



ARTICLE

Sorry for what? Asking the right questions about the Bangladeshi liberation war and Pakistan's military operation in 1971

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Abstract

Three aspects of the historical memory of 1971 remain highly contentious. The first concerns the (il)legitimacy of the military operation and the description of Bengali resistance against it as 'national liberation'. The second centres on the accusation of the Pakistani military's genocidal violence, the use of rape as a weapon, and the counter-allegation of a Bihari genocide. The third focuses on the way forward: whether this should be by forgetting the past or seeking an apology for war crimes.

This article will focus on all three aspects of the debate about the violent events of the 1971 war. Instead of writing a history of 1971 as such, I will propose a methodological framework for writing a history of the war: that of asking the right kind of questions. I invoke this method not for a correct answer, or even a different kind of history, but mainly for its interruptive power to sabotage the dominant discourse, force a moment of introspection, and open up a reflective space for the possibility of reparative justice through an intimate historical narrativisation.

Keywords: South Asian history; political violence; history of Bangladesh; history of Pakistan; genocide; Bangladeshi liberation war; language of historical justice

In classical Urdu epics, kings would transmigrate their lives into a bird and lock it away in a secure place. To kill the king, one had to kill the bird. Khadim Husain Raja, the chief architect of the Pakistani military's planned operation against Bengalis (codenamed Operation Searchlight) to 'restore law and order' in East Pakistan, also had a bird—a mynah. There was another mynah that was *not* part of his household—Sheikh Mujibur Rahman—whom he had codenamed 'mynah' to maintain secrecy while talking about him to his family in West Pakistan. On the fateful night of 25–26 March 1971, the military used heavy weaponry to wrest control of Dhaka and arrest Sheikh Mujib. 'The mynah apparently had a weak heart, and unable to bear the boom of tank guns and recoilless rifles, succumbed to their noise,' wrote Raja in his autobiography.¹ Later, when his wife rang her daughter up to tell her about the mynah's death, she thought her mother was referring to Sheikh Mujib and that he had died in the military action.

‡ The original version of this article was published with an error in the title. A notice detailing this has been published and the error rectified in the online and print PDF and HTML copies.

¹ Khadim Husain Raja, *A Stranger in My Own Country: East Pakistan, 1969–1971* (Karachi, 2012), p. 52.

This story makes one think whether Raja's mynah—no pun intended—carried the life and soul of Pakistan. It could not survive the noise of the military operation on that fateful night—nor could Pakistan.

Writing about the events of 1971 is not an easy task for any historian. Nurul Kabir's brilliant new book highlights various elisions and omissions—much of which is the result of forced amnesia or feigned ignorance—within the nationalist framing of Bangladeshi and Pakistani versions of the violent events of 1971. While it is understandable that the Pakistani state would like to concoct a revisionist historical account to absolve itself of allegations of genocidal violence and mass rape, in Bangladesh, too, the history of the liberation movement has been tampered with to serve various political purposes. Over the last decade, with Sheikh Hasina's political ascendancy, at the expense of her arch-rival, Begum Khalida Zia, the Bangladeshi government has tried to hegemonise a historical account that singularly projects Sheikh Mujibur Rahman as the undisputed leader of the Bangladeshi liberation movement. In a public speech, Hasina undermined the contributions of Major Ziaur Rahman, who was one of the most important figures during the armed struggle, accusing him of colluding with the Pakistani military on the night of Operation Searchlight and killing Bengalis.² This is in stark contrast to the attempts during Begum Khalida Zia's regime to portray Major Rahman's armed struggle as the most important aspect of the movement from March–December 1971—a period during which Sheikh Mujib was in a Pakistani jail.³ Kabir concludes: 'Under the circumstances, the history of Bangladesh's liberation war still remains a construction of the historians having intellectual allegiance to the ruling classes and their political parties, which, in the name of "national history", produces and reproduces the narratives of the rich minority, ignoring those of the poor majority.'⁴

This is not to deny the importance of a richly documented history of the liberation movement and the dedication with which the Bangladeshi scholars have put it together. Examples include the massive, 15 volumes of documents on the liberation movement compiled by Golam Mustafa and a similar effort by A. S. M. Shamsul Arefin.⁵ However, Kabir is critical of deliberate omissions in the official Bangladeshi narratives, especially of the leftist groups who took part in the armed struggle. Kabir argues that such a myopic view, or an attempt at a hegemonic historical narrative deifying Sheikh Mujib, is an act of intellectual poverty that deprives the Bengali movement for national consciousness of a rich history of people's movements, political ideologies of various figures, and the role of leftist organisations in the long history of Bangladesh that does not start with 1971. Instead of embracing this richer, more complex history of the Bengali national struggle and the role of numerous political leaders in shaping it, there has been a deification of Mujib as a *Bangabandhu* (friend of Bengal)—a new civic religion of sorts, as Arild Ruud calls it.⁶ Any reference to Sheikh Mujib in public, official correspondence and school textbooks is prefixed with the honorific *Bangabandhu*. In 2016 the Hasina government even played with the idea of criminalising any attempt to dispute the figure of three million Bangladeshi deaths by invoking a parallel from the Holocaust denial laws enforced in some European countries.⁷ Although the government shelved the idea, it still can prosecute citizens on similar grounds under the Digital Security Act.

² Nurul Kabir, *Birth of Bangladesh: The Politics of History and the History of Politics* (Dhaka, 2022), pp. 70–71.

³ *Ibid.*, p. 101.

⁴ *Ibid.*, p. 889.

⁵ Golam Mustafa (ed.), *History of Bangladesh War of Independence Documents* (Dhaka, 2009); A. S. M. Shamsul Arefin (ed.), *Bangladesh Documents 1971* (Dhaka, 2009).

⁶ Arild Engelsen Ruud, 'Bangabandhu as the eternal sovereign: on the construction of a civil religion', *Religion* (July 2022).

⁷ <https://www.nytimes.com/2016/04/06/opinion/the-politics-of-bangladeshs-genocide-debate.html> (accessed 16 May 2023).

In much of the writing widely available or the general nature of the public discourse in Pakistan about 1971, the emphasis is on the Indian treachery and the violent excesses of Bengali militant groups, especially Mukti Bahini. There is a token acknowledgment of the years of injustice meted out to the Bengalis that reduces the entirety of 1971 to a lesson in constitutional history—albeit an important one about the need to recognise provincial autonomy and respect the electoral process in the country. Still, such an approach over-shadows more critical questions about human suffering and trauma that continue to make an indelible mark on millions of Pakistanis and Bangladeshis. Very few Pakistani academics have written about the event, with the rare exception of Rizwan Ullah Kokab's recent book that looks at the dismemberment of Pakistan through the lens of a leadership failure to resolve political crises.⁸ Anam Zakaria's work is an exceptional intervention because of its scholarly breadth, analytical rigour, and a genuine commitment to narrate a people's history of the war from both Bangladeshi and Pakistani perspectives.⁹ Otherwise, since the publication of Sarmila Bose's *Dead Reckoning*,¹⁰ the widespread debate in Pakistan is about the denial of any wrongdoing and, in fact, claims of victimhood by accusing the Bengalis of committing genocide against the Biharis.¹¹ The bulk of Pakistani contributions to the literature on 1971 takes the form of dozens of autobiographical accounts written by retired military officials who took part in the war.¹² In addition to giving operational details of the counter-insurgency operations against Bengali freedom fighters and the war with India, these books also offer general explanations about 'the causes of the separation of East Pakistan'.

On the occasion of the fiftieth anniversary of Bangladesh's creation, there was comparatively little scholarly output—at least on the liberation war itself.¹³ In Pakistan, in particular, the focus was on producing 1971-themed telefilms, television dramas, and documentaries. Released in Pakistan in 2021,¹⁴ the purpose of this creative output was to reassure those who already believe in the Pakistani version of the story. These new tech-savvy visual narratives target Pakistan's young population, especially those from

⁸ Rizwan Ullah Kokab, *Separatism in East Pakistan: A Study of Failed Leadership* (Karachi, 2018).

⁹ Anam Zakaria, *1971: A People's History from Bangladesh, Pakistan and India* (Delhi, 2019). A recent addition to this literature is Tariq Rahman's meticulously researched account of wars fought by the Pakistani military. See Tariq Rahman, *Pakistan's Wars: An Alternative History* (New Delhi, 2022).

¹⁰ Sarmila Bose, *Dead Reckoning: Memories of the 1971 Bangladesh War* (Karachi, 2011). I am using the version distributed by the Pakistani military's General Headquarters (GHQ) as part of its Services Book Club.

¹¹ Junaid Ahmad, *Creation of Bangladesh: Myths Exploded* (Sindh, 2017) is an excellent example of such historical views about the creation of Bangladesh. The author exonerates the Pakistani military of any wrongdoing and blames India and Bengal rebels for inflicting violence on civilians.

¹² There are dozens of such works. Here, a select few published by Oxford University Press: Cf. A. A. K. Niazi, *The Betrayal of East Pakistan* (Karachi, 1999); Rao Farman Ali Khan, *How Pakistan Got Divided* (Karachi, 2017); Habib Ahmed, *The Battle of Hussainiwala and Qaiser-i-Hind: The 1971 War* (Karachi, 2015); Hakeem Arshad Qureshi, *The 1971 Indo-Pak War: A Soldier's Narrative* (Karachi, 2013); Khadim Hussain Raja, *A Stranger in My Own Country: East Pakistan, 1969–1971* (Karachi, 2012); Siddiq Salik, *Witness to Surrender* (Karachi, 1998); A. R. Siddiqi, *East Pakistan: The Endgame: An Onlooker's Journal 1969–1971* (Karachi, 2004).

¹³ Some of the important new works include a special issue of *Strategic Analysis* 45.6 (2021); Scott Carney and Jason Milkian, *The Vortex: A True Story of History's Deadliest Storm, an Unspeakable War, and Liberation* (New York 2022); Habibul Khondker, Olav Muurlink and Asif Bin Ali (eds), *The Emergence of Bangladesh: Interdisciplinary Perspectives* (Cham, 2022); Taj Hashmi, *Fifty Years of Bangladesh, 1971–2021* (Cham, 2022); Azra Rashid, *Gender, Nationalism, and Genocide in Bangladesh* (Abingdon, 2019); Farhan Karim (ed.), 'The memorial reproduction of 1971 in present-day Bangladesh', special issue of *South Asia Chronicle* 10 (2020); 'The Walking Museum: 1971 Genocide and the University of Dhaka', Centre for Genocide Studies, University of Dhaka, 2021.

¹⁴ Some examples include *Jo Bichar Gaye*, a Geo TV production based on the autobiographical account of Colonel Z. I. Furrukh, and a Hum TV production *Khawab Tut Jatay Hain* based on a book by a pro-Pakistani Bengali, Professor Sajjad Husain. Javed Jabbar, known for his links with the Pakistani military establishment, has produced an 'impartial' documentary titled *Separation of East Pakistan: The Untold Story*.

the urban middle classes, studying in universities in Lahore, Karachi, and Islamabad. For instance, *Khel Khel Mein* (2021) is an account of young Pakistani students performing a play about the 1971 war. During their performance and preparation for it, for which they travel to Dhaka, they come to know that *what really happened* was an Indian conspiracy to ignite Bengalis into rebellion—a strategy that the enemy was still using against Pakistan, this time in Baluchistan. Other films and documentaries, similarly, look at the events of 1971 solely through the lens of Pakistani victimhood and its right to conduct a military operation to restore law and order in one of its provinces.

