

# Road to 1971 by **Badruddin Umar**

## 1. Yahya postpones National Assembly session

The first session of the National Assembly elected in December 1970 was scheduled to begin on March 3, 1971, according to a presidential announcement of Yahya Khan. But suddenly a few minutes after 1 PM on March 1, President Yahya made a radio announcement postponing sine die the Assembly session convened by him in Dhaka on March 3. Unlike on previous occasions he did not broadcast the statement. It was read out on his behalf.

In that radio broadcast, after briefly describing the steps he had taken to facilitate the process of constitution-making, he said, "In the past few weeks certain meetings between our political leaders have indeed taken place. But I regret to say that instead of arriving at a consensus some of our leaders have taken hard attitudes. This is most unfortunate. The political confrontation between the leaders of East Pakistan and those of the West is a most regrettable situation. This has cast a shadow of gloom over the entire nation."

Then he went on to say, "The position briefly is that the major party of West Pakistan, namely, the Pakistan People's Party, as well as certain other political parties, have declared their intention not to attend the National Assembly session on the third of March, 1971. In addition, the general situation of tension created by India has further complicated the whole position. I have, therefore, decided to postpone the summoning of the National Assembly to a later date.

"I have repeatedly stated that a constitution is not an ordinary piece of legislation, but it is an agreement to live together. For a healthy and viable constitution, therefore, it is necessary that both East and West Pakistan have an adequate sense of participation in the process of constitution making.

"Needless to say I took this decision to postpone the date of the National Assembly with a heavy heart. One has, however, to look at the practical aspects of such problems. I realised that with so many representatives of the people of West Pakistan keeping away from the Assembly if we were to go ahead with the inaugural session on the 3rd of March the Assembly itself could have disintegrated and the entire effort made for the smooth transfer of power that has been outlined earlier would have been wasted. It was, therefore, imperative to give more time to the political leaders to arrive at a reasonable understanding on the issue of constitution-making. Having been given this time I have every hope that they will rise to the occasion and resolve this problem."

The crisis which led to this postponement of the National Assembly session was the result of certain developments which took place in January and February 1971, following the December general election. Mahmoud Haroon, who was a member of Yahya's cabinet and whose family had close ties with Sheikh Mujib, was sent to Dhaka by Yahya with an invitation to Mujib to come to Islamabad for talks with him. But Mujib declined the invitation to come to the capital or any other place of West Pakistan. Mujib also declined to give a copy of the draft constitution prepared by the Awami League to Yahya which he supposedly promised to do.

Yahya arrived in Dhaka on January 12 and had talks with Mujib on the same day. Nothing positive emerged out of that meeting and subsequent meetings with Sheikh Mujib and other Awami League leaders. Yahya, after his return to West Pakistan, visited

Bhutto in the latter's home town Larkana along with his colleagues of the Armed Forces for talks. G. W. Chowdhury, a Bengali member of Yahya's cabinet and a kind of apologist for his policies, wrote the following on this Larkana visit of Yahya and others in his book *The Last Days of United Pakistan*: "It was in this mood of gloom that Yahya went to Bhutto's home town, Larkana, to have a discussion with him. I was not present at the Larkana talks, having by this time left Pakistan for a tour abroad. Bhutto took full advantage of Yahya's frustration with Mujib. At Larkana Yahya and other prominent members of the junta – including General Hamid whose hatred for Mujib was well known, and Pirzada, Bhutto's closest friend in the junta – enjoyed Bhutto's hospitality, and in the course of rather colourful social evenings a new and most sinister alliance seems to have developed between the military junta and Bhutto — though Yahya never believed in him."

Summing up the discussions held in Larkana Bhutto said afterwards in his book *The Great Tragedy*: "We discussed with the President the implications of the six points and expressed our serious misgivings about them. We nevertheless assured him that we were determined to make every efforts for a viable compromise."

Earlier Bhutto, along with some of his partymen, had arrived at Dhaka on January 27 and had several talks with Sheikh Mujib and other leaders of the Awami League. Nothing positive turned out. The Awami League did not agree to modify their six points and Bhutto considered such inflexible position as part of a plan for secession. Bhutto, while giving his version of the Dhaka talks, said in the same book, "Mujib's strategy was to bring the national assembly to session without loss of time in order to give legal sanction of his six points — to thrust a six-points constitution on the country before full awareness of its implications could grow in West Pakistan or, for that matter, in the East wing itself. He sought to pressure the people of the country into submission, to leave no time for reflection." This later version of his Dhaka talks was very much different from what he had said earlier to the press immediately after the end of his three-day talks with the Awami League.

The generals very actively began to intervene in the post-election developments and they considered Bhutto as the defender of 'national interests.' On February 17 President Yahya dissolved his cabinet and met the provincial governors and regional military administrators in a conference on February 22.

On February 26 Bhutto met Yahya in the President's House at Karachi and had a four-hour-long discussion with him. It is likely that in that meeting the decision to postpone the March 3 session of the National Assembly was taken. The demand of Bhutto in a Lahore public meeting on February 28 for postponement of the 3rd March National Assembly session and otherwise, for withdrawal of the time limit of 120 days for Constitution-making seemed to be a follow-up of his talks with Yahya at Karachi. Yahya had an inner cabinet composed of generals apart from a civilian one. After the dissolution of the cabinet he was left with this "inner cabinet" which exercised considerable influence over him and was in close touch with Bhutto. Yahya's confidante in the cabinet G.W. Chowdhury, while describing the circumstances of the postponement of the National Assembly session of March 3, said, "So Yahya continued to play his role in an untenable situation. Following Bhutto's threat, the National Assembly, which had been scheduled to meet on March 3, was postponed indefinitely. Yahya's announcement on March 1 on the postponement of the Assembly could not have been more provocative

or tragic. When I asked him about it on March 5, he looked vacant and helpless; I was convinced he had only been a signatory to it. Bhutto and Peerzada were reported to have drafted the statement. Yahya, unlike on previous occasions, did not broadcast it; it was only read out over the radio."

The reaction of the people of East Pakistan, particularly of Dhaka, to the postponement was immediate and quite sharp. There were spontaneous demonstrations against that in Dhaka. Thousands of people came out on the streets demonstrating their anger. The scheduled cricket Test match in Dhaka on March 1 was boycotted by the people. Dhaka High Court Bar Association and Dhaka District Bar Association brought out protest marches on the streets; students from various educational institutions and workers from the industrial areas were on the street. All cinema houses were closed as a mark of protest. The processionists marched towards Hotel Purbani where a meeting of the Awami League parliamentary party was being held, and on reaching there raised slogans calling upon all to sever relations with Pakistan and declare the independence of East Bengal.

Immediately after the parliamentary party meeting Sheikh Mujibur Rahman, while talking to the pressmen said that he would make all sacrifices for the emancipation of the 70 million people. He further said, "Only for the sake of a minority party's disagreement the democratic process of constitution making has been obstructed and the National Assembly session has been postponed sine die. This is most unfortunate as far as we are concerned. We are the representatives of the majority people and we cannot allow it to go unchallenged."

Sheikh Mujib further said, "We are ready for any consequence, I have mentioned many times the fact that a conspiracy is going on in this country. There was a general election and the people have elected us to serve them and we have a responsibility towards them. But in spite of the clear verdict in our favour, the conspiracy has struck its root."

He continued, "The majority of the elected representatives of the people are from Bangladesh and in collaboration with the elected representatives from West Pakistan with the exception of Bhutto's and Qayyum's parties we were quite capable of framing the Constitution."

Referring to Bhutto's threat Sheikh Mujib said, "You know that there is Martial Law in the country. But the chairman of the Pakistan People's Party has threatened the members of the National Assembly from West Pakistan who were willing to come to East Pakistan to attend the session that they would be liquidated if they come to East Pakistan to attend the National Assembly session. Bhutto has taken the law in his own hands. Is the law and order situation only meant for the poor Bengalis?"

Sheikh Mujibur Rahman then announced before the press and the people who gathered in front of the Purbani Hotel a programme for the next six days which included observance of complete strike in Dhaka on March 2 and a countrywide strike on the 3rd March, the date earlier fixed for the National Assembly session. For the 7th March a public meeting at the Race Course Maidan was announced. Mujib said that the final programme of the Awami League would be declared on the same day in that meeting.

. On March 1, 1971, President Yahya appointed provincial military administrators as governors and thus ended the dual administration in the provinces. Vice Admiral S.M. Ahsan, Governor of East Pakistan, handed over charge to Lieutenant General Sahabzada M. Yakub Khan, military Administrator of the province, and left East Pakistan.

On March 2, complete hartal or general strike was observed in Dhaka City. During the hartal two unarmed persons were killed and several persons were injured at Farm Gate by the police. A students' meeting was held at the Dhaka University campus on the same day. In that meeting Vice-President of the Dhaka University Central Students' Union, A.S.M. Abdur Rab, hoisted a newly-designed flag of Bangladesh.

In the evening of March 2, Sheikh Mujibur Rahman issued a press statement strongly condemning the police firing at Dhaka in the same morning in which, among other things, he said, "Unarmed boys have been fired upon today. At least two have died, and several more are seriously injured. They have been shot at because they along with the rest of the people of Bangladesh had stood up to protest against the gross insult inflicted upon Bangladesh by the powers that be. I strong condemn such firing and urge the elements who are seeking to confront the people with force to desist forthwith from this reckless course. They should be reminded that firing upon unarmed masses amounts to genocide and is a crime against humanity. They should know that if Bangladesh is put on fire, as it will be if such confrontation continues, then they will not be able to escape the flames."

