

COMMENT 224 – *Recognition and trial of the 1971 genocide against Bengalis*

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The United Nations declared 9 December as the International Genocide Day. Sixty-seven years after the 1948 UN Genocide Convention, in 2015 it was decided to globally observe the International Day of Genocide remembrance. It commemorates the victims of genocide in different parts of the world and suggests a global humanitarian responsibility to prevent such crimes. The need to observe an International Genocide Day six decades after 1948 indicates the failure to achieve the desired success in globally preventing genocide and establishing a world with effective humanitarian responsibilities. The decision to observe the day globally was linked to the growing trend of genocide or crimes against humanity – and the goal to build a humane and responsible world to prevent such crimes.

Until 2015, no significant initiative was observed in Bangladesh regarding the 1971 genocide committed against Bengalis. In 2017, two years after the declaration of the International Day of Genocide, and 47 years after independence, the government of Bangladesh finally declared 25 March as Genocide Day (Dhaka Tribune, 2017). This is, of course, a matter of hope. To date, the pressure to convince the international forum to duly recognize this genocide has not been effective. Although there has been a lot of discussion in the international arena regarding many other genocides (both older and more recent), the relative silence or indifference regarding the genocide of 1971 is disappointing for the Bengali nation to say the least.

In November 2018, I participated in an international conference on 'Form of Genocide Across the Globe: Challenges, Responses and Accountability' organized

by the Department of Ethnic Studies of the California State University in Sacramento, California. After witnessing hundreds of articles on countless genocides in different parts of the world, I realized that it is not that difficult to hide the memory of the 1971 genocide in Bangladesh – despite the brutality involved and the amount of clear evidence. Although the government took an initiatives in 2017, no effective steps have yet been taken towards duly recognizing the 1971 genocide. This fact constitutes the main reason for the present writing.

Among the notable genocides worldwide, the Armenian, Jewish, Tutsi, Rwandan, Bosnian genocides, etc., are all duly recognized on the international arena. Even the recent atrocities against Rohingya populations in Bangladesh's neighbor Myanmar are widely discussed globally; the matter is currently pending in the International Court of Justice. By contrast, the atrocities committed against Bengalis by the Pakistani military junta in 1971 have not yet even been recognized as genocide.

While freedom-seeking Bengalis were preparing themselves to fight for the independence of the state of Bangladesh, the Pakistani Army launched a surprise attack on Bengalis at various places in Dhaka on the night of 25 March, 1971. Thousands of Bengalis were killed. Although it was impossible to precisely determine how many Bengalis were killed that night; we do know that there were over 50,000 fatalities. In order to hide such atrocities, the Pakistani army interned a lot of journalists, sent foreign journalists away, and obstructed public movement in Dhaka city (Daily Star, 2015).

The Bengali armed struggle for independence started on 26 March, that is, immediately following the genocide. The bloody war lasted for nine months. About three million Bengalis were killed in that war; over 200,000 women were sexually abused; the suffering of course lied beyond any numerical account (Mookherjee, 2015). And this was not the end. When Pakistani forces were on the verge of surrender, Bengali intellectuals were selectively killed on the night of 14 December, 1971 in an attempt to rob the nation of government-competent citizenry. However, two days later, on the afternoon of 16 December, Pakistani forces were forced to officially surrender. The Bengali victory was assured. A new country was born: Bangladesh.

Yet during that nine-month war, immediately before the birth of a child named Bangladesh, the sacrifices and sufferings endured by the Bengali mother, the unprecedented pain, gradually faded away before the joy of birth. Although the victims are commemorated on every year on specific national days, initiatives lack that could properly recognize 1971, the most brutal genocide in the history of the world. This is evident in both the domestic and the international arenas. Although some organizations, including the *Ekattarer Ghatak Dalal Nimul Committee (Ghadanik)* and the Liberation War Museum (LWM) have been vocal in this regard, the lack of proper governmental initiative has been clear, at least until recently.

Furthermore, again, while the 1971 genocide fails to be duly internationally recognized or observed, international organizations have recognized similar atrocities in other parts of the world (for instance Rwanda, Cambodia, Myanmar). The atrocities committed by Pakistani forces against the Bengalis as defined by the United Nations Convention on Genocide (Article 2, 1948) are undoubtedly one the most heinous genocides known. The Convention mentions five main features: Killing members of the group; causing severe 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 (see, Hinton, 2002). A crime can be identified as genocide if any one of these five elements is present. Numerical figures are not the main consideration. Yet even considering numbers alone, the 1971 is major on the global scene. Although births were not directly interrupted by the 1971 genocide, the anarchy perpetuated across the country was of course highly unsafe for pregnant mothers and small children.

Moreover, many pregnant women were sexually abused, and countless children were brutally murdered. In addition to all the elements delineated in the 1948 Convention, the brutality of 1971 was accompanied by the brutal sexual abuse of more than 200,000 women and girls. Rape was used as a weapon by pro-Pakistan extremists. They have also forcibly converted many non-Muslims (Rehman, 2012; Mookherjee, 2015). The killing of intellectuals and other potential governing citizens was mentioned above (Uddin, 2021; Uddin, 2015). All these atrocities prove one of the most heinous genocides in the history of Pakistani atrocities in

1971. Clearly, 1971 was one of the ultimate crimes against humanity we know of, both in numerical terms and in the amount of horrific suffering involved. Its denial is nothing less than mocking history.