Amid this flurry of propaganda material, the Pakistani military disallowed and suppressed any counter narrative on the events of 1971. This author, in collaboration with other Pakistani academics, had co-organised a conference at Lahore University of Management Sciences to commemorate 50 years of the Bangladeshi liberation war in March 2021. The conference included leading Bangladeshi and Pakistani scholars working on the violent history of 1971. But soon after the conference schedule was announced, the university's top administration was forced by the military to cancel the event.¹⁵ Judging from the outrage against the conference on social media by certain pro-military journalists and commentators, it can be reasonably inferred that the wording of the conference description, especially the terms 'liberation movement' and 'genocidal violence', triggered the higher echelons of the military who found it offensive and unacceptable that Pakistani universities and academics should adopt such a language.

The forced cancellation of the conference and the production of propaganda films to enforce a hegemonic historical narrative about 1971 demonstrate the military's anxiety about the power of history in shaping political outcomes and thus their eagerness to control the past. It is against this backdrop that I started working on this article. I am not a historian of 1971; I am interested in developing a conceptual framework that can enable us to write a more intimate history of the event, its repercussions, collective memories, and individual loss and trauma.

Asking the right questions

There are three aspects of the historical memory of 1971 that remain highly contentious. The first concerns the events leading up to March 1971, the rationale for a massive military operation—and its legitimacy—and the illegitimacy of the Bengali resistance and the offence caused by calling it a war for national liberation. The second has to do with the accusation of genocidal violence and use of rape as a weapon, contestation of the projected figure of three million dead and 200,000 women raped, and the counter allegation of a Bihari genocide. The third is about the way forward: should it be by forgetting the past or seeking an apology for past crimes? This article will focus on these three aspects of the debate about 1971 in Pakistan and Bangladesh. I will show how these questions are intertwined and hold significant value for the future of a democratic polity and peace in the region.

As I will elaborate below, my purpose is not to answer specific questions or give documentary evidence about how the genocide was planned or exact numbers of victims of physical and sexual violence. It does not mean that I want to avoid these questions, set them aside, and bury the past, so to speak. This approach is typical of the Pakistani military establishment's favoured solution for 'moving forward'. In the movie trailer of *Khel Khel Mei*, available on YouTube, the main protagonist, Zara, the Pakistani girl leading the students who are staging a play that presents the true picture of *what really happened*

¹⁵ <https://globalvoices.org/2021/03/26/cancellation-of-conference-on-50th-anniversary-of-the-bangladesh-war-of-liberation-sparks-criticism/> (accessed 16 May 2023).

in 1971, says: ‘*ek ghalati howi...kisi se bhe...mang lete hain mafiyān donon*’ (A mistake was made... no matter who made it... let’s both apologise).¹⁶

The statement skirts the issue of assigning responsibility and tacitly blames *both parties* for the violence. Contesting the statement with archival evidence to try show asymmetrical use of brute power by the Pakistani military against the Bengali freedom fighters will suck the historian into a vortex of ‘fact wars’ where, for each statistical figure of the number of dead and raped, there will be a counter-factual data exonerating the military. This is not to deny the impossibility of archival evidence to chart the brutal excesses of the Pakistani military during the liberation war. As I will argue later in the article, my purpose is to critique the dehumanised language of archival evidence and its intellectual poverty in recording voices of the victims while privileging the truth-claims of the aggressor.

Instead of getting bogged down in fact wars without sufficiently critiquing the conceptual basis of what comprises ‘evidence’ or ‘archive’, my proposed theoretical framework, taking inspiration from Shahab Ahmed, is based on asking the *right kind of question* as a prerequisite to the right answer, or even more important than a definite answer as such. Ahmed cites a couplet of Munir Niazi, a famous poet of Urdu and Punjabi:

kisī kō apnē ‘amal kā ḥisāb kyā dētē?
savāl sārē ghalat̄ thē javāb kyā dētē?
What account of my deeds, to anyone, could I give?
All the questions were wrong; what answers could I give?¹⁷

What Niazi encapsulates is, in a way, a poetic critique of the Socratic method of questioning. Collingwood described the Socratic method as the old sage asking questions of his young pupils to teach them ‘how to ask questions of themselves, and showing them by example how amazingly the obscurest subjects can be illuminated by asking oneself intelligent questions about them instead of simply gaping at them’.¹⁸ As Collingwood elaborated further in his famous formulation about the historical roots of metaphysics, ‘every statement that anybody ever makes is made in answer to a question’. He follows this up by claiming two crucial points: a question logically comes before its answer, and every question involves a proposition or multiple propositions.¹⁹ He wrote: ‘Directly or immediately, any given question involves one presupposition and only one, namely that from which it directly and immediately “arises”... This immediate presupposition, however, has in turn other presuppositions, which are thus indirectly presupposed by the original question.’²⁰ The point at which the regress of presuppositions will come to an end is where we will find the ultimate presupposition, which does not answer any antecedent questions and is reflective of the thought of the thinker who presupposes them; hence, crucial to understanding how thinkers’ thought is restricted by their assumptions.²¹

Collingwood’s questioning method will help un-layer the presuppositions shaping the questions and, by extension, the outcome in the form of an answer. Gadamer extended Collingwood’s method for his own hermeneutical framework and famously observed that ‘we understand only when we understand the question to which something is the answer’. But as opposed to the rhetorical refrain of interrogative questioning or hermeneutical analysis, my method is also of interruptive questioning—a poetic embrace of

¹⁶ <https://www.youtube.com/watch?v=1t3dMZ4B9JM> (accessed 7 July 2023).

¹⁷ Cited in Shahab Ahmed, *What is Islam: The Importance of Being Islamic* (Princeton, 2016), p. 542.

¹⁸ R. G. Collingwood, *Idea of History* (New York: Oxford University Press, 1956), p. 274.

¹⁹ R. G. Collingwood, *An Essay on Metaphysics* (Oxford: Clarendon Press, 1948), pp. 23–33.

²⁰ *Ibid.*

²¹ Jaakko Hintikka, *Socratic Epistemology: Explorations of Knowledge-Seeking by Questioning* (Cambridge, 2007), p. 84.

Niazi's couplet—which does not even seek a *proper* answer. In that sense, this method shares a genealogical origin with the Socratic question but also departs from it insofar as the purpose is not limited to peeling off layer after layer to arrive at truth but also to explore the complexity of the question to the extent that we no longer need an answer.

Applying this method to Zara's statement, for instance, one does not give a long list of planned massacres and use of rape as a weapon by the Pakistani military during the liberation war, as *the other side* will reciprocate with similar excesses against Bihari victims committed by Mukti Bahinis. It will neutralise the conflict, settle the score at 50:50, with no winners or losers, aggressors or victims. But if there is still an insistence that we must apologise, although it is far from the politics of apology that I elaborate later in the article, it will be pertinent to ask: Sorry for what? It is the interruptive power of the right question that puts an end to the pretence of truth claims of a 'factual statement' that derives its strength from simplistic binaries and structured, coherent articulation to steer the conversation to a predetermined outcome. The right question prevents the possibility of a deferred solution, forgetfulness, and the false equivalence of 'both sides'; it forces introspection, cognition, and responsibility for confronting the past. Most importantly, this strategy undermines the pontificating power of the aggressor—whether it be the military, the retired general, the state-sponsored textbook, or a collaborative historian—to set the narrative structure of the story on his terms. The person who sets the question determines the *right kind of answer* for it.²² Our effort should be to take that power back and ask the *right kind of question*. We cannot set the discourse, but we can subvert the power of those who set it and falsely project it as neutral and objective. Once we have been able to posit the *right kind of questions*, it is possible that the answers will become less hegemonic or even irrelevant. I invoke this framework not for a right answer or even a different kind of history, but mainly for its interruptive power to sabotage the dominant discourse, force a moment of introspection, and open up a reflective space for the possibility of reparative justice through an intimate historical narrativisation.

My purpose is, therefore, neither to write a review article of existing literature on 1971 nor a history of the event itself: I am focused on providing a theoretical framework to help raise the *right kind of questions* that are relevant to the violence of 1971 and understanding its consequences, which continue to have an impact on individual lives, communities, collective memories, and regional peace. Though I largely draw upon literature from Pakistan, supplemented with Bangladeshi commentaries and a number of theoretical and philosophical borrowings, my intervention is methodological and, hence, applicable to academic literature on 1971 or, more broadly, to the history of violence in general. In responding to the three abovementioned contestations about 1971, I start by critiquing the poverty of legal language employed to define or (il)legitimise a conflict as 'civil war', 'insurgency', or 'liberation war'. Second, I analyse the limitations of the concept of the archive and the physicality of a positivist notion of evidence it relies on, along with its inbuilt dehumanised language for documenting violence and the experiences of victims. Continuing with the importance of language, I conclude the article by discussing the

²² I am grateful to Dr Tania Saeed for drawing my attention to the extensive literature by social scientists—especially educational psychologists and marketing experts—that deals with the importance of asking the right questions. However, the literature is almost exclusively concerned with developing better pedagogical strategies for teaching or preparing more effective questionnaires for marketing surveys and polls. Scholars of the humanities, on the other hand, have not used this thematic framework frequently for an alternative conceptualisation of historical narrativisation or critical inquiry. Exceptions include Edward Shapiro, 'America and the bombing of Auschwitz: the importance of asking the right questions', *Society* 56.6 (2019), pp. 625–633. Shapiro's article gives examples of historians posing questions about a particular theme—such as 'why there was no socialism in the US' or 'why the Confederates lost the Civil War'—and the outcome of their scholarly analysis shaped by that question.

semantics of an apology and its importance for sustainable peace and democracy in the region.

Thus, by changing the theoretical basis of approaching the history of 1971—by asking the *right kind of questions*—I propose to write a more intimate account of the tragic events of 1971. Such an approach allows for an emancipatory narrative as a victim's right to self-representation in a political language appreciative of their agentive power, explores alternative modes of historical remembrances in an idiom capable of capturing the trauma of the victims, and emphasises the need for a politics of apology as a prerequisite for a radical democratic future that derives its strength from a theoretical framework transforming a contested history into a forgiving past. Given the nature of my argument, which seeks to make the language of history more personal and intimate, this article, at times, departs from the *usual kind* of academic sobriety of a 'research paper' and employs lyrical-rhetorical idiom to critique the stale prosaic 'neutrality' of historical language.