Being faced with a turbulent situation, the Martial Law Administration imposed curfew in Dhaka on March 2 from 8 p.m. to 7 a.m. next day and from 7 p.m., March 3 to 7 a.m. next day. It came to nothing because people in large numbers defied the curfew and came on the streets. A number of them died in police firing. The situation became so serious that the government decided to withdraw curfew from March 4.

In that press statement Sheikh Mujib announced a programme of action and said that their movement would continue till their demands were met and 'till the people of Bangladesh realised their emancipation'.

Announcing the programme he said:

(a) Province-wide hartal to be observed on each day from 3rd March 1971 to the 6th March, 1971, from 6 a.m. to 2 p.m. in all spheres including government offices, Secretariat, High Court and other courts, Semi-government and autonomous corporations, PIA, Railways and other communication services, transport, private and public, all mills, factories, industrial and commercial establishments and markets. Exceptions are to be extended to: ambulances, press cars, hospitals, medicine shops, electricity and water supply.

(b) 3rd March which was to have been the day for the sitting of the National Assembly should be observed as a day of national mourning, on which occasion I will lead a procession from Paltan Maidan at 4 p.m. immediately after the conclusion of the meeting scheduled to be held by students.

(c) In the event of radio, television or newspapers failing to cover our version of events or our statements, all Bangalees serving in these agencies should refuse to co-operate with such gagging of the voice of the seventy million people of Bangladesh.

(d) On 7th March 1971 at 2 p.m. I shall address a mass rally of our people at the Race Course Maidan, when further directives will be issued.

(e) I would urge our people to continue with our common struggle in a peaceful and disciplined manner. I would remind them that any breach of discipline would be against the interest of our movement and will serve the interest of agent provocateurs and the anti-people forces.

A meeting organised by the Students League was held at the Paltan Maidan in the afternoon of 3rd March, 1971, presided over by the President of Students League Nur-e Alam Siddiqui. Apart from Sheikh Mujibur Rahman the meeting was addressed, among others, by the General Secretary of Jatiya Sramik League Abdul Mannan, General Secretary of the Students League Shahjahan Siraj and the General Secretary of Dhaka University Central Students' Union (DUCSU) Abdul Quddus Makhani. Sheikh Mujib in his 30-minute-long speech called upon the people to continue their struggle in a peaceful and organised manner. He urged upon the people to remain alert against agent-provocateurs and to maintain complete peace and discipline and to rise to the occasion to protect the life and property of everyone living in East Pakistan, whether Hindu or Muslim, Bengali or non-Bengali. He also declared that the people were ready to die for the realisation of people's legitimate rights and they were ready to face all eventualities. He gave a call for "peaceful satyagraha" movement for the realisation of the rights of the people of Bangladesh and appealed to the people to maintain peace for the success of the struggle.

Then Sheikh, who was earlier scheduled to lead a huge procession after the meeting, announced that the procession would not be held. Instead he led a prayer for the salvation of the departed souls of the martyrs who had, he said, died in the struggle for democracy. Nothing was said about the reason for the postponement of the programme of taking out a procession led by him ? a programme announced the previous day by Mujib himself.

The reaction against the postponement of the National Assembly session in West Pakistan was very strong in the political circles other than the PPP and Abdul Qaiyum Khan's Muslim League. A meeting of the Organising Committee of the Punjab Pakistan Front (PPF) held at the residence of its convenor Malik Ghulam Gilani on March 4, 1971, placed on record its deep concern and sense of dismay at the "unfortunate decision" to postpone indefinitely the first session of the National Assembly which had been called at Dhaka.

In the committee's opinion the decision had been forced on the country by the "reckless and unsupportable ambition" of one single person who claimed to speak in the name of West Pakistan although he held a clean majority in barely one of the four provinces of West Pakistan.

The resolution of the PPF further said, among other things, "The People's Party has completely abused the trust reposed in the party by the people of the Punjab, as also of such other parts of the country where the People's Party candidates were returned. Indeed by its current anti-democratic stand the People's Party has already betrayed the cause of the people and proved itself unworthy of their confidence."

Air Marshal Asghar Khan, who was on his way to Dhaka, addressed a hurriedly called press conference at the Karachi Press Club in which he said that President Yahya Khan should invite Sheikh Mujibur Rahman and hand over power ? "real power" ? to him in line with the democratic processes and in the interest of preserving national integrity and solidarity. He also said the constitution-making job could wait. What then took precedence was the transfer of power to where it belonged, namely the single largest



party in the National Assembly.

Asgar Khan told a questioner that while Sheikh Mujib's position on constitution-making was fixed, that of Z.A. Bhutto had been flexible in view of the latter's own admission that the People's Party had fought the elections on the basis of foreign policy and economic programme. Therefore, while magnanimity as a majority leader was expected of Sheikh Mujibur Rahman, Bhutto on his part should have shown greater understanding and harmony. He, however, made it clear that he was opposed to the Six-point programme and thought that such a rigid stand by the Awami League was not proper. Nevertheless, he hoped, that an understanding was still possible in the larger interest of the nation. He expressed his sense of shock at the happenings in East Pakistan and said, "Our heart bleeds for our brethren there just as it would if the same happened to the people in West Pakistan."

In reply to a another question Asgar Khan said that it was in the global interest of the USA to have Pakistan divided. An effort was being made whereby it was West Pakistan which was pushing East Pakistan to fall apart, and fall in the lap of international conspirators. In this connection he also said that eventually West Pakistan itself would not remain united and integrated if one half of Pakistan was "finished."

It thus appeared from the various statements of West Pakistan leaders that apprehensions regarding the disintegration of Pakistan was in the air in both the parts of Pakistan at the time, and particularly after the postponement of the session of the National Assembly. Maulana Ghulam Ghaus Hazari, General Secretary of the Jamiatul Ulema-i-Islam (West Pakistan), while speaking at a reception held in his honour on March 4, 1971, at a hotel in Karachi, endorsed the decision of Sheikh Mujibur Rahman not to attend the proposed conferences of the leaders of Parliamentary parties in Dhaka on March 10. In his view it would have been better to convene the inaugural session of the National Assembly and then postpone it for 10 days during which efforts at political and constitutional conciliation could have been initiated by President Yahya Khan. He criticised Bhutto for talking in the "language of ultimatum" and thus causing a crisis which could have been averted through mutual love, tolerance and understanding.

He said that the people of West Pakistan had full sympathy for their brethren in East Pakistan during their present trying times. He hoped that even at that critical time some way-out would be found so that Pakistan's integrity and solidarity remained intact and Islamic bonds between East and West Pakistan strengthened.

Maulana Hazari regretted that Bhutto in his Lahore speech should have thought it fit to threaten the West Pakistan members of the National Assembly who went to Dhaka to attend the National Assembly session without his prior concurrence. He asserted that Bhutto could not claim to be the spokesman of West Pakistan.

He reiterated his earlier warnings that foreign powers and vested interests were hand in glove in their bid to disintegrate Pakistan. In this context he named an envoy of a Big Power (USA) moving all over the country and calling on the various political leaders. He asked the government to take note of foreign influences at work and guard against the foreign agents who were trying to sabotage the country's integrity and independence.

An emergent meeting of the Baluchistan Provincial National Awami Party (Wali Group) was held on March 4 at their party office at Quetta, under the chairmanship of Mohammad Hashim Khan Ghilzai. In a resolution they demanded immediately summoning of the National Assembly session to settle the constitutional matters. It said

that the postponement of the NA session had created a feeling of unrest amongst the people and complete chaos all over the country. The resolution demanded the announcement of a definite date of summoning the NA session so that power could be transferred to the elected representatives of the people.

Earlier, the Baluchistan Provincial National Awami Party unanimously decided to observe hartal all over Baluchistan on March 12, 1971, to protest against the postponement of the NA session scheduled to be held on 3rd March, 1971.

## 2. The situation takes a new turn

Following the postponement of the National Assembly session angry demonstrations were taken out not only in Dhaka but also in other areas throughout East Pakistan. Hartal, as announced by Sheikh Mujib, was observed in Dhaka and other areas from March 2 to March 6. Meetings and demonstrations were held, curfew was imposed in Dhaka, Rangpur, Rajshahi, Khulna, Chittagong and other places, police opened fire on demonstrators who violated curfew as well as on peaceful demonstrations, killing and injuring a large number of people.

On March 5 security forces opened fire on the demonstrating workers of Telephone Industries at Tongi industrial area, ten miles off the city of Dhaka. Three workers were killed and many were injured. In Rajshahi one person was killed and four were injured as fire was opened by security forces on passing demonstrations at two points of the town where curfew was imposed for eleven hours from 7 p.m. It was reimposed after a three-hour break. A ten-hour curfew was imposed in Rangpur town on 4th March and then reimposed the next evening.

The Karachi daily 'Dawn' reported quoting 'Morning News' that 600 people had been admitted into hospitals in Chittagong with serious injuries. According to other newspaper reports, 26 persons were injured in Khulna and more than 300 in Dhaka. The casualties were the result of firing and counter-firing during the period from March 2 to March 5 when consecutive hartals were observed in Dhaka and throughout East Pakistan.

