and turn it into rage, and not silence. Shahbag has given the people integrity—integrity that they have gained, and that they will continue to gain into the future.

(Saad Adnan Khan, ‘Washington Univeristy Political Review, 17th May 2013)

It was on 30th September that Gono Jagoron Manch brought out a jubilant procession from Shahbagh and marched towards Dhaka University’s TSC rejoicing the verdict of the International Crimes Tribunal-1 in case of BNP leader Salauddin Quader Chowdhury.

Addressing the hundreds of participants Imran Sikdar, spokesperson of the Manch said:

“We want to send out a message to the anti-liberation forces that there’s no place in Bangladesh for Razakars. We the sons of freedom fighters will resist the anti-liberation forces trying to make Bangladesh a dysfunctional state,”
Chowdhury, 65, happens to be the first member of the main opposition Bangladesh National Party (BNP) and a part of its highest policy-making standing committee, to be tried by the court, was found guilty of rape, torture, murder and genocide during the war of independence. The son of former acting president and parliamentary speaker of Pakistan, he served as the adviser of parliamentary affairs to Khaleda Zia when she was premier during 2001-06. He was suspected of masterminding the 1971 killing of Nutun Chandra Singha, a respected philanthropist and industrialist in Chittagong. According to witnesses Chowdhury came to Singha's residence with Pakistani troops, after talks with Singha, the Pakistani military officers intended to return, leaving him unhurt when Chowdhury shot him dead. Forty-one witnesses, including a former journalist, testified against Chowdhury during the trial while he could gather four defence witnesses who claimed the accused was out of the country during the war.

The trials of the remaining ‘high profile’ war criminals are still continuing. Many of the accused who were held guilty by the ICT have gone in appeal. Looking at the nature of the case and the deep inroads made by the Islamists in bureaucracy as well as judiciary and the speed with which such cases are disposed by the courts, even a layperson can tell that the cases would continue in the courts for a long time.

What happens if in the coming elections to the parliament a BNP led government assumes power which has always been very close to Islamists of various hues and has also opposed the war crimes trials. Would it be able to reverse the whole process of the trials? Definitely not. The accused would almost certainly continue to evade justice under such a government, if not achieve active rehabilitation and return to political prominence and leadership but if such government tries to disband the tribunal - which it certainly would like to do - to please the Jamaatis and the Hefazatis and their international contacts - then it would have to get ready to face the mighty torrent of people’s anger led by the ‘Children of Shahid Janani Jahanara Imam’ once again more deadly and more ferocious than the Shahbagh uprising we have been witness to.

(Note : The writer would like to underline that portions of the above write-up have already appeared in different publications)

Appendix I

Song for Shahbagh

- Akhu (Ronid) Chingangbam

40 years we have been silent
While you laughed at the memories
Of our raped mothers and sisters
9 months of 1971
With your search lights
With your mad militias

With your collaborators
You lined up our teachers
Shot them dead

You smiled at the dead bodies
Kicked the lifeless students
Shot them again
You thought you had god by your side
The sword as your might against freedom

It's been 40 long years
Assassinations, midnight knocks,
You stopped our earned freedom
Erased our blackboards
Silence our debate..
Stopped the clocks
Then you built your empire..
Televised your thoughts
In the name of god
You stopped the clocked
Pushed back our freedom

Those who killed became kings
In the empire of collaborator
Hey 'Butcher of Mirpur'
It's been 40 long years
Now the cycle of time has turned
Now the young ones have learnt
Shahbag is the promise
From us to you
To end you fundamentalism

You smiled at the dead bodies
Kicked the lifeless students
Shot them again
You thought you had god by your side
The sword as your might against freedom

It's been 40 long years
Assassinations, midnight knocks,
You stopped our earned freedom
Erased our black board
Silenced our debate..
Stopped the clocks
Then you built your empire..
Televised your thoughts
In the name of god
You stopped the clocks
Pushed back our freedom

This is a song for you Bangladesh
This is a song for you Bangladesh
This is a song for you Shahbag
This is a song for you Shahbag

(Akku has spent 3 months along with some friends and put together a Song for Shahbagh Movement.
Here's the link to the song: http://www.youtube.com/watch?v=LgNHB_j3m78)

2.