On the legitimacy of violence or lack thereof

I will start the article not by focusing on the war or the failure of the political process that led to it, nor even by referring to the independence of Pakistan in 1947, but to what I think is an even more crucial foundational moment for *both* Pakistan and Bangladesh—the Lahore Resolution of 23 March 1940. Presented at the annual session of the Muslim League, the Lahore Resolution demanded the establishment of sovereign independent states. It was only after a few years that the League amended the resolution to demand a singular state for the Muslims of India. Throughout the 1950s, the Bengali opposition—initially under Husain Shahid Suhrawardy and later Sheikh Mujibur Rahman—called for a federal democratic constitution in Pakistan based on the principles of provincial autonomy proposed in the resolution. For his famous six points, on which he fought the decisive elections in 1970, Sheikh Mujib took inspiration from the Lahore Resolution of March 1940. So much so, that he issued these points in Lahore in 1966 to coincide with the place and date of the Lahore Resolution. During the negotiations between the Awami League and Yahya Khan's legal team, the Lahore Resolution, once again, figured prominently. Even after the dismemberment of Pakistan, Abul Mansur Ahmad—a key opposition figure from the 1950s—referred to the Lahore Resolution as the only workable document that could have kept the two wings together. He wrote:

At first sight, the emergence of independent Bangladesh may seem to be an act of disruption. Obviously it has broken Pakistan into two pieces. To break up an organic unity, whatever the motive or necessity, is an undesirable phenomenon. . . . Fortunately that is only a superficial view of the matter. . . . What the recent tragic events in Bangladesh have proven is not the failure of the plan designed by our political forebears but of the deviation from that plan. So we need not be ashamed of our forebears but should be proud of them. That plan was such a well thought out and farsighted one that any deviation therefrom was bound to prove fatal. So the emergence of independent Bangladesh became inevitable. It has but logically followed. It is just an end of a betrayal. . . .²³

So, while in Pakistan there is a considerable degree of emotional attachment to 23 March as 'Pakistan Day', there is little appreciation of what it stands for and how Bengalis looked

²³ Abul Mansur Ahmad, *End of a Betrayal and Restoration of Lahore Resolution* (Dacca, 1975), cited in Rachel Fell McDermott, Leonard A. Gordon, Ainslie T. Embree, Frances W. Pritchett and Dennis Dalton (eds), *Sources of Indian Traditions: Modern India, Pakistan, and Bangladesh* (New York, 2014), pp. 862–864.

to the Lahore Resolution for a workable federal solution and a stronger bond between the two wings in a democratic, decentralised state.

The Bengali zeal during the election campaign and the enthusiasm that Sheikh Mujib's sweeping victory generated reminds me of Žižek's notion of the secularised idea of Judgement Day. In much of the leftist rhetoric, writes Žižek, there is futurity of a moment 'when all accumulated debts will be fully paid', where the people will be judges instead of God.²⁴ What was happening in East Bengal in 1970–1971 was akin to the moment where Bengali leaders, having accumulated 'rage investments' from the people after years of injustice, oppression, and exploitation, offered them dividends in the form of a revolutionary explosion of rage. It was a moment of utterance that intoxicated the Awami League cadres with a sense of impending justice through power—a rightful share that the Pakistani state had denied to them through various forms of exploitative strategies and what Ammar Jan calls the 'rule by fear'.²⁵

The Awami League sought symbolic redemption for innumerable acts of injustice, starting from 1947: denial of equal status for the Bangla language, the killing of students protesting in favour of Bangla, the bypassing of the Bengali majority through various proposals to establish parity between the two wings (including the establishment of West Pakistan as One Unit), banning Tagore on national radio, snubbing Bengali political opposition in the Constituent Assembly on genuine issues and grievances, massive electoral rigging against Fatima Jinnah to enable a favourable outcome for Ayub Khan, and, of course, denial of a fair share of monetary funds for development. Despite being the capital of the majority population of the country, Dhaka was never recognised as a major power centre. The cumulative outcome was an immense sense of disillusionment and anger. The Bengali intelligentsia refused to acknowledge the historical roots of underdevelopment in the province dating back to the colonial period or that the situation was gradually getting better with a marked improvement in Bengali representation in the civil bureaucracy and development funds for the province.

Once the Awami League had acquired this power, it was to be performed at various levels—whether in their calls for strikes or general intimidation of the non-Bengali population of the province. During discussions with Yahya Khan's negotiating team, Sheikh Mujib's representatives arrived at the venue with a Bangladeshi flag hoisted on their car. His negotiating team proposed the setting up of a confederation. For Yahya and the civil-military bureaucracy, just the fact that they had to travel to Dhaka to seek approval from Mujib instead of him coming to Islamabad created a sense of utter humiliation. In the aftermath of the provincial elections held in East Pakistan in 1954, the United Front—a conglomerate of various Bengali political parties—had achieved a similar degree of success, routing out the ruling Muslim League. Back then, the Pakistani state was able to stamp its authority and successfully break the collective power of the opposition groups. But things had changed by 1970. A new generation of young Bengali activists had emerged who had rallied around Mujib's charismatic leadership.

Still, with so much public posturing as a form of catharsis by making the military pay for its years of racial arrogance towards Bengalis, the negotiations had not broken down. It was simply that the military's patience was running out as it was not used to such tactics of symbolic redemption. Speaking to the delegation of West Pakistani politicians in Dhaka, Yahya Khan said that the world was laughing at him. This feeling of being mocked and resorting to violence as a measure of reclaiming lost masculinity has an eerie resemblance to what triggered the Jallianwala Bagh massacre. As Ammar Jan argues, General Dyer's crisis was that he felt the Indians were laughing at the British by openly defying

²⁴ Slavoj Žižek, *Violence: Six Sideways Reflections* (New York, 2008), p. 187.

²⁵ Ammar Ali Jan, *Rule by Fear: Eight Theses on Authoritarianism in Pakistan* (Lahore, 2021).

the colonial law. So, he felt compelled to order indiscriminate firing at the Indians who had gathered at the Jallianwala Bagh to talk sense to them, to teach them a lesson. The audience for that lesson, says Jan, was not at the Jallianwala Bagh but elsewhere—the rest of India and, perhaps, all other colonies.²⁶ Yahya did the same. His commanders worked on a military plan for days while the negotiations were ongoing.

This logic of law-preserving violence shaped the rationale of the Pakistani military's action in East Pakistan from 25 March onwards. Police or military action in such situations, to borrow from Walter Benjamin, effaces the distinction between law-making and law-preserving violence. As he puts it: 'It is lawmaking, because its characteristic function is not the promulgation of laws but the assertion of legal claims for any decree, and law-preserving, because it is at the disposal of these ends.'²⁷

It serves as a unique confluence for the iterability of the state's foundational claim to violence and the exercise of its sovereign power in lawmaking where no clear legal situation exists. This iterability, in Derrida's words, 'requires the origin to repeat itself originally, to alter itself so as to have the value of origin, that is, to conserve itself.'²⁸ Such a formulation resonates with the description provided by military accounts and reports about operations. Major General A. O. Mitha talks about troops being widely spread and thin on the ground instead of concentrated in brigade fortresses. Mitha was opposed to this strategy and unsuccessfully proposed its reversal.²⁹ However, this ad hoc-ism and the breakdown of the command structure that he warned against was precisely the operational logic whereby men in the field acted independently in groups of four to five. In carrying out their duties of preserving the law during sweep operations, General A. K. Niazi ordered the troops to *live off the land*,³⁰ make and execute the law as they carried out summary trials and executions of those who tried to ambush them and those they suspected of collaborating with the Mukti Bahini.

Former military officers proudly recount these activities as their achievements. In a recent TV interview, Major Arif Hamid admitted to the notion of collective punishment decreed by General Tikka Khan in areas where railways lines were targeted.³¹ Similarly, Brigadier Karrar Ali Agha refers to the summary killings of 17 Bengali officers and 1,325 former East Pakistan Rifles soldiers. He gives a graphic account of the operation:

Lt Colonel Yaqub had taken it upon himself to solve the problem of the enemy within. I later learnt that all the Bengali officers and men being held in custody were brought to a ground near the Brigade Headquarters. Colonel Yaqub placed a heavy firing squad in the spectators' gallery of a nearby squash court. The poor victims were brought in batches in the court below and shot down by the firing squad; the next batch of hapless victims were made to pick up the bodies of the previous batch and to throw them in a collective grave, hurriedly dug by a dozer of the Engineers Company. The officers were the last to be 'dispatched' to Bangladesh, as

²⁶ Jan made this argument at a seminar held at LUMS on 13 April 2019 to commemorate the centenary of the Jallianwala Bagh massacre. The proceedings of the event can be accessed at: https://www.youtube.com/watch?v=N6Mw_a55Y4c (accessed 16 May 2023).

²⁷ Walter Benjamin, 'Critique of violence', in *Walter Benjamin: Selected Writings. Volume I: 1913-1926*, (eds) Markus Bullock and Michael W. Jennings (Cambridge, MA, 1996), p. 243.

²⁸ Jacques Derrida, 'Force of law: the "mystical foundations of authority"', in *Deconstruction and the Possibility of Justice*, (eds) Drucilla Cornell, Michel Rosenfeld and David Gray Carlson (New York, 1992), p. 43.

²⁹ A. O. Mitha, *Unlikely Beginnings: A Soldier's Life* (Karachi, 2003), pp. 347-348.

³⁰ Hamoodur Rahman Commission of Inquiry into the 1971 India-Pakistan War: *Supplementary Report* (Rockville, MD, 2007), p. 14.

³¹ Nuqta e Nazar with Mujeeb Ur Rehman Shami and Ajmal Jami, 16 December 2021, *Dunya News*, <https://www.youtube.com/watch?v=pjKXR15G0BQ> (accessed 16 May 2023).

characteristically described by Colonel Yaqub on my return. In all, 17 officers and 1325 soldiers were murdered in cold blood that day by the mad Colonel. The senior most officer to be executed was Lt Colonel Jahangir of the Field Ambulance unit. Before being shot, he threw his uniform cap on the ground, kicked it and contemptuously shouted, 'Joi Bangla.' These were the last words uttered by him.³²

In the period preceding the military operation—especially between the announcement on 1 March 1971 to annul the convening of the Assembly session and the general strike on 23 March to mark Pakistan's national day as a black day—the Awami League workers had established a virtual parallel government in the province. There were widespread killings and targeting of the non-Bengali population. The military was confined to barracks and vendors refused to provide them with rations. Even the servers at the Intercontinental Hotel declined to serve the delegation of West Pakistani politicians, especially Bhutto, who were in Dhaka for negotiations.³³ At the airport, the Pakistan Airforce had to take control to ensure that flights ran smoothly.

By establishing a parallel claim of lawfulness, the Awami League had effectively undermined the normative basis of law grounded in violence. Their use of violence and fear mirrored the state's use of such tactics in the name of legitimacy. Hence, the Awami League's actions were no ordinary violation of law or crime as such; they amounted to exposing the groundedness of law in violence and the possibility of articulating a parallel vision for law through violence.³⁴ As Nasser Hussain reminds us by drawing upon Benjamin's distinction between crime as a 'transgression against the law that may be checked by it ... [and] a more general unrest [that] threatens not so much to transgress the law as to set up an alternative logic and authority to it'.³⁵ The military operation, therefore, was, more than anything else, an attempt to reclaim that foundational basis of the state as violence.

With its intent to strike fear into the hearts of Bengalis, the military operation put an end to any possibility of a political settlement. By resorting to violence, the Pakistani military effectively disenfranchised the vast majority of East Pakistanis who had overwhelmingly voted in favour of Sheikh Mujib's plan for maximum political autonomy and a two-economy thesis. Such was the extent of overwhelming support—which nearly became unanimous due to the military's action—that even the Bengali members of the armed forces revolted. The revolt of Bengali officers and soldiers may not have been unexpected for those on the ground but it was shocking for more distant military planners. The military had planned an operation codenamed Operation Blitz even before the scheduled elections in December 1970. The plan's success depended on the cooperation of Bengali members of the Army and paramilitary organisations.³⁶ Instead, the bulk of the former East Pakistan Rifles and other Bengali-dominated military units joined the Mukti Bahinis in large numbers. A significant part of Operation Searchlight was now devoted to ensuring that the Bengali units were disarmed.