In the evening of March 5 it was announced by the Martial Law Authorities that they had decided to withdraw the army to the barracks. The announcement further said that "Following Sheikh Mujibur Rahman's appeal for peace, there has been considerable improvement in the general law and order situation during the past 24 hours."

Meanwhile, Awami League volunteers had tightened up their non-violent move by organising peace committees in 'disturbed areas'. They were reiterating Sheikh Mujibur Rahman's call for peace and demanding judicial enquiry.

Dhaka turned into a turbulent city during the days of the consecutive hartals from March 2 to March 5. Students, teachers, journalists, writers, industrial workers and others held meetings and took out demonstrations. But Dhaka was no exception in this regard. It happened all over East Pakistan.

On March 6, President Yahya Khan made a broadcast over radio Pakistan in which, referring to his 3rd March proposal for holding talks between him and the leaders of all parliamentary groups, he said, "in total disregard of my genuine and sincere efforts to bridge the gap between the various points of view, the response to my call has been rather

discouraging particularly from the leader of our majority party who, before the announcement over the radio, had given me the impression that he would not be averse to the idea of such a conference. His outright rejection was, therefore, both a surprise and a disappointment. As you are aware, Mr. Nurul Amin has also refused to participate. This in effect means that there would be no representative from East Pakistan in the proposed conference."

Referring to his postponement of the National Assembly session and the subsequent political development he said, "For some reason, the postponement of the date of the Assembly session has been completely misunderstood. Whether this is deliberate or otherwise I cannot say but one thing is certain this misunderstanding has become the rallying cry for the forces of disorder."

After having described the political developments in the above terms President Yahya, while announcing a new date for the National Assembly session, said, "I cannot wait indefinitely. I have consequently decided that the inaugural session of the National Assembly will take place on 25th of March."

Next day in his speech in the Ramna Race Course Maidan at Dhaka Sheikh Mujibur Rahman outrightly denied having accepted the proposal for a meeting of the parliamentary party leaders of different political parties. He said that he was not consulted by President Yahya before postponing the Assembly session and also re-summoning it on March 25. That he regarded as 'negligence towards the leaders of the majority party' and 'a dishonour shown to the seven crore people of Bangladesh.' He, however, announced that he would participate in the National Assembly session provided his four-point demand was accepted before the session. It virtually meant a declaration of boycott, because acceptance of the four-point demand was a constitutional decision and a decision of that magnitude could be taken democratically only by the National Assembly. That was also the earlier position of Sheikh Mujib. But after the postponement of the National Assembly session of March 3 his position in this regard changed. It all meant that after President Yahya's postponement of March 3 Assembly session, the elected National Assembly virtually turned into an ineffective and unworkable representative body.

Addressing the huge public meeting of March 7 at the Race Course Maidan at Dhaka Sheikh Mujib placed four demands before the military administration of Yahya Khan. They were the withdrawal of Martial Law, sending of troops back to barracks, inquiries into the killings and transfer of power to the elected representatives of the people.

In his 20-minute speech in that meeting attended by hundreds of thousands of people, the Awami League president said that he had sought help and co-operation from all groups in the National Assembly for framing the country's constitution. He had made it clear that if a single member made any right suggestion on the floor of the House, he would be properly listened to and his suggestion would be considered.

He said that he had invited President Yahya to come to Dhaka. Instead, he said, the President held a five-hour secret meeting with Mr. Bhutto and then made a statement summoning the National Assembly on March 25 without consulting him. He took exception to putting all blame on him for allegedly not taking interest in the efforts of President Yahya and gave a resume of what he did in making a constitution co-operatively and in complete understanding with all who took interest in the matter. Sheikh Mujib referred to his talks with Bhutto and other West Pakistan leaders on



constitution-making and said, "There is still time for us to live as brothers if things are settled peacefully." He said that their dialogue with Bhutto was not closed and he had held talks with West Pakistani leaders. He deplored that Mr. Bhutto, instead of continuing the discussion resorted to threats and called the National Assembly a "slaughter house" and said that West Pakistan members of the Assembly would become "double hostage" in East Pakistan. He also held out threats of strike from Khyber to Karachi if the 3rd March session of the National Assembly was not postponed.

Sheikh Mujib said that 35 members of the Assembly had already arrived in Dhaka to attend the session and they were ready to participate, but the session was postponed and unjustifiable blame was put on them, accusing them of "unbending attitude."

He said that in response to his call for peaceful movement to protest against the postponement of the Assembly session, the people came out on the streets but "arms bought by our money to defend the country were used against us." Sheikh Mujib referred to the sacrifices made by the people in the past and said, none could stop them from realising their rights when they were prepared to lay down their lives. They had learnt how to shed blood.

He said that the workers had joined in the seven-day hartal and the factory owners would have to make full payment of their wages to them. Addressing the government employees he said that they would have to obey his orders. Until the country was liberated people were asked not to pay any taxes. If the radio and television refuse to broadcast their news then no Bengali employs of those two organisations should go to radio and television stations. Banks would remain open only for two hours on working days, but no money would be transferred from East Pakistan to West Pakistan.

At the end he said that a conspiracy was on against the people of East Pakistan and they must act prudently and declared that the ongoing struggle was a struggle for freedom and liberation.

Sheikh Mujib issued a statement after a two-day closed-door meeting of the Awami League Central Working Committee in which, among other things, he said, "Our people have already proclaimed to the world that they shall no longer allow themselves to be exploited as a colony or a market. They have expressed their determination to be the free citizens of a free country. Our economy must be saved from ruination. Our toiling masses are to be saved from starvation, disease and unemployment. The millions in the cyclone-ravaged areas are yet to be rehabilitated. "The first phase of our struggle has been launched. Our heroic masses have displayed indomitable courage and determination. They have braved bullets and violated curfews in a planned manner. I also congratulate our people, and our Awami League volunteers, who have frustrated the designs of agent provocateurs and anti-social elements to create communal tension between different religious groups and between Bengalis and so-called non-Bengalis."

In this statement he made a curious observation. He said, "I once again reaffirm that every person living in Bangladesh is a Bengali." A man is not called either Bengali, English, Chinese or Russian by virtue of his place of residence though he may be a citizen of Bengal, Britain, China or Russia. Bengali is a racial nomenclature and it cannot be changed by changing one's profession, faith or residence. It was a way of denying that there were different racial and linguistic groups of people and this denial meant virtual denial of their specific rights as racial and linguistic minorities.

Sheikh Mujibur Rahman's speech at the Dhaka Race Course Maidan on March 7 was a political watershed. In that speech he did not, in so many words, declare the independence of Bangladesh but it reflected the temper of the students, workers and the broad masses of the people who were no longer prepared to compromise the vital interests of East Bengal under threat from any West Pakistan civil or military power. In response to Yahya Khan's March 6 broadcast in which he announced his decision to convene the National Assembly on March 25, Sheikh Mujib put forward four conditions of which the fourth one, transfer of power to the elected representatives of the people, was the most crucial to the Awami League. There was not the slightest possibility either of Yahya Khan or of Zulfikar Ali Bhutto to concede that demand and it meant that there was practically no possibility of holding the National Assembly session on March 25 as announced by President Yahya.

In fact, the developments were taking place under such diverse compulsions that no one was actually in a position to go the way he wanted though Yahya, Mujib and Bhutto each had their own secret agenda which they were trying to pursue.

G.W. Chowdhury, while giving an account of the Yahya-Mujib relation on the eve of Awami League's March 7 Race Course Maidan meeting wrote in his memoirs, "But even at this stage Yahya and Mujib were still talking to each other by long-distance telephone. On the eve of Mujib's public meeting on March 7, when many people thought that he would finally announce the independence of Bangladesh, Yahya had lengthy talks with Mujib over the phone. The tone was still cordial, both still seemed eager to negotiate. Mujib invited Yahya to come to Dhaka and see the explosive situation for himself, while Yahya appealed to Mujib not to take a step from which there would be no return. I was present in Yahya's office when the telephone call came. I wanted to leave but Yahya indicated that I should stay."

It was widely known at the time that the Students League pressure group actually surrounded Sheikh Mujib at his residence before he left for the 7th March meeting in order to put pressure on him to declare independence from the rostrum. His arrival at the meeting was delayed and the vast crowd was kept in waiting. In the Race Course meeting Sheikh Mujib worked out a formula to partially accommodate the demands and urge of the students and the people and the wishes of Yahya Khan, while keeping more than one options open for himself.

Such was the mood and temper of the people who gathered at the Race Course Maidan on March 7 that they could easily be led by Sheikh Mujib to storm the Dhaka Cantonment which would have fallen without much resistance or no resistance at all. But that was not the way Sheikh Mujib and the Awami League leadership were thinking or were used to think. They had no such agenda for the forcible occupation of the citadel of power.

Therefore, on the one hand, they were trying to rise upto the aspirations and expectations of the people and on the other hand, trying to restrain the latter from taking the course of an armed uprising. The result of all that was a non-violent non-cooperation movement through which the civil administration of East Pakistan was taken over by the Awami League, keeping at the same time the striking power of the armed forces in tact.