In addition to the UN Convention on Genocide, if we follow the ten stages (classification, symbolization, discrimination, dehumanization, organization, polarization, preparation, persecution, extermination, and denial) of genocide as described by the famous genocide expert Gregory Stanton (1996), again we see that Pakistani atrocities against Bengalis very brutal and horrendous indeed (Stanton, 1996; Uddin, 2021). Through classification, the Pakistani rulers divided the citizenry between ‘us’ (Pakistani) and ‘they’ (Bengalis as anti-Pakistani). Symbolization is the visual manifestation of hatred against Bengalis. Pakistani rulers denied Bengalis’ rights (discrimination); Bengalis were treated with no human rights or physical dignity. Pakistani soldiers were trained to carry out the destruction of Bengalis (organization), while propaganda was spread by hate groups (polarization). Pakistani forces planned the genocide (preparation). These seven stages all warn of genocide. In the eight stage Bengalis were segregated so that atrocities could be carried (persecution). In the ninth stage (extermination) Pakistani forces killed Bengalis in a deliberate and systematic campaign of brutality. The last stage involves denial - for the Pakistan government spectacularly denied the whole process of genocide. Thus through Stanton's stages we see clear evidence of Pakistani atrocities against Bengalis (Uddin, 2021).

The 1971 genocide was carried out through a systematic campaign involving millions fatalities, including young children and the elderly (Uddin, 2009; Uddin, 2010). The Pakistani forces committed rape and sexual violence against millions of women and girls; millions of Bengalis have been physically and mentally retarded; one crore Bengalis were deported; countless children lost their parents (most of them were killed), and many raped women had to give birth to war-babies (Mookherjee, 2015). Many Hindus (especially women) were forcibly converted (Roy, 2001; Uddin, 2010). Thus, they started the genocide with classification, carried out atrocities through dehumanization, persecution, extermination, and even after defeat, they have consistently denied their misdeeds.

Based on historical and authentic information, it can be claimed that the atrocities waged against the Bengalis in 1971 were more acute than the Rohingya genocide committed in 2017. The whole world, including the UN, has praised Bangladesh for providing shelter and assistance to Rohingya victims of the genocide in Myanmar. However, their concern regarding the 1971 genocide in Bangladesh is paradoxically reluctant. Like government authorities, non-governmental organizations have not been very vocal in recognizing and prosecuting the 1971 genocide. Exceptionally, though, the *Nirmul Committee* has been raised the issue since the early 1990s (Tithi, 2021; Uddin, 2021). There are over 150 universities in Bangladesh; however, only Dhaka University has a center for genocide (running during the last decade).

The significance of recognizing genocide both internationally and domestically is to honor victims with dignity and to keep the present world free from such crimes against humanity. If the victims are not given due respect and proper recognition, then the birth and existence of the nation itself is disrespected. It is not wise to be content merely with the victory in the liberation war. Recognition of genocide and its justice are crucial for the spirit and authentic history of the liberation war as they must be presented to future generations. Just relying on memory is not enough. Memory does not last long, it may become distorted over time, even lost. Therefore, it is equally important to rejoice in the victory of the war of liberation or freedom and ensure justice to history. There is no alternative to recognizing and prosecuting genocide in order to sustain history, respect victims of atrocities, and prevent future recurrences of such crimes. If justice is not ensured, the opportunity to create various criminal activities, including oppression of minorities, remains open.

With the liberation from two hundred years of colonialism, the true face of post-colonial Pakistan was revealed. The Pakistanis tried their best to suppress the Bengalis' movement for independence since the partition. When the Pakistani misrule became unbearable, the Bengalis, under the leadership of Bangabandhu Sheikh Mujibur Rahman, fought for an independent Bangladesh: At that juncture, the sudden genocidal attack of the Pakistani forces on the Bengalis amounted to barbarism. Ironically, the 1971 genocide was instrumental in creating another Muslim-majority country, 25 years after the 1947 partition. On the one hand, it was the most brutal massacre perpetrated by Pakistanis; on the other hand, it was one of

the most potent stimuli for the all-out Bengali liberation war. Therefore, genocide is very significant as an integral part of Bangladesh's liberation war.

If the 1971 genocide remains unrecognized globally and the killers are not brought to justice, the history of the liberation war is likely to be shattered. The real freedom fighters may be marginalized in society, dominated by the anti-war cliques. This is neither impossible nor new in Bangladesh. This trend is also observed in Bangladesh due to the failure to reach an accepted position on many issues of the liberation war, including non-recognition of genocide, non-trial of all identified killers, and lack of a valid list of freedom fighters and collaborators (*rajakar*) in the 1971 war. In order to prevent anti-war spirit, war criminals must be appropriately identified and brought to justice.

The current government has already ensured the punishment of a few identified criminals directly involved in crimes against humanity, which is certainly a positive development. On the other hand, while the country has been observing Genocide Day since 2017 (Daily Star, 2021), it is expected that the concerned authorities will continue their efforts to show due respect to the victims of the genocide by taking appropriate steps for the international recognition of this heinous genocide.

Half a century has passed, and Bangladesh has also entered the silver jubilee of independence. In such a situation, the concerned authorities must take immediate and effective steps to recognize and prosecute the genocide, unrecognized in the international forum so far and 'forgotten' at the local level.

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