³² Brigadier (Retd) Karrar Ali Agha, *Witness to Carnage 1971: Contemporary Account of the Bengali Insurgency and Pakistan Army Operation Searchlight (March to May 1971)* (Lahore, 2011), p. 272. In addition to Agha, the Hamoodur Rahman Commission, too, referred to the Camilla massacre. However, Bose, in her usual style of glossing over Pakistani military's gruesome war crimes, calls it an 'alleged massacre', refers to Lt. Col. Yaqub's denial of any such charge, and does not bother to investigate it any further. Bose, *Dead Reckoning*, p. 216, fn. 55.

³³ Richard Sisson and Leo E. Rose, *War and Secession: Pakistan, India and the Creation of Bangladesh* (Berkeley, 1990), p. 120.

³⁴ I am grateful to Sharika Thiranagama for drawing my attention to this particular understanding of Benjamin's critique of violence.

³⁵ Nasser Hussain, *The Jurisprudence of Emergency: Colonialism and the Rule of Law* (Ann Arbor, 2003), p. 107.

³⁶ Shuja Nawaz, *Crossed Swords: Pakistan, its Army, and the Wars Within* (Karachi, 2008), pp. 264–266.

It was the Pakistani military, therefore, that racialised the conflict as every single Bengali—including members of the armed forces—became a suspect. Even Bengali civilians living in West Pakistan—close to half a million people—became suspects. At least 80,000 of them were put in different internment camps and makeshift jails, where they remained until well after the war.³⁷ What was remarkable about this approach was that the Bengalis were still Pakistani citizens. They had not become stateless; they had become rightless citizens. And this is perhaps the reason for the scale of violence, as it was not aimed against a single group or specific community but the entire population that could not have been de-nationalised. It happened at this scale because citizens were the enemy. All of them. They were insidious, invisible, and yet everywhere. When every citizen in the state becomes an enemy, any operation to eradicate the enemy is necessarily genocidal.

As an offshoot of the colonial army and its command structure, the Pakistani military had forgotten that the first rule of police action was to bring in troops that had no emotional connection with the local population. This is why in many of the planned actions against Indians, the British relied on Gurkhas or units with mixed ethnic composition to minimise the chances of internal revolts or incidents of disobedience. This was not the case in East Pakistan, where the military was ostensibly called into action to protect non-Bengalis with whom they had connections of blood, ethnicity, or language. One of the oft-cited explanations for ‘some excesses’ of the military operation was that the troops had first-hand experience witnessing gruesome violence committed against *their* people, that is, West Pakistanis living in Bengal. Brigadier Karrar Ali Agha has given a harrowing account of the Pakistani military’s revenge killings and rapes in ‘reaction’ to Bengali atrocities against Biharis and other non-Bengalis. I am quoting him at length to give an idea about the scale of physical and sexual violence committed by the Pakistani military, especially during the early phase of the operation. He writes:

It was only on witnessing such barbaric and inhuman episodes that some soldiers also went berserk and it became difficult for their officers to maintain the traditional control and discipline of the Army. In some instances even the officers lost control over themselves. ... Suffice it to say that for many soldiers as well as some officers, the spirit of revenge coupled with the opportunity to exact it proved too strong to be checked back merely by plentitudes of the traditional Army discipline. The provocation, opportunity, complete authority and in many cases, personal corruption of the victorious troops made for a disastrous perfect storm for the vanquished. Several officers were given to conducting night raids at private residences and dragging away any girls they found attractive for the night.

I am also reminded of an incident when we received a report that some West Pakistani personnel of the EPR had entered the area where some Bengali families were residing and had sodomised some of the women. The report was duly brought to the notice of Colonel Fazal Hameed, then the deputy director general of the EPR, and his only outraged reaction was that while rape was understandable under the circumstances, sodomising a woman was rather shameful!³⁸

In addition to the motive for revenge, according to Bengalis, the Pakistani military acted as an occupying force intentionally targeting Bengalis for their ethnicity because it considered them unequal or unworthy of respect. There is overwhelming evidence to support

³⁷ Ilyas Chattha’s upcoming meticulously researched monograph gives a detailed account of these internment camps and the efforts made by Bengalis to escape from them.

³⁸ Agha, *Witness to Carnage 1971*, p. 209.

this assertion. In her dissertation, Hafsa Khawaja has traced the history of the Pakistani military's disdain for the Bengalis, as narrated by its top generals in their published autobiographical accounts.³⁹ The Hamoodur Rahman Commission, too, considers the statements of top military leadership posted in East Pakistan and their views about Bengalis to conclude that *some* of the alleged massacres and sexual violence must have taken place and that a racist mindset helped normalise the committing of these acts.

In much of the apologetic literature on 1971 produced in Pakistan, the justification for the military action is sought in the sovereign right to suppress a rebellion. As Faisal Devji recently observed, General Yahya Khan used the term 'civil war' to describe the violence in East Pakistan instead of sedition, insurgency, or domestic disturbance. That in itself was an interesting choice of terminology, says Devji, because civil war 'puts the sovereignty of a state into question and thus permits international intervention'.⁴⁰

The choice of terms is not insignificant as it has a bearing on how we approach those fighting against the military operation. For the Bangladeshis, it was a legitimate war of liberation that culminated in achieving an independent, sovereign state. By using the term 'liberation war', Bangladeshis insist on recognising the struggle that has caused immense pain and suffering for its people. In that sense, the term, with its affective surplus is much more than performative rhetoric—a call of reckoning for what the Bengalis had to endure, an indictment of the Pakistani military it views as an occupying force, and a tribute to the indomitable spirit of the people who prevailed despite all odds. On the other hand, the Pakistani state resorts to terms like 'separation', 'fall', and 'debacle' to neutralise the conflict or underplay its violent history. From the Bangladeshi perspective, they cannot care less. It is for the Pakistani state and its intelligentsia to come to terms with the fact that the Bengalis were engaged in a struggle that received widespread legitimisation—even when the conflict was ongoing—as a war of liberation.

There were several reasons for that support and recognition. By launching a brutal military operation, which even targeted Bengali intellectuals, the Pakistani military effectively refused to acknowledge the massive democratic mandate enjoyed by the Awami League. It gave the League and its leaders a justification to issue a declaration of independence as the political process had ended. Just before his arrest, Mujib was reported to have issued a declaration of independence at midnight on 25–26 March 1971. Its authenticity is, however, disputed. Nevertheless, the bulk of the newly elected members of the parliament assembled at Mujibnagar to issue a formal declaration of independence on 10 April 1971.⁴¹ They vowed to fight a war of liberation against a military that, for them, had now become an occupying force. Subsequently, a government-in-exile came into existence in Calcutta that regularly issued orders to civil bureaucracy and even supervised military operations against the Pakistani military. Bangladeshi historians have put together massive documentation of the functioning of this interim government-in-exile to show that a functional government asserting its sovereign right had come into existence by April 1971 and was, therefore, rightfully conducting a war of liberation.

M. Rafiqul Islam has done some pioneering research on the legal semantics of the terms used and their justification. The Nigerian civil war of 1967–1970 and the unliteral declaration of the Republic of Biafra shaped the positions taken by multiple parties involved in the events of 1971—including the United States. To influence American public opinion, Indira Gandhi resorted to the declarations of the American 'founding fathers' to

³⁹ Hafsa Khawaja, 'Vicious and Embodied Imaginations: Martial Masculinities, Pakistan Army and Sexual Violence in 1971' (MA thesis, Columbia University, 2021).

⁴⁰ Faisal Devji, 'End of the postcolonial state', *Economic and Political Weekly* 56.44 (30 October 2021), p. 68.

⁴¹ Ali Riaz, *Bangladesh: A Political History since Independence* (London, 2016), pp. 28–33.

argue that ‘whenever any Form of Government becomes destructive of man’s inalienable rights to life, liberty, and pursuit of happiness, it was the right of the people to alter or abolish it’.⁴²

According to M. Rafiqul Islam, there is no explicit provision against the unilateral declaration of independence.⁴³ What was important was the ability to follow it through, which the Bengalis effectively did with the help of the Indian military and the massive popular support at home. In that sense, the Bangladesh national liberation movement transformed international law insofar as it enabled the legal expression of secession from a post-colonial state. In this way, as Devji argues, Bangladesh ‘serves as the founding example of a new political logic in which states emerge out of civil wars and not in any other way’.⁴⁴ Up to that point, the operative logic was that there could only be a liberation war against a colonial power seen as a foreign occupation. The success of the Bangladeshi liberation movement retrospectively created a legal rationale that justified its expression of freedom against what it described as an occupation. It set a precedent that has been used in numerous other contexts and led to internationally collaborative humanitarian efforts in places like Kosovo, Bosnia, East Timor, and South Sudan. Still, accepting the Bangladeshi struggle as a liberation movement is a huge psychological barrier to cross for many Pakistanis. It is primarily because it inevitably follows that the Pakistani military, from March 1971 onwards, because of its brutal military operation and refusal to accept the democratic process, had become an occupying force and that resistance against it was legitimate.

There is a historical parallel to be drawn here with the British anxieties towards using the term ‘Indian war of independence’ for 1857. Even at the time of the centenary celebrations of the event in 1957, the Commonwealth Office was deeply anxious about the prevalent anticolonial mood in India and its potential impact on British interests.⁴⁵ In another 50 years, perhaps, ‘liberation war’ will become a more acceptable terminology, not because the Pakistani state will recognise the term’s legitimacy but because the memory of the event would have faded even further. The remaining war criminals will be dead by then. This shows the power of memory and how states try to stabilise the meaning of particular events and personalities through a preferred historical narrative. This is why Walter Benjamin emphasised the immediacy of the historical moment and the need to preserve it because ‘*even the dead will not be safe from the enemy if he wins. And this enemy has not ceased to be victorious.*’⁴⁶ This is why, for Benjamin, history must become a revolutionary praxis if the historian does not want to be considered a collaborator.⁴⁷ If anything has brought home the urgency of such an act of radical history-making, it is the recently released crass propaganda content that I referred to earlier in the article. Though some of it has been translated/dubbed into English and Bengali, the prime audience for this material is the Pakistani people. The military wants to reinforce further the ideological obfuscation fed to its citizens through either a dumbed-down version of ‘history’

⁴² Cited in Gary J. Bass, *The Blood Telegram: Nixon, Kissinger and a Forgotten Genocide* (New York, 2013), p. 419.

⁴³ Cf. M. Rafiqul Islam, ‘Secessionist self-determination: some lessons from Katanga, Biafra and Bangladesh’, *Journal of Peace Research* 22.3 (September 1985), pp. 211–221; *National Trials of International Crimes in Bangladesh: Transnational Justice as Reflected in Judgments* (Leiden, 2019).

⁴⁴ Devji, ‘End of the postcolonial state’, p. 72.