One very significant aspect of Awami League policy at the time was its treatment of the left and communist opposition in East Pakistan. They took charge of the civil administration including the prison administration but refused to release the leftist and communist prisoners including Moni Singh, Deben Sikdar etc. in spite of incessant

demands from left and communist circles and other sections of the people. They were all kept detained in the prisons of East Pakistan by political forces who stood for the independence of East Bengal and apparently for the liberation of its people!

In a very important way the political development in West Pakistan matched that of East Pakistan in leading the Pakistan state towards disintegration. Addressing a public meeting on March 14 at Nishtar Park in Karachi Zulfiqar Ali Bhutto said that there were two wings in Pakistan. The People's Party was in majority in the West and the Awami League in the East. The fact that the Awami League was the majority in the whole of Pakistan was irrelevant to him. Therefore, he demanded that if power had to be transferred to the majority parties then it had to be transferred to the Pakistan People's Party (PPP) in West Pakistan and to the Awami League in East Pakistan.

Bhutto held a press conference in Karachi the following day, March 15, in which he said that the deadlock on constitution-making could not be resolved "by ignoring the wishes of the people of West Pakistan as represented by the majority party in the West wing." He said that his party wanted that while transferring power at the Central level it should be transferred to the "two majority parties" of East and West Pakistan.

On the previous day, criticising the Awami League Bhutto said that the Awami League had shown itself against discussing the constitutional issues outside the Assembly and its leader insisted on resolving all issues within the Assembly. In this context he wondered why the Awami League had at that stage come forward with four conditions for participating in the National Assembly session as announced by President Yahya.

Except Qaiyum Khan and his Muslim League all minority political parties of West Pakistan unanimously rejected Bhutto's stand on the transfer of power. They said that transferring power to the PPP in West and the Awami League in East Pakistan would virtually mean the disintegration of Pakistan. These leaders included Mian Mohammad Tofail, Acting Amir of Jamaat-i-Islami, Syed Ali Asgar Shah, President Muslim League (Convention) Rawalpindi, Khwaja Mahmood Ahmad Manto, President Muslim League (Council) Rawalpindi, Mahmudul Huq Usmani, Secretary General, National Awami Party (Wali) and many others. Mian Nizamuddin Hyder, MNA-elect and leader of the Bhawalpur United Front, said that the PPP chief was in fact advocating "a two-nation theory" for Pakistan. Nawabzada Nasrullah, President of Pakistan Democratic Party, West wing, said that Bhutto's proposal for transferring power to the respective majority parties of the East and West wing was absolutely contrary to democratic norms.

Air Marshal (Retd) Asgar Khan said that Bhutto's statement was self-contradictory. On the one hand, he had opposed the "grouping" of provinces in West wing and, on the other, was suggesting transfer of power to the "majority party in West Pakistan". Asgar Khan said politically there was no West Pakistan. There were four provinces in the Western wing of the country.

Wali Khan, President National Awami Party, criticising Bhutto's demand for transferring power separately to East and West Pakistan said, "We would like to have clarifications whether the concept of a single state is there in the proposal.? He said it should be clear that West Pakistan ceased to exist politically since July 1, 1970.

A joint meeting of various political parties and members-elect of the National and Provincial Assemblies of Karachi held on 15th March asked President Yahya to transfer power immediately to the elected representatives of the people. A resolution passed in that meeting described as "mischievous" the proposal made by Bhutto, Chairman of

Pakistan People's Party, in the public meeting held in Karachi on March 14.

Another joint meeting of various political parties, held on March 15 at the residence of Maulana Shah Ahmed Noorani, strongly condemned the theory of the PPP chief Z.A. Bhutto of "Two Pakistan" and added that the terminology of West Pakistan used by him did not exist.

Earlier on March 13, in a meeting of minority groups in the National Assembly, held at Lahore, the four-point demand of the Awami League was accepted in principle. The meeting also demanded the formation of interim governments at the Centre and in the Provinces before the commencement of the National Assembly session on March 25. All parties were represented in that meeting except the Muslim League led by Abdul Qaiyum Khan.

Even Mian Mumtaz Mohammad Khan Daulatana, Chief of Council Muslim League, who had always consistently opposed the interests and specific demands of East Pakistan, in a statement issued on March 13 in Lahore had said that Sheikh Mujibur Rahman's demands were quite reasonable and should be accepted to end the existing political crisis in Pakistan, which had thrown the very existence of Pakistan into jeopardy.

It was quite clear at the time that the post-election situation in Pakistan had divided the political parties in West Pakistan into two broad groups ? the Pakistan People's Party led by Bhutto and the minority parties belonging to various left and rightist groups. The political stand taken by Bhutto virtually meant a division or partition of Pakistan, whereas the minority political parties and their leaders seemed quite alarmed at the prospect of the break-up of Pakistan. It was this reason which united them in a manner which was quite unprecedented in the history of Pakistan.

The demand of the Awami League's six-point was considered to be politically cessationist, but what Bhutto began to advocate and demand by the middle of March was unmistakably cessationist. It seemed that the latter clearly realised that without the break-up of Pakistan he did not stand a chance to become the Prime Minister of Pakistan which seemed to be the supreme end of his politics. That personal political interest and agenda of Bhutto took precedence over everything else. He, it seemed, was not prepared to compromise on this even if his uncompromising stand jeopardised the unity and integrity of Pakistan.

A confidential memorandum sent by NEA-Joseph Sisco from the U.S. Embassy to the U.S. Secretary of States in Washington on the 15th March 1971 said the following on the situation in East Pakistan: "Sheikh Mujibur Rahman announced in Dhaka early today, that his party the Awami League was taking over the administration of East Pakistan on the grounds that the party had a majority (288 of 300) in the Provincial Assembly. Mujib acted unilaterally and in defiance of President Yahya Khan's Martial Law Administration which continues to be the government of Pakistan. The fact that Mujib's announcement contained 35 ?directives? for assuring control of the administration indicates that it was a deliberate and carefully planned move. In taking this step Mujib has directly confronted the Yahya government but has carefully avoided an unqualified declaration of East Pakistani independence and has based his action on the 'democratic' voice of the people as expressed in the December election. The Yahya regime must react quickly to this critical move, and Yahya himself has flown to Dhaka to talk with Mujib."

After describing the situation in the above manner the memorandum made the following

significant observation regarding the political developments in East Pakistan: "The options available to Yahya appear to be two, either of which would further endanger the already fragile unity of Pakistan. If Yahya acquiesces in the step, he has forfeited his martial law powers, at least in the East, and would be hard pressed to retain them in the West (See below regarding Bhutto's speech on Sunday); If Yahya or others in the military, decide to resist Mujib's action by force, East Pakistan will be engulfed in a struggle between the military and the Bengali nationalists, the outcome of which can only be eventual independence of Bengal and the breaking of all ties with West Pakistan ? unless, as seems unlikely in the long run, the army can successfully contain the rebellion. Mujib's statement called on all Bengalis to resist 'by all possible means? any force used against them."

It was followed by a very interesting and important observation regarding the position of Zulfiqar Ali Bhutto of the Pakistan People's Party: "In a speech in Karachi on Sunday, West Pakistan political leader Zulfiqar Ali Bhutto demanded that power be turned over to majority parties in each wing, Bhutto's in the West, Mujib's in the East. Bhutto's speech, in fact, may have triggered Mujib's action. It may also indicate what has been respected for some time, that Bhutto has decided that his chances of attaining power in the West are best achieved by a split ? total or nearly so ? in the country. However, Bhutto has less opportunity to act than Mujib because the army is strong in the West and could probably contain a rebellion."

The memorandum ended with the following remarks: "The day's events cast further doubt on continued unity in Pakistan, Yahya's response will be the most important determining factor."

In the late hours of March 14 or the early hours of March 15 Sheikh Mujibur Rahman announced a fresh 35-point programme of action to be followed from the 15th of March. The programme included observance of hartal by all government employees throughout Bangladesh (East Pakistan) subject to specific directives; closure of all educational institutions; inter-wing teleprinter channel to be kept open for one hour daily only for sending or receiving necessary messages by banks; radio, television and newspapers to publish complete version of all statements and news about the people's movement. Under directive 25 banks were to carry on their operations within Bangladesh; the State Bank and the National Bank of Pakistan were allowed to continue to discount T.T. throughout Bangladesh on the basis that reimbursement shall be effected at Dhaka; the banks with head offices in West Pakistan were to obtain necessary funds to reimburse the State Bank and the National Bank of Pakistan at Dhaka; letters of credit were to be opened against licences, including those issued on surrender of bonus vouchers, for imports from foreign countries. Directive 26 said that the "State Bank shall observe the same banking and office hours as other banks and shall remain open for taking all necessary steps for smooth functioning of the banking system of Bangladesh within the framework of restrictions defined above."

Directive 31 said: "(a) Until further directives are issued no land revenue shall be realised, no excise duty shall be realised on salt produced in Bangladesh etc. (b) ...all provincial taxes, including amusement tax, tolls in respect of hats, bazars, bridges and ponds shall be realised and credited to the account of the government of Bangladesh; (c) All local taxes including octroi shall be paid; (d) All indirect central taxes, including customs duty, excise duty, sales tax hitherto collected and realised by the central



government shall hence forward be collected by collecting agencies, but shall not be credited to the central government account or be transferred or remitted to the central government, (e) Direct central taxes, such as income tax, shall not be realised till directives." Directive 34 said that hoisting of black flags on all housetops would continue. While issuing the 35-point programme Sheikh Mujib made a statement to the press which said, among other things, "Today the entire people are united in their determination not to submit to Martial Law. I, therefore, urge those to whom the latest order has been directed not to yield to threat that has been labelled against them. Seventy-five million people of Bangladesh are behind them and their families."