Appendix

Commentary: Silence speaks volumes 14 March 2013 (Himal www.himalmag.com)

By Javed Jahangir

The Western media’s selective reporting of Bangladesh’s Shahbagh movement obscures its significance and meaning.

Prior to the outbreak of the recent violence in Bangladesh that pitted the police against the Jamaat-e-Islami, the conservative Islamic party, there was a stark silence among Western news outlets on the massive protests at Shahbagh junction in Dhaka. For 38 days and counting, up to a quarter of a million people have gathered peacefully everyday at Shahbagh, and elsewhere across the country, to demonstrate in favour of death sentences for those convicted of war crimes dating back to the country’s 1971 Liberation War against Pakistan. Shahbagh, and the subsequent violent backlash, was sparked by
sentences handed down to leaders of the Jamaat, which collaborated with Pakistani forces in 1971 and has been tightly enmeshed in Bangladeshi politics ever since.

At the heart of the Shahbagh movement is a debate raging throughout the Muslim world: what is to be done with religion in politics? The assessment is complex and, in places, bleak. Analysis based on the Gallup World Poll’s multi-year study shows a complex picture. By and large the citizenry of Islamic-majority nations seem to want religion to be a part of their daily lives, yet the magnitude of desire for religious influence in public policy seems unclear. The tide, however, appears to be moving in the direction of greater religious-orientation in governance. Electoral results in Turkey, for instance, show the religious AKP party winning landslide victories in 2002 and onwards. In Iraq’s 2005 general elections, the religious Shiite alliance won 128 of the 275 seats in parliament. Alternatively, authoritarian regimes have used public fear of Al-Qaeda and ‘terrorism’ as a means to repress and control the actions of opposition parties. Yet the Gallup World Poll also shows that only in a few of the countries polled did the majority support Sharia as the only source of legislation; it should be noted that Bangladesh was one of them. This complex situation requires nuanced analysis and presentation in the media.

By choosing to cover only the ensuing violence and not the wider movement in Bangladesh, Western news media risks complicity in providing a simplistic view, thus distorting Shahbagh’s true nature and its significance. Even as Bangladesh may be witnessing a new kind of uprising, those of us watching from the West are witnessing another case of journalistic negligence. Without sufficient context and explanation, a movement built around calls for the deaths of a group of men, coupled with a focus on reporting violence, may continue to feed the apocryphal narrative of Muslims as a bloodthirsty mob. In the context of Bangladesh’s political polarisation and broken justice system, where life sentences delivered today can be pardoned after the next election, the demand for justice through death engenders a much more complex debate than the simple narrative of vengeful mobs in the streets allows. The American Revolution, let us remember, wasn’t just the story of a mob angry about tea prices. And whatever Bangladeshis’ initial reasons for taking to the streets were, Shahbagh has morphed into a broader and far more significant movement, with larger geopolitical relevance requiring deeper media analysis.

Arguably, the Shahbagh movement, mobilised in part by a group of bloggers and online activists, owes much to other global uprisings such as the Occupy and Arab Spring protests. But Shahbagh has also set into motion something new. Over the last decade, Bangladesh has overcome the stereotype of a nation of constant poverty and flooding. It is now recognised as a Muslim-majority nation where the general public has demonstrated that citizen-driven social change is both possible and effective. Shahbag falls within this Bangladeshi continuum of social action, which includes some of the world’s most successful and original non-governmental organisations in the shape of BRAC and the Grameen Bank, as well as citizen-led movements such as Phulbari that have legally overturned damaging contracts with multinationals. While Shahbagh shares certain methods of mobilisation with its foreign cousins, it is still a uniquely Bangladeshi and secular phenomenon. In short, what is happening in Bangladesh is an open revolt against fundamentalism and to some extent against religion, in politics. If similar currents are to be encouraged
elsewhere in the Muslim world, covering the Shahbagh protest should be a priority for the international media. So one can’t help but wonder, where are the Anderson Coopers and their global TV news networks, who devoted so much attention to Tahrir Square? Why is Shahbagh almost entirely absent from Western news coverage?