⁴⁵ Cf. Crispin Bates and Marina Carter, ‘An uneasy commemoration: 1957, the British in India and the “sepoymutiny”’, in *Mutiny at the Margins: New Perspectives on the Indian Uprising of 1857. Volume VI*, (eds) Crispin Bates and Marina Carter (New Delhi, 2014).

⁴⁶ Walter Benjamin, ‘On the Concept of History’, accessed from <https://www.marxists.org/reference/archive/benjamin/1940/history.htm> (accessed 16 May 2023).

⁴⁷ Cited in Shoshana Felman, *The Juridical Unconscious: Trials and Traumas in the Twentieth Century* (Cambridge, MA, 2002), p. 33.

or its complete erasure by reducing the breakup of Pakistan to an Indian conspiracy. Several other aspects of this new propaganda material require separate analysis.

The best example of collaborative history that Benjamin warned of is Sarmila Bose's work. Bose's *Dead Reckoning* has helped the Pakistani military exonerate itself of any crimes. The credibility of Bose—a degree holder from a prestigious university, her affiliation with Oxford University, not to mention her 'Hinduness'—helps reinforce the idea about her objectivity. These religious 'credentials' reinforce a stereotype about *the Hindus* rather than mitigating them. The underlying assumption is that Bose is being truthful, objective, and neutral *despite* being a Hindu. It would not be an exaggeration to say that at any seminar in Pakistan about the 'fall of Dhaka', it is customary to refer to Sarmila Bose's work as the most authoritative rebuttal of Bangladesh's 'propaganda claims'. It is, therefore, important that I analyse Bose's work in detail, point out her various obfuscating methodological techniques, and subvert them by asking the *right kind of questions*.

Bose sees her role as a self-appointed truth commissioner, a one-member judicial commission set up to probe the 'alleged atrocities' of 1971. Her conduct, however, is also reminiscent of a colonial officer detailing an account of a mutiny, sectarian or communal clash, or rebellion using Orientalist stereotypes. Both these roles of judicial scrutiny of truth claims and a colonial account of native violence overlap. As a judge, Bose collects evidence from multiple sources, scrutinises testimonies, and carries out a forensic analysis to arrive at what she claims or thinks is an impartial decision or objective truth. It was left to her 'to create a unique chronicling of the 1971 conflict that serves as the basis for non-partisan analysis'.⁴⁸ This was because, even after several decades, Bangladeshis have 'collectively failed to produce well-researched, documented and thoughtful histories of 1971'.⁴⁹ Even though her study primarily focuses on a few case studies based on interviews with three dozen Pakistani officers and an equal number of Bengali survivors and witnesses, it does not prevent her from making an outlandish claim about the entire war and its human toll, which, according to her, is 'possible to estimate with reasonable confidence' between 50,000–100,000, including Bengalis, non-Bengalis, combatants, non-combatants, Hindus and Muslims, Pakistanis and Indians.⁵⁰

From her work, it can be concluded that Bose claims two unique features: a bipartisan approach and the ability for critical analysis. According to Bose, Bangladeshis lacked both these qualities. She snubs them as suffering from 'multiple layers of partisanship and poor quality and blatant selectivity in "documentation"'.⁵¹ She further adds that 'most Bangladeshi intelligentsia I met seemed to be unaccustomed to the notion of cross-checking for facts or search for independent corroboration'.⁵² It was thus left to her to 'make a judgment about what probably happened, with reasonable confidence'.⁵³ With her bipartisan spirit, she says, even Pakistani military officials were shocked at her impartiality.

Bose claims neutrality but not a dispassionate engagement. She started with a mission to write an unemotional history of 1971. General Niazi, the infamous commander of the Pakistani military in the Eastern wing, advised her to 'keep the emotion'.⁵⁴ In hindsight, one can say that Bose started with what Žižek describes as an urge for a dispassionate understanding of violence because 'the overpowering horror of violent acts and empathy with the victims inexorably function as a lure which prevents us from thinking'. But she

⁴⁸ Bose, *Dead Reckoning*, pp. 5–6.

⁴⁹ *Ibid.*, p. 5.

⁵⁰ *Ibid.*, p. 181.

⁵¹ *Ibid.*, p. 6.

⁵² *Ibid.*, p. 7.

⁵³ *Ibid.*, p. 11.

⁵⁴ *Ibid.*, p. 12.

ends with a 'cold analysis of violence' that 'reproduces and participates in its horror'.⁵⁵ It is just that she is dispassionate in her acceptance of the narrative parroted by Pakistani military officers accused of conducting a genocidal military operation and applies a cold, rational logic to the testimonies of the victims. This is evident from her experience in the field, where she is much at ease with the military men. She shares light-hearted banter with someone accused of throwing suspected Bengalis to hungry lions—a charge he accepts to the extent he only used it as a threat and never implemented it. The same officer had banned dance and music in the area under his command. For this action, Bose affectionately calls him Aurangzeb of Thakurgaon.⁵⁶

In both the process of evidence collection and narrativisation of her decisions about actors and events, Bose uses a historiographical method and frame that closely follows colonial accounts about the 'native mindset': their fickleness, unreliability, and propensity for senseless violence. In commenting on Bose's methodological bias, Naeem Mohaiemen astutely traces the verbal tilt in her account. While Bengali narratives are 'claims', she takes Pakistani military officers' accounts at face value. As Mohaiemen points out, while Bose's account of Pakistani officers is that of 'fine men doing their best', she rubbishes Bengalis for 'scant regard for factual accuracy or analytical sophistication', 'blind hatred and vindictiveness', 'theatrical language and commentary', 'flowery language in a somewhat melodramatic style', and 'mindless misrepresentation of reality'.⁵⁷ This is because she has based her understanding of the 'Bengali psyche' on self-Orientalising accounts of writers like G. W. Choudhary, a minister in General Yahya's cabinet, and Nirad Chaudhury, condemning Bengalis 'for a negative and destructive attitude rather than for hard work and constructive Programmes' who 'have a tremendous tendency to put the blame on others'.⁵⁸ In another instance, she refers to Bengalis as 'wonderful raconteurs'.⁵⁹ She does not explain why all such inherent characteristics of *being Bengali* do not apply to her as a scholar.

What is remarkable in the list of omissions, for its untrustworthiness as a source, is the Hamoodur Rahman Commission Report. Set up as a court of enquiry under the Pakistani chief justice, the Commission conducted a detailed enquiry into the events of 1971 by interviewing hundreds of ranked officials. To date, the Commission's report is the most comprehensive account of the Pakistani military's conduct during the 1971 war and the events leading up to it—though parts of it remain classified. Even military historians and pro-military authors in Pakistan do not object to the report's contents to any significant extent. Though the report falls short of admitting to mass killings (it puts the number at a maximum of 26,000 killed, and even they were primarily combatants according to the report) or rape, it is very critical of the military's conduct, especially its lack of professionalism and discipline. While Bose lists the book by William Rushbrook—an academic mainly known for colluding with Pakistani statist projects—as an authentic source, she finds the Commission's report 'deeply problematic'. Ironic as it may sound, Bose finds the enquiry conducted by Pakistan's chief justice to have a 'poor standard of its alleged "evidence" and analysis' as, according to her, 'much of what is presented as "evidence" in this publication is actually allegations: without the benefit of the defendants' responses or cross-examination of testimony of the accusers and witnesses'.⁶⁰ She misses that the Commission was set up as a court of enquiry and not for the purpose of criminal

⁵⁵ Žižek, *Violence*, p. 4.

⁵⁶ Bose, *Dead Reckoning*, pp. 142–143.

⁵⁷ Naeem Mohaiemen, 'Flying blind: waiting for a real reckoning on 1971', *Economic and Political Weekly* 46.36 (3 September 2011), p. 48.

⁵⁸ Bose, *Dead Reckoning*, p. 21.

⁵⁹ *Ibid.*, p. 170.

⁶⁰ *Ibid.*, p. 189.

prosecution. The court collected testimonies from officers who had served in the Eastern theatre and provided an opportunity to influential military men to explain their conduct. To enable military officers to clear their names or explain actions, the Commission was reconvened once all prisoners of war had returned to Pakistan. It was then that the likes of General Niazi and Rao Farman Ali explained their conduct and responded to allegations against them. The reason for Bose to be dismissive of the report, which otherwise enjoys almost unanimous acclaim for its rigour and procedural integrity, is that much of its contents are at odds with Bose's preferred version of the Pakistani military as a professional institution with impeccable discipline.

Following the Pakistani military's racial hierarchisation of Bengalis as effeminate and lousy fighters, Bose pokes fun at their limited militaristic contribution during the war. Bose devotes a whole chapter to how the image of a *lungi*-clad Bengali holding a weapon, fighting for their freedom, was a camouflage and that the actual battle was fought by Indian commandoes infiltrating East Bengali territory. She trivialises the efforts of young Bengali fighters as juvenile excitement that amounted to nothing. She brings this clearly to her rather callous and cold-hearted narration of the much-beloved character of the liberation movement—Rumi—a 20-year-old man who was picked up by the Pakistani military for his role in targeting policemen in Dhaka. He was never to be seen again. To use Sorel, Bose is then a chronicler of events 'tempted to regard deliverance as either a dream or an error'⁶¹ who is unable to recognise the importance of Rumi's 'action' and what he and his comrades stood for.

This is in stark contrast to her valorising the Pakistani military on a noble mission to save their country. What enables such a framework for her is Bose's belief in the legitimacy of the Pakistani state to use violence within its territory. She offers a token condemnation of the military action, but not before she lays down a charge sheet against the Awami League for committing wanton violence and challenging the writ of the state. Again, for the sake of neutrality, she is willing to admit that some excesses *might* have been committed. For these, too, she goes into the details of more infamous incidents with the purpose of putting the onus on villagers for provoking the military. In the case of the Thanapar massacre, for instance, she blames villagers for provocation, thus forcing the military to conduct a combing operation and line up the villagers, separating men from boys, and killing most of them. However, she would argue that the number of people shot dead was never in the hundreds. With such an interpretive strategy, Bose concludes that even during the violence, the military acted professionally—even humanely—following 'combat rules under difficult circumstances and did not snap'.⁶² For her, it is the count that matters, not the experience of putting people in a line before deciding on their right to life.

For the reported incidents of the Bihari massacre, however, Bose does not act as a coroner. She simply records the numbers as narrated in a hyperbolic manner of thousands killed. In post-1971 violence against Biharis, Bose has no problems accepting 'a reasonable estimate' of the killing of 'several thousand Bihari men, women and children' on 10 March 1972.⁶³ Similarly, commenting on the figure quoted in the *White Paper on the Crisis in East Pakistan* issued by the Pakistan government in August 1971, claiming a massacre of 100,000 Biharis in March 1971 before the launch of the operation, Bose says that it is logical to assume that the numbers are exaggerated but still agrees that the number of Biharis massacred by Bengali nationalists 'would easily run into tens of thousands'.⁶⁴ I am not saying

⁶¹ Georges Sorel, *Reflections on Violence* (Cambridge, 2004), p. 14.

⁶² Bose, *Dead Reckoning*, p. 112.

⁶³ *Ibid.*, p. 159.