President Yahya reached Dhaka on March 15. By that time the situation in East Pakistan had reached a point of no return. It was the same in West Pakistan. But the reasons were different. It was the momentum or the tumultuous political movement which created the existing situation in East Pakistan, whereas in the West it was the joint conspiracy of the top brass of the armed forces and Bhutto which created it. The people of West Pakistan had very little to do with it. They in no way wanted the partition of the country. The political dialogue between Yahya and Mujib began in Dhaka on March 16. They had a two and a half hours' meeting at the President Bhawan. Since then the dialogue continued each day till the 20th of March. Nothing important and specific about the dialogue came out in the papers because secrecy was being maintained by both sides. But according to G.W. Chowdhury, Yahya's former cabinet member and political advisor, during the first meeting "Mujib put forward his four points relating to the immediate lifting of martial law and the transfer of power. Prospects of framing a constitution on the basis of Yahya's transfer of power plan as formulated in 1969-70 had ceased to exist. The choice before the military regime was between recognising the de facto independent status of Bangladesh and challenging Mujib; or, expressed another way, between presiding over the dismemberment of the country and embarking on a military venture which would not only be terribly costly in terms of human lives but would also be uncertain in ultimate consequences. This was the dilemma before Yahya."

President Yahya and Sheikh Mujib, together with their aides, were examining the draft of a proclamation in their daily meetings. The dialogues were at two levels ? between Yahya and Mujib and between technical experts. Yahya's team consisted of Justice Cornelius, General Peerzada, M.M. Ahmad, Deputy Chairman of the Planning Commission, and a legal expert, Colonel Hasan of the Chief Martial Law office at Rawalpindi. Mujib's team consisted of Tajuddin Ahmad, Nazrul Islam, Mushtaq Ahmed, Qamruzzaman, Mansoor Ali and Kamal Hossain.

In the midst of a highly explosive situation obtaining in the country at that time, the dialogues continued till March 20. A White Paper was published by the Government of Pakistan on August 5, 1971 according to which "a formula had been presented and argued upon by Yahya and Mujib, providing for the immediate lifting of martial law and the transfer of power. A draft proclamation effecting an immediate transfer of power was ready."

About this draft proclamation G.W. Chowdhury wrote later in his book 'The Last Days of United Pakistan?': "The White Paper published by the Government of Pakistan gave only a summary of the draft proclamation; I saw its full text during my private visits to Islamabad and Dhaka in May 1971. The full text, as I discovered from the minutes of the Dhaka dialogues, revealed a rather different picture in that it allowed for much more

compromise than was conveyed by the White Paper. It accepted the relationship between the central government and the 'State of Bangladesh' (the nomenclature was also now accepted) on the basis of the formula which I had prepared for Yahya in January 1971, and which was virtually the six points minus the dismemberment of Pakistan. When I inquired why the White Paper did not publish the full account, the answer I received from Peerzada was that 'a proclamation was made under duress' ? implying that the Army was no longer prepared to grant those concessions after it had 'crushed' the secession movement."

Apart from the members of Yahya's negotiating team most of the top army generals ? Hamid, Gul Hasan, Omar, Mitha etc. ? were present in Dhaka. They were having regular meetings among themselves at the Dhaka Cantonment and with Yahya Khan. Colonel Hasan was supposed to have told G.W. Chowdhury how, while Yahya was making concession after concession to make Mujib agreeable to a political settlement, the junta warned him of the 'dire consequences' of weakening the national government.

### 3.Call for an independent Bangladesh

The confrontation between the Awami League and the Martial Law Administration and between the Awami League and the Pakistan People's Party (PPP) led by Bhutto was accompanied by persistent calls for an independent Bangladesh by various communist, left-wing and democratic political organisations in East Pakistan.

On March 6, 1971, a group of writers and artists urged the Bengalis through a publication called 'Pratiroth' (Resistance) to resist the repressions of the Martial Law Administration and rise to the occasion for establishing an independent Bangladesh. They denounced the declaration of Yahya Khan for holding the National Assembly session on March 25 and called for an uncompromising struggle for the freedom of the country and establishment of the state of Bangladesh for ending exploitation and repression.

An organisation called 'the Co-ordination Committee of Communist Revolutionaries of East Bengal' issued a call on March 7 for establishing independent East Bengal through an armed struggle. They said that independence of Bengal would never be achieved by compromise with the ruling class and their armed forces. It was, therefore, necessary to unfurl the flag of independent Bengal, begin a guerrilla war, create liberated areas and destroy the army and the might of the ruling class.

On the same day, March 7, the National Awami Party (Muzaffar) published a 17-point constitutional proposal for Pakistan in which they demanded right to self-determination along with the right to secede.

A students' organisation, Forward Students' Block, published a leaflet on March 8 in which they urged the people not to cloud 'the rising sun of independence' by going in for any compromise with the Martial Law Administration and the ruling cliques and organise 'Bengal Liberation Front' in the rural and urban areas for establishing 'an independent socialist Bangladesh'. An anonymous leaflet was published on March 8 in which certain rules of guerrilla warfare were mentioned.

The central committee of the East Pakistan Students' League in its meeting on March 8, 1971, decided that henceforward their organisation would simply be called Students' League and not East Pakistan Students' League. They adopted a resolution to the effect that in each district town and down to the primary branches of the organisation,

'Independent Bangladesh Students' Action Committee' would be formed with the president of each branch as convenor, the secretary as secretary and nine other members. It delegated responsibility to the above-mentioned Action Committee to organise the movement for independent Bangladesh. It also decided to stop showing the Pakistani flag and playing the Pakistani National anthem in the cinema houses and do whatever was necessary for implementing that decision. The committee also asked all cinema houses of East Pakistan not to show Urdu films.

On March 6, Bangla Jatiya League held a public meeting at Dhaka's Paltan Maidan. A huge crowd assembled there. In his presidential speech Oli Ahad called upon Sheikh Mujibur Rahman to declare the independence of Bangladesh in the Race Course Maidan meeting of March 7 and promised on behalf of Jatiya League to work for that.

The Central Committee of the East Pakistan Communist Party (EPCP) issued a statement on March 9 calling upon the people to fight the enemy forces and to keep up the struggle for establishing an independent Bangladesh. The Party congratulated the people who were resisting the armed aggression of the Pakistan army and shedding their blood. It said that the enemies of the struggle of independence were the reactionary ruling classes and the military government which represented imperialism, monopoly capital and the big landowners. In order to deprive the people of East Bengal of all democratic rights they had entered into a conspiracy with Bhutto. The armed forces of the Pakistan government had already perpetrated mass murders of the people and they had been kept ready for further attacks on them. They, and not the peasants, workers and other toiling people of West Pakistan were the enemies of the people of East Bengal.

The statement urged the people to rally behind Sheikh Mujib for realising the demands which had been raised by him, because that was the most urgent task of the time. It also called upon the people, particularly the workers and the peasants, to resist the attacks of the armed forces of the Pakistan government.

The same day, March 9, a leaflet was issued in the name of Maulana Abdul Hamid Khan Bhashani which called upon the people to join the struggle for preserving the independence of East Pakistan. He further said in that leaflet that their only aim was to achieve full independence and he urged the people to continue the struggle until that aim was achieved. He also warned against any attempt to compromise the independence of East Pakistan by entering into any agreement with the ruling military clique of Pakistan. Maulana Bhashani was the president of the National Awami Party (NAP) but the leaflet was issued not in the name of his party, but in his own name.

The Dhaka district committee of the East Pakistan Communist Party (Marxist-Leninist), known as the pro-Chinese faction of the East Pakistani Communists, issued a statement in the form of a leaflet on March 9, 1971. They called upon the people to take up arms, avenge the killings of hundreds of people and organise the peasants in the rural areas for guerrilla war.

They said that the adviser of the Pakistan ruling clique and the so-called friend of the people was U.S. ambassador Farland, the butcher who organised the killings of hundreds of thousands of innocent people in Indonesia. He was making frequent visits to East Bengal in order to organise the same type of killings. The statement denounced all those who were meeting him and also those who were advising the people to maintain peace. The party urged the people to form small groups, procure arms and make attacks on all enemies ? both foreign and local. It said that guerrilla war must be organised for

liquidating oppressors and exploiters in the urban areas as well as in the rural areas; it must be organised against the jotedars (landowners), mahajans (moneylenders) and the collaborators. In order to liberate East Bengal the villages would have to be the centres of guerrilla war. Without establishing the rule of the workers and peasants East Bengal could not really be liberated.

The statement further said that since October 4, 1970, a guerrilla war of the peasants had started in the rural areas of East Bengal under the leadership of the EPCP (ML) and through a programme of annihilation of the oppressor jotedars and mahajans the guerrilla war had spread to seven districts. It ended with a call to spread that guerrilla war, liquidate the exploiters and the police and the armed forces of the ruling class, liberate East Bengal and establish a people's democratic East Bengal.