**Ignored moderates**

Such journalistic negligence belittles Bangladesh’s moderate majority, and so the Muslim nation continues to be defined by its extremes and not its reality. In this sense, the Western media’s coverage of Shahbagh is not particularly inconsistent with what we have seen during the Arab Spring. Analysis by the Pew Research Center, a US think tank that monitors media trends, offers a revealing narrative of US coverage. Between December 2010 and February 2011, there was a surge in reporting on the events leading to the Egyptian uprising. In February, the reporting on the Tahrir Square protests reached a dramatic crescendo, taking up 22 percent of the US news cycle in the leadup to Hosni Mubarak’s removal from power. In the weeks following, when it could be argued that the greater story was just beginning, news coverage on Egypt and its continuing socio-political movement declined precipitously. The Arab Spring story mostly fell off the radar, occupying less than one percent on average of the news for the remainder of 2011. From there onwards into 2012, the story became almost entirely dominated by Syria, with violence co-opting and thus obfuscating the narrative of the Arab Spring.

After being criticised for its impartiality and undelineated use of ‘User Generated Content’ in reporting Tahrir Square, the BBC Trust’s own investigation concluded that its coverage required more “breadth and context”. On Libya as well, there were questions over the strong emotions and opinions driving parts of the BBC’s coverage – an “over-excitement” in the reports from correspondents caught up in fast moving events. While it cannot be condoned, journalists covering historic events will almost inevitably be influenced by the story of the winning side – particularly when it feels like that is the side history might agree with. When the feed of raw information comes fast and furious – as tweets, Facebook posts and cellphone-generated videos – assimilating the data into coherent reporting is no doubt a daunting task. However, underlying uncritical reportage is the a priori narrative the journalist has gone into the field armed with, looking only to find evidence for a story already written.

Consider the case of the elusive ‘Muslim Moderate’ in Western news. Talk show hosts, columnists and op-ed writers frequently ask where the moderates of the Islamic world, who are somehow obligated to protest the status quo, are. Where, they ask, are the folks who should rise up and condemn the acts of fringe, extremist players? This has been a recurring theme from the coverage of the Salman Rushdie fatwa to the controversy over cartoons of the Prophet Mohammad and the anti-Muhammad Youtube trailer. The same question is looped back each time a new ‘terrorist’ case enters the news cycle in the United States.

If we take this querulous question seriously for a minute, where indeed are the moderates? They are at Shahbagh.
Consider first the sheer size, nature and attitude of the Shahbagh movement: a largely peaceful and progressive movement. Shahbagh is not, in magnitude or in demographic variety, a drop in the bucket; it is broad-based and covers a great swath of secular Bangladesh. Second, and perhaps most important, Shahbagh is in many ways a post-Tahrir Square phenomena in that it is about not installing an Islamic Brotherhood or some equivalent, but precisely about removing religious ideology from politics altogether. One would expect that, rather than being neglected by the news media, this story would be promoted as an example of a popular uprising against repressive ideas. Shahbagh is about secularism rising up against the forces of orthodoxy and fundamentalism. Yet many of the same analysts who eagerly supported Tahrir Square seem complicit in shoving Shahbagh under the rug.

Soon enough it will be business as usual on the news – the crouching reporters, images of burning cars, dead bodies and men with long beards. Rarely is it mentioned that the majority of clashes in Bangladesh have been between marauding members of the Jamaat and the police. Meanwhile, the Jamaat party, drawing from a well-choreographed and well-worn playbook, continues to do what it does best: create chaos in the streets, and through violent repression to push away peaceful new entrants onto the political scene. The presupposed narrative of angry mobs and religious extremists fulfills and perpetuates itself when the only ones left standing are the fanatics.

It is time to rethink the traditional narrative of Muslim countries in the Western media, and to look closely not only at places like Shahbagh and Bangladesh, but also at international newsrooms. It is time to expose religious fundamentalists who continue to act the victim while using unfair western narratives as a convenient cover, even as they create strife in Bangladesh and jeopardise any chance of real change.

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