⁶⁴ *Ibid.*, p. 180.

that this information is incorrect, but only pointing out that she is willing to accept the number in case of Bihari massacres without subjecting them to her 'methodological rigour' as she does to the incidents of the Pakistani military's killings of Bengali civilians. In that sense, she is no prophet of non-violence who believes in the radical equality of grievability, as Butler would call it.⁶⁵ She glorifies the achievements of the military during the action, justified either in the name of protecting the country or self-defence. She cannot understand or raise the question of why, from the Bangladeshi perspective, the Pakistani military had become an occupying force after March 1971. For her, the question is how there could be a legitimate secessionist movement in a country created in 1947 'as a homeland for South Asia's Muslims'.⁶⁶

Her approval of military violence as legitimate blinds her to the political context, which enabled a parallel legal argument for violence claimed by the Bengalis. The national government-in-exile had commanded Bengali civilians and renegade military men to target the Pakistani military or anyone who collaborated with them. In that sense, the Bangladeshi government-in-exile, too, was targeting *rebels* opposed to the nation's integrity. This is why Bose's simplistic reasoning affirming the state's absolute monopoly of violence has the disastrous implication of validating the Mukti Bahini's targeting of Biharis. By the logic of sanctimonious state violence, a Bihari becomes a legitimate target, a dispensable body, because of his disloyalty towards the Bangladeshi liberation movement.

Bose, of course, does not accept the exaggerated legal basis of a Bangladeshi state in exile. Still, it does not mean that she is opposed to the legitimacy of violence per se to achieve political ends. For her, the Mujib-led movement falters on the criteria of even a non-violent populist movement. Just because Mujib could bring the masses out on the streets, she says, does not make him a Gandhi. According to her, Mujib's political resistance did not meet the criteria of a Gandhian-style non-violent movement. There were sporadic incidents of violence throughout the election campaign and in the subsequent period leading up to the military operation. At the same time, Bose does not invalidate all forms of violence in political movements as illegitimate. This is because such an approach would make it impossible for her to proudly inherit the legacy of people like Subhas Chandra Bose and the bands of Bengal's 'revolutionary terrorists' of the colonial period. What she does is to criticise Mujib for failing to raise a proper army for 'organised violence'. 'Unlike another famous son of Bengal, Subhas Chandra Bose, who raised the Indian National Army to fight against the British,' wrote Sarmila Bose, 'Mujib never chose the path of an organized armed struggle on the field of battle under a national political leadership.'⁶⁷ But in the very next line, she says that 'Mujib was arrested on the first night of the military action to crush the rebellion'.⁶⁸ It is, therefore, clear that Mujib was unable to lead a rebellion because, unlike Subhas Chandra Bose, he did not get a chance to escape as, again unlike Bose, Mujib was not placed under house arrest: he was arrested and transported to West Pakistan. He remained in prison throughout the conflict and was kept in complete dark about the events unfolding in East Bengal.⁶⁹

⁶⁵ Judith Butler, *The Force of Non-Violence: An Ethico-Political Bind* (London, 2020), p. 74.

⁶⁶ Bose, *Dead Reckoning*, p. 163.

⁶⁷ Bose, *Dead Reckoning*, p. 27.

⁶⁸ *Ibid.*

⁶⁹ The officer in-charge of Sheikh Mujib during his imprisonment has given a detailed account of the period from March to December 1971 when Mujib was kept in solitary confinement. This interview was recorded and aired on a private Pakistani channel about six years ago: <https://www.youtube.com/watch?v=NoINiarhCS4> (accessed 16 May 2023).

It was only because Bose escaped that he was able to establish military collaboration, first with Nazi Germany and, later, with Imperial Japan, to raise a national army. In contrast, even in his absence, Mujib's comrades successfully raised a semi-structured militia comprising mainly the renegade East Pakistan Rifles and other Bengali units. They set themselves up in Indian territory from where Colonel Osmani oversaw their operations in the East Pakistani territory. Such was the elaborate nature of planning and coordination that the fighters, at times, were frustrated with Osmani, who was busy writing lengthy manuals and communiques rather than attending to more pressing operational details and the restless fighters eager to take the battle to the next level. There were, however, numerous factions within multiple armed groups which, at times, were often on the opposite ends of the political spectrum.⁷⁰

Before concluding the section on Bose's methodology, evidence, and narrative, it is important to remember that she received full support from the Pakistani military during her fieldwork. In the early 2000s, while the country was under General Pervez Musharraf's military rule, the military allowed Sarmila Bose and Yasmin Saikia to research such a sensitive topic in Pakistan. They arranged for both of them to be taken to visit officers of various ranks who had served during the 1971 war on the eastern front. Saikia could see through their method. She talks about officers—often with a misogynist mindset, talking down to her—repeating a hackneyed account of what happened and their reasons for doing what they did. To overcome the deficiencies of speaking to such an orchestrated array of interviewees, Saikia went beyond the narrow circles of retired majors and brigadiers in Lahore and Islamabad to travel to the villages in the Chakwal district to talk to non-commissioned officers—even their wives—to get a sense of the trauma suffered by the aggressors themselves.

On the other hand, Bose was lulled into believing that the military had nothing to hide. In practice, the military orchestrated the *availability* of officers in such a manner that Bose could not meet any officers involved in violence that she could not *rationaly* explain away as per the method she had devised. Nor did she meet anyone who had been court-martialled for committing war crimes by the military itself. In the case of the Hindu massacre of Chuknagar on 20 May 1971, Bose asked several Pakistani officers who had served in the Jessore-Khulna area about this, but all of them feigned ignorance.⁷¹ This eerie silence is remarkably different from instances where the military thought it had an explanation for its actions. Bose cannot deny the Chuknagar incident because of numerous eye-witness accounts. She describes it as a 'one-off incident'⁷² based on the reports of a couple of survivors who could not have known about similar incidents elsewhere. She calls for an investigation to clear the Army's name and moves on. In the case of other incidents, like the Dhaka University massacre, for instance, Bose had access to officers involved in the operation because it helped the military explain its position. The military had always maintained that its targets were not 'innocent' students but armed rebels living in university dorms.

What emerges from the military's productive engagement with Bose is a narrative that retrospectively helps the military put its narrative across to a global audience—something they could not achieve during the war or afterwards. Even General Yahya Khan gets a positive review from Bose, who credits him as 'the only military ruler of Pakistan who actually kept his word on returning the country to democracy one year after taking power'.⁷³ It is a poor understanding of history, if not outright obfuscation, to not realise that Yahya's refusal to return to democracy by handing over power resulted in the

⁷⁰ Cf. Kabir, *Birth of Bangladesh*, especially chapter VIII.

⁷¹ Bose, *Dead Reckoning*, p. 125.

⁷² *Ibid.*, p. 122.

⁷³ *Ibid.*, p. 19.

military operation and the bloodshed that followed. Yet, despite her numerous methodological flaws or even inability to analyse the political processes from 1947 leading up to the events of 1970, Bose's work enjoys an iconic status in Pakistan as an objective source of history about the violence that took place in 1971.

The fear of numbers

Even if Pakistan's sovereign right to fight the rebellion and preserve its territorial integrity is recognised, it does not absolve the military of its activities against civilians—especially Hindus who were targeted because of their religion and presumptions of pro-India sentiments—and Bengali women whose bodies were subjected to sexual violence. That the sexual violence was a planned activity is supported by testimonies of multiple Pakistani officers, including Major General Khadim Husain Raja, who wrote that General Niazi threatened to 'let his soldiers loose on their [i.e. Bengali] womenfolk'.⁷⁴ The operation disproportionately targeted Hindus (who made up the bulk of the ten million migrants camped in different parts of India at the peak of the conflict) and used rape as a weapon to terrorise the Bengalis and cause them emotional trauma. These accusations of mass murder and rape, and whether this qualifies as a genocide, are the most sensitive parts of the debate. Independent observers dispute the Bangladeshi claim of three million deaths and 200,000 victims of rape. Again, for Bangladeshis, it is a fact of life that a large-scale massacre took place. Many people also died because of displacement, disease, hunger, and poverty caused by the military operation. Even if we accept the Pakistani military's explanation that it targeted people based on their involvement in the war instead of their ethnicity, it does not rule out the fact that a disproportionately large number of victims were Hindus who were singled out for their religion and that the military did use rape as a weapon of war. This makes the operation *genocidal*. At the same time, it is necessary to be critical of the attempts of the Bangladeshi state to impose a certain kind of orthodoxy in historical scholarship and its instrumentalisation for political purposes, primarily when used for targeting the opposition or amnesia about the killings of non-Bengalis during the year-long violence.

The recognition of sexually assaulted women as 'war heroines' by Sheikh Mujib led to a different kind of contestation. Bina D' Costa has worked extensively to document the instances of sexual violence, forced abortions, and an international scheme for the adoption of war babies.⁷⁵ Yasmin Saikia and Nayanika Mookherjee have recorded the stories of these women rather than simply placing them within a nationalist historical template of sacrifice and courage.⁷⁶ For them, it is not a methodological constraint because of a lack of material evidence but a deliberate narrative strategy for the articulation of trauma that, ironically, finds utterance only in silence and incoherence. This is despite the numbers, the archive, the state-sponsored programmes for rehabilitation, and documented evidence about forced abortions and adoptions of war babies. This has to do with the disciplinary bounds of historical narrative, which, according to Benjamin, deprive the victims of the language to speak about their experience. In the epic documentary *Shoah* Shoshana Felman describes the experience of Holocaust victims depicted, showing that denial and loss of speech are both the condition and reasons of victimhood. Falling silent,

⁷⁴ Raja, *A Stranger in My Own Country*, p. 61.

⁷⁵ Bina D' Costa, *Nationbuilding, Gender and War Crimes in South Asia* (New York, 2011); Jalal Alamgir and Bina D' Costa, 'The 1971 genocide: war crimes and political crimes', *Economic and Political Weekly* 46.13 (26 March–1 April 2011), pp. 38–41.

⁷⁶ Yasmin Saikia, *Women, War and the Making of Bangladesh: Remembering 1971* (Karachi, 2011); Nayanika Mookherjee, *The Spectral Wound: Sexual Violence, Public Memories and the Bangladesh War of 1971* (Durham, 2015).

thus, for Felman, is not a state but an event. Robbed of language, the victim is left with the oppressor's language in which to articulate their experience where the 'abused will sound crazy, even to himself, if he describes himself as abused'.⁷⁷ The victims' testimony translated into a juridical mode becomes absurd, grotesque, exaggerated, and unbelievable. As Žižek reminds us, the broken words, fragments of thought, or just silence is in itself a validation of the victim's authenticity.⁷⁸ They have been rendered speechless, incapable of articulating a response that corresponds to the neatness of the language of the law. The trauma victim's emotional breakdown, incoherence, and silence become an indictment of the law's reductive approach to justice and historical narrative's intellectual poverty. This is why, according to Felman, Benjamin proposes 'a theory of history as trauma—and a correlative theory of the historical conversion of trauma into insight' where history becomes a 'chain of traumatic interruptions rather than in sequences of rational causalities', where the traumatised—the subjects of history—remain speechless because they have been deprived of a language in which to speak of their victimisation. Speechlessness, says Felman, is what remains out of the record, and it is this precise connection between history and trauma that Benjamin's critique of history addresses.⁷⁹ It is then only through poetry, art, and fiction that one seeks to articulate what cannot be addressed legally, backed by a data entry in an archive or enumerated thoughtlessly to qualify an act of massacre as genocide.