On 10th March a public meeting was organised by the NAP at Paltan Maidan, Dhaka. Addressing that hugely attended meeting its president Maulana Bhashani declared that no one would be able to suppress the struggle of seventy million Bengalis for freedom and liberation. He said that in that respect no compromise was possible and he called upon President Yahya to give freedom to seventy million Bengalis. Amidst long cheers he declared that if that demand was not accepted by March 28 next, he would begin an all-out movement jointly with Sheikh Mujib for the freedom of the Bengalis. He also called upon Sheikh Mujib to be a hero in the struggle for Bengal's independence rather than try to become the Prime Minister of Pakistan.

Addressing the meeting the chief of Jatiya League, Ataur Rahman Khan, urged Sheikh Mujib to declare a national government in Bengal without further delay. He said that there was no longer any difference and dispute among the Bengalis and they were all united, including the peasants and workers.

While reading out the resolutions the general secretary of NAP, Masihur Rahman, said that in the situation obtaining in the country at that time there was no scope for political disputes and quarrels and all were united.

Judged by the political temper and the mood of different and even opposing, sections of the people of East Pakistan it was quite clear by the middle of March, before the arrival of President Yahya at Dhaka on March 15, that in reality the unity of Pakistan was irreparably broken and that Sheikh Mujibur Rahman emerged as the undisputed leader of the broad masses of the people of East Pakistan. The relations and circumstances obtaining at that time were such that under Sheikh Mujib's leadership the vast majority of the Bengalis unitedly stood for the independence of East Bengal.

#### 4. The last phase of the dialogues

A significant incident happened at Joydevpur, 25 miles away from Dhaka, on March 19 when President Yahya and Sheikh Mujib were engaged in a dialogue at the President's House in Dhaka. The second battalion of the Bengal Regiment, stationed at Joydevpur, was asked to hand over their arms to higher military authorities but the soldiers, who were receiving higher training there, defiantly refused to do so. When this news spread to the surrounding areas hundreds of thousands of angry demonstrators from all directions gathered around Joydevpur Rajbari (Royal Palace) where the battalion was stationed. Barricades were set on the roads and the trains were blocked so that road and railway communication was disrupted for two days. The conflict between the Bengal Regiment and the Pakistan Army also spread to the Gazipur Cantonment. Curfew was imposed in

the evening in Joydevpur.

Sheikh Mujib denounced the army action at Joydevpur and wondered how the Pakistan army could go there when the Martial Law authorities had stated that the troops had already been withdrawn to the barracks. The previous day he had rejected the commission of enquiry set up by the Martial Law Administrator Zone 13 "to go into the circumstances which led to the calling of the Army in aid of civil power in various parts of East Pakistan between March 2 and March 9."

Apart from President Yahya other leaders of West Pakistan were having discussions with Sheikh Mujib in Dhaka. Mian Mumtaz Mohammad Khan Daulatana, President of the Council Muslim League and Sardar Shaukat Hayat Khan, President of the West Pakistan Council Muslim League, met him on March 20. After the meeting Daulatana said to the press, "We have discussed things as members of the National Assembly representing a political party, small though." He also said, "We are at the beck and call of the people here. We have treated Sheikh Saheb as our brother, dearest friend and leader."

The President of the Pakistan National Awami Party (NAP), Khan Wali Khan, met Sheikh Mujib twice at his Dhanmondi residence. Mujib had a meeting also with Mufti Mahmood, a leader of the Jamiatul Ulema-i-Islam.

Z.A. Bhutto arrived in Dhaka on March 21 accompanied by 12 advisors. Under heavy armed guard they were taken to the Hotel Intercontinental where a large number of Pakistani and foreign journalists had been waiting for Bhutto. But they could not reach him. A few hundred demonstrators began to shout slogans against him when he arrived at the hotel. In the evening Bhutto went to the President's House when he had a two-hour-long meeting with Yahya Khan.

Bhutto had earlier declined to come to Dhaka and have talks with Mujib and other Awami League leaders. So his sudden visit was unexpected. It took place amid rumours of a settlement between Yahya and Mujib.

Bhutto and his aides were given copies of Yahya's draft constitutional proclamation.

They raised a number of objections to it. One was that "if the transfer of power was effected and Martial Law was lifted without the approval of the National Assembly, it would create a legal vacuum and the proclamation would be without legal validity."

But to the question whether there are legal impediments in the way of lifting martial law and transfer of power to the people, A.K. Brohi, a leading constitutional lawyer of West Pakistan, said, among other things, in a written statement on March 22, "I have been asked to answer the question, viz, whether there are any legal impediments in the way of lifting Martial Law and transferring power to the people despite the fact that at present the Constitution to be framed by the elected representatives of the people is not in existence. The answer to this question purely from juristic point of view is that there are no legal impediments whatever. President Yahya who represents the sovereign power in terms of which existing constitutional dispensation is providing for the administration of public affairs in the country is qualified to declare that he shall no longer exercise that will."

According to G.W. Chowdhury, Mujib was opposed to meeting Bhutto, but Yahya was successful in arranging a tripartite conference among them. This is also corroborated by a report published in the Dhaka daily 'Purbadesh' on March 23, which said that on return to his residence at Dhanmondi after the meeting Sheikh Mujib told the journalists that he had a scheduled meeting with President Yahya and on reaching there he found that



Bhutto was also present. However, G.W. Chowdhury mentioned that the meeting was actually proposed formally by Yahya to both Mujib and Bhutto. Before that meeting, on March 21, Mujib, on his own initiative, sought an unscheduled meeting with Yahya. He was accompanied by Tajuddin Ahmad who informed Yahya that "the Awami League could not agree to the setting up of any central or national cabinet. Instead the Awami League wanted power to be transferred to the two provinces or regions of East and West Pakistan." Virtually it was a proposal for partitioning the country.

In fact, this was the same proposal which Bhutto made in a press conference in Karachi on March 15. He said that his party wanted that while transferring power at the central level it should be transferred to the "two majority parties of East and West Pakistan."

Adding to this, he said, "Our position is that the majority party in East Pakistan together with the majority party in West Pakistan could democratically represent the country."

The meeting between President Yahya, Sheikh Mujib and Zulfikar Ali Bhutto at the President's House on March 22 lasted for about 75 minutes. On returning to his residence, Sheikh Mujib said, in reply to a question by a journalist about the progress of the talks, that "If there is no progress then why am I continuing the dialogue?"

Bhutto returned to his hotel at about 1-15 P.M. Before that, upto 1 p.m., angry demonstrators continued shouting slogans against him. The army cordoned the assembled crowd before the hotel to make way for Bhutto. The employees of the Hotel Intercontinental were wearing black badges.

G.W. Chowdhury, who had direct access to the minutes of the March 22 talks, said that no progress was made at all in the tripartite meeting between Yahya, Mujib and Bhutto. Bhutto, in his book, 'The Great Tragedy', said, while giving his own version of the March 22 meeting with Mujib: "He suggested that I should become the Prime Minister of West Pakistan and he would look after East Pakistan. According to him this was the only way-out of the impasse". He also said that while giving his reaction to Sheikh Mujib's proposal he told Yahya, "I could not be a party to the proposed scheme as it inevitably meant two Pakistan's."

While giving his above-mentioned "reaction" to Yahya he forgot that only a few days ago on March 15, he himself had made the same proposal at a press conference in Karachi. On the same afternoon in a public meeting he had said that President Yahya should hand over power to the majority parties in East and West Pakistan !!

While the tripartite meeting between Yahya, Mujib and Bhutto in the President's House was on, the public relation officer of the President announced before the waiting journalists there that the National Assembly session which was scheduled to be held on March 25 had been postponed. The brief announcement said: "In consultation with the leaders of both the wings of Pakistan and with a view to facilitating the process of enlarging areas of agreement among the political parties, the President has decided to postpone the meeting of the National Assembly called on March 25." The announcement also added that the President "will address the nation shortly." Nothing regarding either the next date of the National Assembly session or the President's address to the nation was mentioned in the announcement.

All these indicated that even before the 75-minute tripartite meeting concluded, it became clear to them that not even any semblance of unity could be reached and in that critical situation it was futile to convene the National Assembly. It was also for this reason that no specific date either for the next National Assembly session nor even a date for the

President's address to the nation could be announced.

While speaking to the press reporters at his residence after returning from the President's House Sheikh Mujib said that he had said some time ago that they would not sit in the National Assembly session before their demands were met, and in that situation the President decided to postpone the session.

Bhutto, on his return from the President's House hurriedly called a press conference at the top floor of the Hotel Intercontinental in which he said that they were examining the broad agreement reached between the President and Sheikh Mujibur Rahman and assured that his party would make every effort to reach an understanding to end the crisis, which he described as the "most unfortunate and tragic." Referring to a question on the postponement of the National Assembly session, Bhutto said, "This is a factual position. All that I wanted is to have some time for reaching broad understanding and agreement." It became quite clear from what both Sheikh Mujib and Bhutto said about the postponement of the National Assembly session that to the majority parties of both East and West Pakistan, the elected National Assembly became completely irrelevant in the real politics of the country.

## 5. Last phase of the dialogues

In opposition to both the Awami League and the People's Party, the leaders of three parliamentary groups of West Pakistan, who were in Dhaka at that time, said in separate statements that they disapproved of the postponement of the National Assembly session because they still believed that the National Assembly was the only forum where national issues could be discussed and their solution found.

