Bangladesh Genocide: the Crime Yet to be Tried

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What is Genocide

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...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;
- Forcibly transferring children of the group to another group
Bangladesh Genocide


The least documented, the least researched and the least known genocide.
Genocide: Post World War II

Genocide after the World II (1945-87)

<table>
<thead>
<tr>
<th>Year</th>
<th>Numbers killed (in '000)</th>
<th>Country</th>
</tr>
</thead>
<tbody>
<tr>
<td>1975-79</td>
<td>541</td>
<td>Cambodia</td>
</tr>
<tr>
<td>1945-48</td>
<td>1585</td>
<td>Poland</td>
</tr>
<tr>
<td>1971</td>
<td>1500</td>
<td>(March 25-December 16) East</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Pakistan (Bangladesh)</td>
</tr>
<tr>
<td>1944-87</td>
<td>675</td>
<td>Yugoslavia</td>
</tr>
<tr>
<td>1965-87</td>
<td>200</td>
<td>Indonesia</td>
</tr>
</tbody>
</table>
Genocide in East Pakistan, March 25-December 16, 1971

Estimated dead between March 25 and December 16, 1971

- Kiernan, 07: 1.00
- Mascarenhas, 86, 9: 3.00
- Rafiq-Ul-Islam, 81, ix: 3.00
- Chowdhury, 72, 96: 3.00
- Ball & Leitenberg, 91, 24: 1.50
- Eckhardt & Kohler, 80, 360: 1.50
- Bouthoul & Carrere, 78, 108: 1.50
- Chowdhury, 72, 95m35: 1.50
- Mohan, 71, 7: 1.00

Estimated dead (in 'millions')
Genocide in East Pakistan, March 25-December 16, 1971

District-wise killing

- Dacca: 100,000
- Khulna: 150,000
- Jessore: 75,000
- Comilla: 95,000
- Chittagong: 100,000
- Other districts: 727,000

Numbers killed (in '000)
Genocide committed in four phases

- Nights of March 25 and 26 - worst hit places
  - Dhaka University teachers and student housing,
  - EPR (Border guard headquarters, Pilkhana)
  - Police headquarters (Rajarbag)
  - Shakhari Bazar (a minority neighborhood in old Dhaka)

- Killing of Bengali soldiers at barracks across the nation

- During the nine-month war

- Murder of intellectuals towards the end of the War
Trial of the Perpetrators

After the war of liberation, two laws were enacted:

- Collaborators (Special Tribunals) Order of 197, 24/1/72 No. 8.

- International Crime Tribunal
Repeal of the laws

- Collaborators Order (proviso of Article 8 of 1972) was repealed under a Martial Law Promulgamation on December 31, 1975

- With the repeal of the law, 20,000 war criminals convicted of killings, rapes, treasons, arsons, lootings and destruction of properties were released and later rehabilitated with enactment of the Political Party Regulation on May 4, 1976, allowing communal politics in Bangladesh.

- Later, constitutional amendment of April 6, 1979 (referred to as 5th amendment) ratified both amendments and replaced one of the core philosophies of the Liberation War Secularism with “absolute trust and faith in the Almighty Allah.”
Consequences

Consequences of the impunity:

1. Emergence of political Islam to the benefits of rightists, anti-liberation forces-*political rehabilitation of the collaborators*

2. The murders of eminent pro-liberation personalities including teachers, political and cultural activists-similar to those in 1971

3. The systematic attempts to rewrite history
Emergence of Political Islam

- Institutionalizing religion in to political system through two constitutional amendments (5th and 8th amendments)
- Attacks on cultural activities [Chayanat in Dhaka, Udichi in Jessore]
- Killings of pro-liberation personalities [Prof. Humayun Azad of Dhaka University, Prof. Yunus of Rajshahi University, SMS Kibria, former foreign minister of Bangladesh]
- Campaign of terror by the religious extremists manifested through series of bomb blast during 1999-2006, killing hundreds and wounding thousands
Campaign of terror across the country

- Between 2001 and 2006, 123 people died and 1458 injured by a nation-wide bomb and campaign targeting pro-liberation forces.
- Perpetrators of the bombing campaign affiliated under the banner JMB and Harkat ul Jihad are often traced to be linked with the Jamait-e-Islami.
Systematic attempt to wipe out history

- Distorted views in text books
- Distortion in the history of liberation war
- Silent ban on liberation War related events from the media throughout 1975-1996
- Destruction of the liberation war documents from the libraries across the country
Genesis of the crisis in rules of law

• The current state of violence in particular and law and order situation in general in Bangladesh can be attributed to the impunity and social and political rehabilitation of the suspects of war crimes.

• Unless impunity to mass murders revoked and justice served. The country will continue to fail to ensure safe, secured and free lives for its citizens.