Having said that, the documentary approach to evidence—the very bureaucratic model which ensures the efficiency with which the war machinery works to exterminate the enemy—has its benefits. But it was eventually the testimonial approach of the victims during the Eichmann Trial, argues Felman, that enabled the coining of a language that humanised the Jewish victims to 'transmit history as an experience'.⁸⁰ However, for revisionists like Sarmila Bose, the incoherence of the narrative form and epistemic deficiency of the archive become an indictment of its lack, its inability to reach a forensic accuracy that is acceptable for her. This refusal to accept the credibility of those providing incriminating evidence is the point of contestation.

In concluding the impossibility of the Pakistani military committing mass rape, Bose is driven by her notion of the military as too disciplined to have conducted such a shameful act. On the contrary, military commanders themselves have given accounts of the utter breakdown in discipline because of the specific nature of the everyday war. Saikia has collected testimonies from non-commissioned Pakistani soldiers who knew of Bengali women subjected to sexual violence. One such witness told Saikia:

I did not beat or assault women. But I did not do anything to save a woman. My peers [common soldiers] did rape many women in East Pakistan. Some even brought them to the camp, married and lived with them. No one stopped them. Since you ask, I must tell you the truth, I will admit that there were occasions when my senior officers raped women. At times I had to stand outside the house and guard it. I knew why they had gone inside the house; they went there to rape the women. But I could not stop them. I was a sepoy. It was not my place to disobey the commands of my officers. My duty was to stand guard and that is what I did.⁸¹

⁷⁷ Felman, *The Juridical Unconscious*, p. 125.

⁷⁸ Žižek, *Violence*, p. 4.

⁷⁹ Felman, *The Juridical Unconscious*, p. 33.

⁸⁰ *Ibid.*, p. 133.

⁸¹ Saikia, *Women, War and the Making of Bangladesh*, p. 278.

The denial of available documented evidence is not a problem specific to the accusation of genocidal violence in East Pakistan. There is a Leuchter report for every account of a gas chamber in Auschwitz; for every claim of a planned Holocaust, there is a David Irving. Therefore, finding *written* accounts, even from purportedly ‘neutral’ sources with a pretence to speaking the truth, is part of historical literature and an ongoing struggle for historians to dismantle it. To expect an impeccability where there is a singular historical narrative to exclude any evidence to the contrary is to strive for an impossibility that does not exist in historical scholarship. For something as catastrophic as the biggest genocidal events of the twentieth century—especially the final solution—the uniqueness lies not just within its system but, as Derrida puts it, in ‘what it tried to exclude and to destroy, to exterminate radically, from that which haunted it at once from without and within’. What the mythical violence of the state exterminates is not only millions of lives but also a demand for justice and names, and ‘all the possibility of giving, inscribing, calling and recalling the name’. But, at the same time, says Derrida, it kept intact ‘the archive of its destruction, produced simulacra of justificatory arguments, with a terrifying legal, bureaucratic, statist objectivity’ which enables the effacement of testimony and, thus, the possibility of historical perversion in the form of deniability or rationalising of it.⁸²

This is why it is crucial to go beyond the logic of body count—not because there is a lack of documentation as I have already shown above—but because it is invoked in a manner that dehumanises the debate and reduces it to numbers without any genuine regard for the experiences of those who suffered. The *right kind of question*, therefore, should not be about focusing on the ‘how many’, but on questioning the nature of the archive and notion of evidence privileging its truth claims, while coining a new critical idiom and an intimate language with which to write the story and experiences of the victims.

This is equally applicable in the case of the Bihari massacre during the liberation movement and after the formation of Bangladesh. The primary tactic employed by Pakistan’s state-sponsored narratives about the 1971 war is to project the Bihari victim as a counterpoise to a Bengali claim to violence. Their purpose is not to give voice to the traumatic experiences of Biharis, who, too, were subjected to indiscriminate violence and mass rape, but to stack bodies next to each other to make a comparative enumeration. Practically, the Pakistani state did little to alleviate the condition of Biharis. It washed its hands off them and told Bangladesh to take care of them. In the name of protecting them, the Bangladeshi government dumped the Biharis in refugee camps where they have continued to languish.⁸³ So, the Biharis, in whose name the Pakistani military conducted a brutal operation, were no longer Pakistan’s concern when they actually needed help and protection from extermination. Bangladesh was willing to repatriate them, but Pakistan was unwilling to accept them.

For the Biharis who made it safely to Pakistan, there has been no serious effort to document their experiences. Nor is there worthwhile academic work on the Pakistani prisoners of war and the volunteer corps of Al-Badar and Al-Shams. Salim Mansur Khalid’s hagiographical account of the Razakars is an exception.⁸⁴ Other than that, the Biharis and Razakars as victims of gruesome Bengali ‘revenge killings’ only serve the purpose of a statistical figure, a counterargument. We know little about the massive operations conducted to connect families separated during the war, the repatriation of Bengalis from Pakistan to Bangladesh, and non-Bengalis from Bangladesh to Pakistan. The fact

⁸² Derrida, ‘Force of law’, p. 60.

⁸³ On the statelessness of Biharis living in Bangladesh, cf. Victoria Redclift, *Statelessness and Citizenship: Camps and the Creation of Political Space* (Abingdon, 2015); Antara Datta, *Refugees and Borders in South Asia: The Great Exodus of 1971* (Abingdon, 2013).

⁸⁴ Saleem Mansur Khalid, *Al-badar* (Lahore, 1985).

that thousands of Bengalis were put in makeshift camps and jails as hostages to bargain for the return of prisoners of war from India and Bangladesh has been wholly erased from our collective memory.

As a three-year-old, Naeem Mohaieman spent time in such camps in Pakistan, where he was kept with his family. When he went back to Pakistan to explore this history, his research enabled Biharis to vent their suppressed memories. They had their tragic stories to tell, and they were relieved that, finally, someone had turned up to listen—someone from the same country they thought was responsible for inflicting violence on their families.⁸⁵ That encounter shows why it is a disservice to create false equivalences between Bihari and Bengali victims, the action and response mechanism, the ‘both parties’ narrative, and the expectation to move forward. As Mohaieman’s encounter shows, Biharis and Bengalis are connected through their trauma, not necessarily antagonised by it. In Wittgenstein’s words, ‘it is conceivable that one person should have pain in another person’s body’. He explains the process of realising one’s pain in another body as: ‘...with closed eyes, I should call a pain in my left hand. Someone asks me to touch the painful spot with my right hand. I do so and looking around perceive that I am touching my neighbor’s hand. . . . This would be pain felt in another’s body.’⁸⁶

As Veena Das explains it, ‘the representation of shared pain exists in the imagination’. In this case, it is the Bihari pain residing in the Bengali body and can be realised by touching it, and vice versa. But as Das reminds us, the realisation of this shared pain ‘cannot be translated into concrete ways that could be put into the world’.⁸⁷ This makes pain a yearning for a practice of sharedness for which there is an abundance of idiomatic expressions in South Asian languages, such as *gham sanjha karna*, which literally means to share grief. And this is why in human tragedies, as Vilashini Coopan puts it, ‘linkages matter more than their lineages’.⁸⁸ For her, the idea is not to do justice to the past but to commit to justice in the present. This, for her, is a prerequisite for living *with* as a form of solidarity.

The question of apology

Dr Megna Guhathakurta was a teenager when she witnessed the Pakistani military’s assault on Dhaka University’s campus on 25–25 March 1971. Her father—Jyotirmoy Guhathakurta, professor of English at Dhaka University—was killed in front of their house. The military targeted him because he was a Bengali Hindu intellectual. While talking to Nayanika Mookherjee in November 2016, Dr Guhathakurta remarked: ‘The day Pakistan builds a memorial in Lahore or Islamabad acknowledging how the Pakistani army killed and raped Bangladeshis during 1971—I can think of pardoning Pakistan.’⁸⁹

In demanding a memorial to the war of 1971 to be built in the heart of Pakistan’s military establishment, Dr Guhathakurta seeks recognition of the past to cultivate a new sense of political subjectivity. For the Bengali survivor, it is not about materialising the fleeting moment of the memory that is about to become extinct or an urge to hold on to a material trace as a form of remembrance. It is an attempt to seek any remnant of shared humanity in the aggressor by allowing them to come to live with themselves through recognition and acceptance. She also realises the enormity of the task, as building such a

⁸⁵ Mohaieman, ‘Flying blind’, p. 41.

⁸⁶ Cited in Veena Das, *Life and Words: Violence and the Descent into the Ordinary* (Berkeley, 2007), pp. 39–40.

⁸⁷ *Ibid.*, p. 40.

⁸⁸ Vilashini Coopan, ‘Time-maps: a field guide to the decolonial imaginary’, *Critical Times* 2.3 (December 2019), p. 413.

⁸⁹ Nayanika Mookherjee, ‘1971: Pakistan’s past and knowing what not to narrate’, *Comparative Studies of South Asia, Africa and the Middle East* 39.1 (1 May 2019), p. 212.

monument requires acknowledging the past's violent excesses. This is why recognition of what has happened is a prerequisite for the apology, that is, asking the Pakistani government, especially its military, about what they are apologising for. Asking this question will change the content of the apology: it will no longer be an expression of regret that previous Pakistani rulers have already offered. Without any considerable international pressure and the fact that, unlike South Africa or Bosnia, Pakistanis do not have to live with the victims of their violence any more ensure there was never a serious effort to fix responsibility, consider the possibility of reconciliation, or seek an apology from the victims.

For recognition leading to an apology, it is vital to identify those responsible for committing these crimes, to at least hold a symbolic trial, and ask for an apology. Since most of the perpetrators are already dead or too old to face punishment for their crimes, the purpose of the exercise would be to provide the basis for retributive justice and war reparations. In that regard, we can learn from the debate on German guilt, which took place in the aftermath of the Second World War.

As we can learn from the Arendt-Jaspers debate on German guilt, the purpose is not to hold the entire Pakistani population guilty of the genocidal crimes committed against what was then East Pakistan. Such an indictment would be counter-productive, and as Arendt would call it, naive, because 'for where all are guilty, no one is'.⁹⁰ In postwar Germany, Arendt noted, 'those who personally were completely innocent assured each other and the world at large how guilty they felt, while very few of the criminals were prepared to admit even the slightest remorse. The result of this spontaneous admission of collective guilt was of course a very effective, though unintended, whitewash of those who had done something.'⁹¹ This is why the apology must come from the military itself, as it was solely responsible for this violence, instead of civil rights groups in Pakistan.

Jaspers tried to strike a balance between individual responsibility and collective guilt. He identified four different types of guilt.⁹² The first is criminal guilt, which could be ascertained based on the respective roles and contributions to the war backed by evidence tried in a court. Most of those who planned and executed Operation Searchlight are already dead. Mujib briefly toyed with the idea of bringing at least 194 senior military officers to justice. However, both the 'great powers' and the Organization of Islamic Countries (OIC) scuppered his efforts as they pegged their humanitarian aid to Bangladesh on the condition of releasing Pakistani prisoners of war. The war-ravaged Bangladesh on the verge of famine had no option but to yield to this demand. Despite Pakistan's assurances at the International Court of Justice and the recommendations of the Hamoodur Rahman Commission Report, a large-scale court martial of officers and *jawans* responsible for war crimes did not occur. There must have been some disciplinary actions against very few of them; the details, however, have not been made public.