The leaders were Khan Abdul Wali Khan of the NAP, Mian Mumtaz Mohammad Khan Daulatana of the Council Muslim League and Maulana Mufti Mahmood of the Jamiat-i-Ulema-i-Islam.

In the press conference of March 22 Bhutto was asked to comment on the four pre-conditions of Sheikh Mujibur Rahman for consideration of his party's attending the National Assembly session. Bhutto said, they were working on those as well as more points. He repeated that they were working on reaching understanding on both interim and permanent arrangements.

He also said that they were discussing the points raised by Sheikh Mujibur Rahman and "things beyond that and the future shape of things." Being asked about the nature of the broad agreement and understanding reached between President Yahya and Sheikh Mujibur Rahman he said, "I would not like to say anything now."

However, he said that there should be a tripartite understanding between the democratically elected two major political parties and the Army.

Khan Abdul Qayyum Khan, leader of a faction of the West Pakistan Muslim League, arrived in Dhaka on March 23 being requested by the President and met him and Z.A. Bhutto separately. He told newsmen that he was in the know of the formula now under discussion but would not disclose it. He said the outcome of the talks could be announced even in the next 24 hours.

On March 24 Tajuddin Ahmed, Syed Nazrul Islam and Kamal Hossain, the three Awami League leaders designated by the party, held talks with the President's advisers twice at the President's House, once in the morning and again in the evening. The President's

team included Justice Cornelius, Lt. General Peerzada, Col. Hasan and M.M. Ahmed, economic advise to the President. Bhutto spent almost that whole day in his hotel room examining with his partymen the terms of the broad agreement and understanding reached between Sheikh Mujibur Rahman and President Yahya Khan.

On the same day five West Pakistani leaders ? Mian Mumtaz Daulatana, Khan Abdul Wali Khan, Maulana Mufti Mahmood, Maulana Shah Ahmed Noorani and Sardar Shawkat Hayat Khan jointly met Sheikh Mujibur Rahman at his residence. Immediately after the meeting Daulatana said that they did not discuss any particular proposal. He said that he was hopeful about the talks. Interjecting at that stage, Sheikh Mujib said, "Let us hope for the best and remain prepared for the worst."

After meeting Sheikh Mujibur Rahman the five West Pakistani leaders called on the President at the President's House.

On these meetings of Sheikh Mujibur Rahman with the West Pakistani leaders Bhutto wrote in his book the following which were later quoted by Kamal Hossain while giving a detailed account of what happened during the continuance of the dialogues: "He told me that he now realised that the People's Party was the only force in West Pakistan and the other politicians of West Pakistan were wasting his time. He volunteered the information that he had rebuked all of them except Khan Abdul Wali Khan, whose party at least represented one province, when they called on him.?"

After thus quoting Bhutto, Kamal Hossain observes that "Bhutto's account confirms the basic position that was being maintained by Sheikh Mujib."

On March 24 three West Pakistani politicians ? Wali Khan, Ghaus Bux Bazenjo and Mufti Mahmood ? made a joint statement to the press in which they said that instead of forming a national government by the National Assembly attempts were being made to bypass the National Assembly by describing the majority rule as "elective despotism." They also said, "Let it be understood that the One Unit scheme, against which the smaller provinces of West Pakistan struggled for 14 years, cannot be revived under any circumstances. The people of the smaller provinces, including Sind, will not accept any such arrangement, whether it is introduced through the backdoor or under the threat of force."

While the dialogues were on between President Yahya, Awami League and the People's Party there were reports of disturbances in various areas of East Pakistan. In Saidpur, 15 unarmed Bengali villagers were reportedly killed by indiscriminate army firing, and under the cover of army protection the non-Bengalis set fire to the houses of Bengalis. These created commotion in the entire area. Such incidents also happened in Rangpur and other places in North Bengal. Tension also prevailed in Mirpur in Dhaka city.

Tajuddin Ahmed, General Secretary of the Awami League, made a statement to the press on March 24 in which he expressed grave concern at reports of "military action? in Rangpur, Chittagong and other places. He said, "It is unfortunate that while a political solution is being pursued in talks with President Yahya Khan, the atmosphere is being vitiated by these untoward incidents."

Addressing a huge gathering in front of his house the same day Sheikh Mujibur Rahman urged the people to maintain discipline in their struggle. He warned that a section of people were trying to sabotage the movement by starting communal riots. In this connection he mentioned the incidents which occurred at Saidpur.

The dialogues came virtually to an end, but on the morning of March 25 Z.A. Bhutto,

accompanied by J.A. Rahim and Mustafa Khar, met President Yahya Khan at the President's House. The meeting continued for about 45 minutes. After that Bhutto told the waiting journalists that the constitutional experts of his party would meet the President's advisers on the same afternoon. When asked why the talks were being "dragged on", Bhutto said that they had only one meeting with the President's advisers and added that "It was not a simple matter. We want to end the crisis."

In a statement to the press on March 25 Sheikh Mujibur Rahman expressed concern over the "regrettable delay in resolving the crisis politically." He said that if a political solution is desired by President Yahya Khan and his advisers they should "realise that it was for them to take matters immediately to a conclusion, and that to delay this would expose the country and its people to grave hazards."

In another statement the same day he gave a call for a general strike throughout Bangladesh on March 27 as a mark of protest against heavy firing upon the civilian population in Saidpur, Rangpur and Joydevpur. This was Sheikh Mujib's last press statement.

The dialogues came to an end on the morning of March 25 with Bhutto's meeting with President Yahya. It ended quietly without any formal announcement.

## **6.The emergence of Bangladesh**

The quiet termination of the dialogues was preceded by an extraordinary observance of the 23rd March in Dhaka and elsewhere. Officially it was observed every year as the Pakistan Day because the Lahore Resolution, on which the Pakistan movement was formally based, was passed on March 23, 1940. In 1971 the day was observed in Dhaka as a 'resistance day' by raising the newly-designed flag of Bangladesh in all government and non-government offices and buildings except the President's House, the Provincial Governor House and the Cantonment. The new flag of Bangladesh had a golden map of Bangladesh implanted on a red circle placed in the middle of a deep green rectangle base. "Responding" to a call by the 'Independent Bangladesh Central Students Action Committee', a newly-formed united action committee of students, the British High Commission and the Soviet Consulate in Dhaka hoisted the Bangladesh flag. The Chinese, Iranian, Indonesian and Nepali embassies hoisted the Pakistan flag but after being surrounded by large numbers of students and other people they lowered the Pakistani flag and raised the flag of Bangladesh. The U.S. consulate avoided any controversy by not hoisting any flag at all!

The flag of Bangladesh was hoisted on top of Sheikh Mujibur Rahman's house and he took the salute at a march-past at his residence. Throughout March 23 the Bangladesh flag also flew on top of thousands of residential buildings in Dhaka. Many cars also flew the flag.

Even the Awami League team, which was negotiating with the government of President Yahya Khan, bore the Bangladesh flag in their car on the 23rd morning. Kamal Hossain, who was a member of the Awami League team, said, "The Awami League team drove into President's House at 11-30 that morning with a Bangladesh flag on their car. The hostile reaction of military officers at President's House, when they saw the flag, was all too visible."

On that day the pro-Awami League paper 'The people' said, "This is the flag that symbolises the emancipation of 75 million Bengalees."

On March 23 Dhaka radio station broadcast 'Amar Sonar Bangla' (My golden Bengal), a song written by Rabindranath Tagore, as the national anthem of independent Bangladesh. The flag and the national anthem were decided earlier in a largely attended meeting of the Dhaka University Students Union (DUCSU) on March 2, 1971, to protest against the postponement of the National Assembly session schedule to be held in Dhaka on March 3. In that meeting they declared the independence of Bangladesh, burnt the flag of Pakistan, hoisted the 'Bangladesh national flag' and adopted Tagore's 'Amar Sonar Bangla' as the national anthem of Bangladesh. It was, in fact, a revolt which represented at that historical moment the aspirations of the people, their urge for independence. The end of the dialogues had far-reaching consequences. It virtually meant the end of united Pakistan.

On the morning of March 23 the Awami League negotiating team presented to Yahya's aides, at a meeting at the Presidents' House, the draft constitution prepared by them. Before that in the evening of March 22 the Awami League team went through the draft constitution in Kamal Hossain's office where Sheikh Mujib and other Awami League leaders were also present. A careful reading was given to the entire draft since it seemed to them that the draft could ultimately become a proclamation.

The negotiations were being prolonged by the government side to consume time to hide their real intentions and to provide a cover while preparations were being made in the cantonment for a "military solution" of the existing political problem. On the other hand, the Awami League, which was responding to the rapidly changing mood of the people and their demand for independence, shifted their position from six points and regional autonomy to a position which virtually meant a separate state in East Pakistan to be called Bangladesh.

The dialogues, in fact, collapsed on the 23rd March but it somehow dragged on to the next day. According to Kamal Hossain, "When the Awami League team was leaving for the evening session on March 24, Sheikh Mujib indicated that for the name of the state, we should propose 'confederation of Pakistan'. He indicated that we should explain that this was necessary to meet the sentiments of the people. This proposal in part reflected the intensity of the popular sentiment for independence, here particularly as this was articulated by the young militants who were in the vanguard of the mass movement which was surging ahead.?"