The second category is political guilt, which applies to all citizens as they benefit from the given political order and exercise their voting rights to bring them into power. For Jaspers, the possibility of apolitical-ness or aloofness is almost an impossibility in the modern state system.⁹³ So, as a citizen with political rights, each of us holds responsibility for the actions carried out by the state. One must remember that Pakistan was not a totalitarian state; it was an authoritarian state. While the Martial Law regime gagged the media, it allowed considerable political activity in 1970 for the first-ever countrywide elections

⁹⁰ Hannah Arendt, *Responsibility and Judgment* (New York, 2003), p. 21.

⁹¹ *Ibid.*, p. 28.

⁹² Karl Jaspers, *The Question of German Guilt* (New York, 2001), pp. 25–26.

⁹³ Jasper, *The Question of German Guilt*, p. 56.

based on adult franchise. The leftist parties were still active and pulled in an impressive following in various parts of West Pakistan. However, after the political breakdown in March 1971, the mainstream political parties—especially Zulfikar Ali Bhutto's PPP—toed the military's line and supported the action in East Pakistan. So, the fact that Pakistan was an authoritarian state holds its citizens more culpable for its actions than the residents of a totalitarian state who could feign ignorance or lack of strength to take individual action or even forego obedience to sovereign power.

The third category is moral guilt, where anyone who followed a command must introspectively explore the implications of their actions. The Nuremberg trial rendered obsolete the dictum of an 'order is an order' or an 'order issued by a legitimate authority'. This was not because of some kind of victor's justice, reminds Jaspers. The diabolic enormity of the Nazi regime necessitated such a reckoning. There might be mitigating circumstances—such as intimidation or threat to life—determining one's participation in a genocidal regime, but, as Arendt reminds us, the Socratic tradition in moral philosophy was to be able to live with oneself rather than to commit a wrong.⁹⁴ In the case of the military operation in East Pakistan, I am aware only of the outstanding moral stance taken by Colonel Nadir Ali, who refused to carry out the murderous war machine any further. He collapsed under the weight of his moral conscience and had to be treated at a mental health facility for years before he could resume his 'normal life'. Later in his life, he turned to Punjabi language and literature for solace. While the narratives about war blamed the 'Punjabi army' for violence, rape, and destruction, for Nadir Ali, it was the affirmation of being a Punjabi by embracing a particular humanistic notion embedded in Punjabiyyat in which he found peace. For him, it seems, it was the shunning of Punjabiyyat that was responsible for turning Punjabis into war criminals.

The last category of metaphysical guilt coined by Jaspers is born out of a universalist brotherhood of man whereby a human being feels co-responsible for any wrong or injustice committed in the world with or without his knowledge or participation and his inability to prevent it. 'That I live after such a thing has happened,' wrote Jaspers, 'weighs upon me as indelible guilt.'⁹⁵ Jaspers' language was religious, where he sought atonement for the Germans. He wanted them to become introspective and communicate with each other to help reach salvation. For many of his critics, Jaspers' treatise deferred serious political action. For Arendt, for instance, the emphasis on collectivity dilutes the particularity of individual action. Also, the introspective communicative atonement sought by Jaspers runs the risk of depoliticisation as guilty subjects remain 'imprisoned in the subjectivity of their own singular experience'.⁹⁶ As we have seen in Pakistan's cases, if there is an acknowledgment of guilt by retired military men at all, it is often expressed through participation in a religious ceremony, joining the Tablighi congregation, or similar charitable acts. This is why Arendt believed that guilt would lead individuals to remain stuck in their self-regardingness and prevent public action. As Andrew Schaap explains, Arendt insisted that moral considerations were vital as they determine what kind of person one wants to be. In the political realm, the this-worldly nature of the actions has a bearing on the world we produce due to our actions and our contribution to the public at large. There is, therefore, a distinction between the realisation of guilt as a man and the accountability for actions as a citizen.

Based on this distinction, Arendt forcefully argued that the keyword in this discourse is responsibility, not obedience. Obedience applies to slaves or in matters of religion, but

⁹⁴ Hannah Arendt, *Responsibility and Judgment* (New York, 2003), p. 44.

⁹⁵ Jaspers, *The Question of German Guilt*, p. 26.

⁹⁶ Cited Andrew Schaap, 'Guilty subjects and political responsibility: Arendt, Jaspers and the resonance of the "German Question" in politics of reconciliation', *Political Studies* 49.4 (2001), p. 758.

not in political actions. Therefore, a shift in legal parlance from obedience to responsibility will not be a semantic nuance but will have more significant implications. By the time the Nazi regime collapsed, says Arendt, only a few hardcore, unrepentant adherents had remained. The rest felt betrayed by their sense of idealism for believing in the Nazi ideology. For others, it was a matter of choosing the lesser evil to ensure that the regime did not go all the way in implementing its genocidal agenda. As Arendt famously said, those who choose lesser evil quickly forget that they still chose evil. In the case of Nazism, it is preposterous to claim, says Arendt, that it was *lesser evil* by any account. The ‘working from within to change the system’ argument could have worked if it had led to regime change. Many people working for the Nazi regime did not believe in what Nazism stood for. Eichmann himself was revolted by the idea of torturing the Jews, but not by their death. In effect, Eichmann invoked the cog in the machine argument, along with many others. Modern-day bureaucracies are meant to function in a manner where the machine *works* no matter how many times a cog is replaced. It is here that the suspension of judgement leads to the thoughtlessness of being and action that Arendt famously called the banality of evil. However, in her criticism of the drama of the Eichmann trial, Arendt failed to see the poverty of law in translating this mechanistic thoughtlessness into human action liable to judgement and responsibility.

Another limitation of Arendt’s argument is that she undervalues the energy of moral sentiments that can animate the public discourse by keeping guilt out of politics. Through the public insistence on shaming, remorse, and guilt, it has been possible in many contexts to bring about different modes of retributive justice. This is why Shaap proposes an idea of depersonalised conflictual politics, as he calls it, where ordinary citizens assume political responsibility for past wrongs without identifying themselves as guilty subjects.⁹⁷ For Shapp, this process will lead to unpredictability in the reconciliatory process, but it certainly carries a generative power for creative outcomes.

What can be a predictable outcome in the Pakistani context for recognising war crimes is the strengthening of Pakistan’s democracy and federal structures. For this to happen, the debate about 1971 must shift from the logic of legitimate violence for restoring law and order to the brutal suppression of the liberation war and from obedience of command to responsibility for carrying out actions. Such an approach will discredit much of the jingoistic rhetoric that allows the overdeveloped military institution to dominate Pakistan’s politics through a rule of fear.

Otherwise, the Pakistani state will continue to invoke the same logic, strategies, and practices in the name of a sovereign nation, maintaining order and ensuring territorial integrity. One uncanny resemblance in methods is that, amid the rabid hatred for West Pakistanis and its military, the Martial Law regime held pro-Pakistan rallies in Dhaka in 1971 after the army had ‘restored normalcy’ in the province. We see similar practices being followed in insurgency-hit areas of former Federally Administered Tribal Areas (FATA) and Baluchistan. The corps commanders organise jeep rallies with people wielding Pakistani flags to send a message, as if all is well. Such propaganda tactics will only help placate the core audience of urban middle classes espousing a right-wing Pakistani nationalism. However, it does not mean that the Baluch deprived of their rights or Pashtuns subjected to four decades of endless wars will be converted to the idea of an inclusive and successful project of the Pakistani state. A sustained radical democratic movement alone will dismantle apparatuses of violence that make such violence in the nation’s name possible.

⁹⁷ *Ibid.*, pp. 762–763.

Concluding remarks

Nurul Kabir invokes Žižek to describe Pakistani, Indian, and Bangladeshi narratives of 1971 as diseventualising, that is, the undoing of an event the effects of which had exceeded its causes.⁹⁸ What Kabir means is that reductive, nationalist, and myopic interpretations of liberation war history make what actually did happen to ‘making-it-not-happen of the previous revolutionary decades’.⁹⁹ As Kabir explains, these diseventualising narratives have political motives and fallouts. The Bangladeshi nationalist narrative, for instance, actively suppresses the agentive role of multitudes of working classes, Marxist activists, and the vast majority of the rural peasants in their revolutionary outburst for political liberties and radical socio-economic reform. With the aim of creating national unity and the singularity of ideas about nationhood, the liberation movement subsumes within its hegemonic narrative structures a contrived historical account that only allows for a sanitised Bengali nationalist struggle to be recognised. Such diseventualising, says Kabir, has its consequences: it goes hand in hand, he argues, with the burgeoning rich-poor gap in contemporary Bangladesh and the emergence of an authoritarian, one-party rule.¹⁰⁰

One could extend Kabir’s theorisation to India and Pakistan. Indian moral high ground about its role in liberating Bangladesh obfuscates the brutal history of the Indian military in suppressing similar movements for freedom in the Northeast and its colonial occupation of Kashmir. In the case of Pakistan, as this article has extensively discussed, the diseventualising of 1971 through propaganda films and revisionist historical accounts denying any wrongdoings or excessive use of force helps sustain a logic of state violence to deny legitimate rights to citizens and sustain an oppressive state framework. As a counter to these diseventualising historical narratives, I also turn to Žižek to develop an alternative approach.

Žižek commented on Adorno’s rhetorical statement that there could not be any poetry after Auschwitz to say there could *only* be poetry after a human catastrophe like the Holocaust. He wrote: ‘Realistic prose fails, where the poetic evocation of the unbearable atmosphere of a camp succeeds...poetry is always, by definition, “about” something that cannot be addressed directly, only alluded to.’¹⁰¹ In Pakistan, the cold, prosaic logic of state power had reduced the debate on 1971 to an Indian conspiracy and a disputation about the ‘actual’ number of victims. It is only through poetry that Pakistanis have tried to make sense of the grief, blood, displacement, and trauma of 1971. Faiz Ahmad Faiz’s *hum ke thehre ajnabi*, Nasir Kazmi’s *wo kashtiyān chalanay walay kia howay*, and Naseer Turabi’s *wo hum safar tha* mourn the loss of intimacy. I cannot help but contrast this poetic intimacy with the ‘nearness’ of state logic articulated by the Pakistani military. It is not infrequently that one comes across references to the inevitable failure of the Baluch insurgency because the province is geographically contiguous to Pakistan. The underlying logic is that the military could not save Bengal because it was too far away, without a direct link to ensure a more systematic supply of troops and ammunition to quell the insurgents.

There is, hence, a difference between the *poetic intimacy* of peoplehood imagined by Pakistani intelligentsia and the *geographical contiguity* as nearness guaranteeing the survival of the Pakistani state. The *right kind of question* for Pakistanis to ask is: which of the two modes of togetherness they want to choose from. Once Pakistanis are able to ask this question, the answer will become irrelevant.

⁹⁸ Kabir, *Birth of Bangladesh*, p. 1034.

⁹⁹ *Ibid.*, p. 1046.

¹⁰⁰ *Ibid.*, p. 1047.

¹⁰¹ Žižek, *Violence*, pp. 4–5.

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