The government side rejected this proposal as a fundamental change in the Awami League stand, while the Awami League side argued that a change in the name did not amount to a fundamental change when all the substantive provisions remained intact, so that a limited but viable federal government had been adequately provided for."

However, these differences could not be resolved in the March 24 meeting and it was decided to leave the matter to be resolved at the next meeting of Sheikh Mujibur Rahman and President Yahya, a meeting which never took place.

In the meantime, the situation outside was becoming very grave. Civil commotion and disturbances rose to new heights. A very serious confrontation happened between the civilians and the military forces when thousands of people resisted the unloading of arms and ammunitions from M.V. Swat which had remained immobilised at the Chittagong Port for 17 days by the non-cooperation movement. Reports of military operations in Rangpur were also reaching Dhaka.

On the evening of March 23 it was learnt by the Awami League negotiating team that for



the whole day Yahya had been away from the President's House. Peerzada mentioned about his being in the Cantonment.

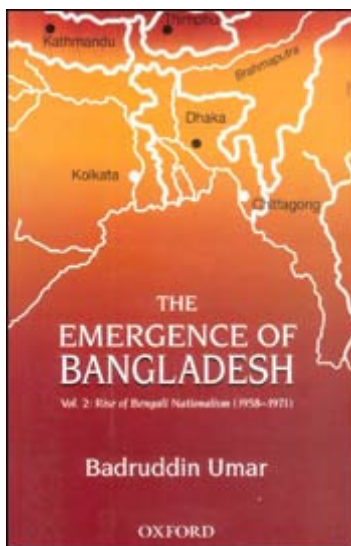
It was the day when Yahya Khan and other top generals of the Pakistan army, who were present at the Dhaka Cantonment, finalised the plan for an all-out military attack on the people of East Bengal – the Operation Searchlight.

March 23, which was observed as Pakistan Day since the partition of India in August 1947, also turned out to be the day when the state of Pakistan broke down.

It was also the day when out of the ruins of Pakistan Bangladesh emerged as a fact of history

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### **Relevant History: The Emergence of Bangladesh**



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## Book Review

by

**Ashok Mitra**

Environment is all, heredity is bunk: this may or may not be a saleable proposition. Whether it is saleable perhaps depends on the nature of the environment in which the proposition is formulated. Environment is decidedly not an independent entity; family or community tradition, for instance, can contribute to its creation.

In the early decades of the 20th century, Abul Kasem was a landowner of some means in the district of Burdwan in Bengal. He was also a leading light in the Burdwan bar. While on most cordial terms with his Hindu colleagues, both landlords and lawyers – the two species often overlapped – he still grieved over the plight of the millions of Muslim peasant masses, victims of ruthless exploitation by the landed gentry, mostly Hindu. Kasem the nationalist was with the Indian National Congress; Kasem the fighter for the cause of the downtrodden Muslims was with the Muslim League. A vocal member in the provincial legislative council, he would cross swords with those he identified as the principal perpetrators of injustice to the Muslims. He, in other words, was, for his times, a bit of a radical.

Kasem's son, Abul Hashim, must have been influenced as much by his father's broadminded outlook as by the churning of new ideas in Bengal society from the 1920s onwards. Like his father, Hashim too was in and out of the Congress, and, in course of time, made a reluctant journey towards the direction of the Muslim League. His sympathies lay with the young cadets of the incipient Kisan Sabha movement. While two of his nephews, Syed Shahidullah and Mansur Habibullah, were actually important Communist leaders in Bengal by the early 1940s, Hashim himself ascended to the top of the Muslim League leadership in the province. He was in its 'progressive' wing, vocal in equal measure against Hindu chauvinism and for drastic land reforms. A stray fact he mentions in his memoirs is interesting: at the party meeting where he was elected general secretary of the provincial Muslim League in 1944, he was wearing a dhoti. And he was proud of his acquired sobriquet, 'Communist Muslim Leaguer'.

Abul Hashim collaborated with Sarat Chandra Bose and H S Suhrawardy to avert the partition of Bengal in 1947. Their dream of an undivided Bengal was however scotched by zealots in both the Congress and the Muslim League. A dejected Hashim crossed over to East Pakistan, but was politically marginalised; grisly communal violence accompanying the partition saw to the rise of religious zealots who had no use for inconvenient radicals like him.

The family however had created its own environment. Hashim's son, Badruddin Umar, has duly blossomed into a fiercely Left-minded Bangladeshi intellectual. In terms of academic credentials, he is a political scientist, and has taught political science and philosophy in Bangladesh universities and elsewhere. Apart from his definitive work on Cornwallis' Permanent Settlement, he has written several other books spanning history, politics and literature. He would still like to be known primarily for his role as a combatant engaged in revolutionary warfare, as it was in his student days. The book under review bears the impress of that radical-for-ever persona Umar wrote about 20 years ago in a series of articles in the Dhaka periodical, *Holiday*, chronicling post-war political developments in East Pakistan which finally led to the establishment of Bangladesh as a sovereign independent nation recognised by the United Nations.

*The Emergence of Bangladesh*, sub-titled 'Class Struggles in East Pakistan (1947-1958)', is the first half of the story. The second half promises to carry the annals forward up to the point of formal break-up of that absurd country, Pakistan, in the aftermath of the army putsch in 1971. More than 30 years have elapsed since those raucous days. Passion evidently had subsided on all sides. The fact that Umar's work on such a sensitive subject has now been published from Karachi is an occurrence by itself of some significance.

Echoing the family tradition, Umar remains the incorrigible radical. Although Rosa Luxemburg is not explicitly referred to in his presentation, it is Luxemburg's 'other-country' model of exploitation which fits snugly with his format of discussion of the West-East Pakistan imbroglio. The eastern wing provided cheap raw materials and some foodgrains, and, at the same time, was forced to accept, at extortionary prices, products originating in the western part. The majority of the population of the newly formed quasi-nation country was concentrated in the east; the ruling party, the Muslim League, was presided over by the gentry from the west, some belonging to the landowning community, others to the professional classes. The creamy layer of the civil service was again a Punjabi hegemony; the composition of the army was no different. Not surprisingly, tension between the two wings began to brew with extraordinary rapidity. The economic exploitation of one part by another of what was technically the same polity was partly overshadowed by an essentially cultural factor: the rejection, as early as within a year of the country's birth, of the demand of the East Pakistan to have their mother tongue, Bengali, recognised as one of the state languages.

But, at least in the beginning, it was far from a movement of national liberation. The functionaries of the Muslim League in fledgling East Pakistan were still under the haze of pre-partition blues with an almost cerebral anti-Indian stance dovetailed into Islamic fundamentalism. As popular discontent spread against the western hegemony, a paradigm shift was inevitable; the process took the form of a gradual de-secularisation of politics. What started as factional tussles within the Muslim League culminated in the birth of the Awami Muslim League and, later, the non-denominational Awami League. Umar describes this sequel with sure competence, throwing in tidbits of details not easily available in works by run-of-the-mill historians. He lays special stress on the 1954 elections in East Pakistan which saw the near-decimation of the Muslim League. That was, in his view, a watershed. The West Pakistani establishment launched a counter-attack. Large-scale repression, including indiscriminate arrests, followed. Open parliamentary struggles were muted. That was only on the surface though. Even as the prospect of military intervention grew, East Pakistan society went through a basic transformation encompassing its different rungs.

Umar's narrative covers these developments till the October 1958 take-over of the country by the armed forces. The phase is brief in spatial measure, but it is during this time that a nation was in the making and the East Pakistanis re-incarnated themselves, perhaps somewhat tentatively, as Bangladeshis. The emotions at work were yet inchoate; the early signs were however identifiable as what they portended. There were stirrings among students, teachers, government employees, factory workers, peasants, women, writers and artists. Agitations, often leading to riots, were frequent. These manifestations of a disturbed state of mind had heterogeneous roots. They nonetheless combined to create the overall objective reality: an incorrigibly anti-West Pakistan national ethos.

Umar assembles the story in the form of micro-chapters which add up to build what he plainly intended: an atmosphere of expectations. As a red-hot partisan, he of course has his biases. There are instances where his analysis of events will be disputed by other scholars; the principal issue of contention will be over whether the basis of many of the incidents and episodes of societal confrontation involved class contradiction. The expression 'class struggles', it will be argued, deserves a sparer use.

Some of these certainly are tolerable points of view. By the time we reach Umar's final chapters, we, however become sufficiently aware for whom the bell was tolling. In narrations of the same events by other scholars, the dramatis personae will conceivably be different, but the explanation of the roots of the accumulating events is unlikely to differ substantially from Umar's. His ideological affiliation – traceable to the environment nurtured by family tradition – makes it almost inevitable that he would defend his point of view as 'the people's perspective'. Others may question this claim, the basic data will remain undisturbed though.

An incidental bonus from Umar's narrative is the crop of details about the putting together of the communist party in Pakistan. Although Sajjad Zaheer, who travelled from Lucknow to Lahore following the partition, was formally named the first secretary of the Pakistan party, it soon got reduced to an East Pakistan outfit, with strong symbiotic links with comrades in West Bengal.

Badruddin Umar has served a rich fare of relevant history. Appetite is whetted; readers will look forward to the publication of the second half of this important work, never mind its value-loadness.