

15 August: One of the World's Darkest Days

Justice Shamsuddin Chowdhury (Manik)

August 15 is an ignominious day – not only for Bangladesh, but for the entire world. On this day in 1975, the founder of Bangladesh, the greatest Bangali of all times Bangabandhu Sheikh Mujibur Rahman was brutally killed. It evoked protests across the globe, which fully proved that the whole world considered 15 August as a day to be abhorred. Similar days that are abhorred included: assassination of Abraham Lincoln in 1865; throwing of atomic bombs on Hiroshima and Nagasaki in 1945; assassination of Mahatma Gandhi in 1948; deaths of Patrice Lumumba and the UN Secretary General Dag Hammarskjold in 1961; assassination of John F Kennedy in 1963; assassination of Martin Luther King in 1968; and assassination of Indira Gandhi in 1984. The architect of Bangladesh had become a world leader when he was alive. Bangabandhu was a principal figure in the Non-aligned Movement, which was a critically important coalition at that juncture. Renowned leaders of the world had lined up to see him for once during the Non-aligned Summit held in Algiers in 1973.

Following his death, the world leaders who accorded Bangabandhu the status of a friend of the world by raising their voices against his killers included: the epoch-making and courageous leader of the 1960s Fidel Castro; another fearless leader Indira Gandhi who played a pivotal role in the liberation war of Bangladesh by ignoring the threats of USA; the Yugoslav leader Marshall Joseph Broz Tito; the Nobel Prize-winning German leader Willy Brandt; Algerian leader Houari Boumediene; Iraqi leader Saddam Hussein; Palestinian leader Yasser Arafat; Nobel Prize-winning Irish leader Sean MacBride, et al. Numerous world leaders including many Britons were very critical and vocal against the assassins of Bangabandhu. They were the decision-makers of the world at that juncture, but no leaders of their stature exist at this time. What all of them uttered was that the way Sheikh Mujib had spoken in favour of the tortured and repressed people of the world, in that sense no alternative to him could ever be found in the subsequent ages. Regarding countries like Palestine, South Africa, Vietnam etc., Bangabandhu's role was like that of a fearless soldier. There were no words like 'fear' or 'hesitation' in his vocabulary. Willy Brandt had even said that the Bangalis could not be trusted anymore after the killing of Sheikh Mujib. Even a person like Dr. Henry Kissinger – who was visibly anti-Bangabandhu, openly took position against Bangabandhu during the liberation war of Bangladesh and did not try the slightest for his release from Pakistani prison – even he said after Bangabandhu's assassination that a courageous leader like Sheikh Mujib might never be born again in the Asian continent.

What is now clear like daylight is that the main objective of Bangabandhu's assassination was to turn back the clock and make the country Pakistan once again by obliterating the spirit of the liberation war. Following the assassination, it was announced for that reason over Dhaka radio station that Bangladesh had become an Islamic republic from that day, and the slogan 'Joy Bangla' could not be raised any more. Immediately after this broadcast, the Pakistani president Bhutto did not waste any time to claim that Bangladesh would soon become part of Pakistan again, which was published in various Pakistani dailies. Without wasting any time, Bhutto had requested countries like China, Saudi Arabia etc. to recognize the killers of Bangabandhu. These countries had opposed the liberation war of Bangladesh and did not recognize the country while

Bangabandhu was alive. Immediately after assuming office, the new killer government introduced the Urdu 'Zindabad' slogan by erasing the slogan of the liberation war, which was the 'signature tune' of that war that awoke and inspired the whole nation during those days. Use of other languages was started by replacing words like Biman, Betar, etc. That Suhrawardy Udyan where Bangabandhu had delivered his 7 March speech, where the Pakistani soldiers had surrendered to the joint Indo-Bangladesh forces, not only was the name of that park changed, but changes were brought about to its features as well. A notorious Razakar named Shah Aziz was appointed the prime minister. Besides, others who opposed the liberation war like Colonel Mostafiz, Soleman, Abdul Mannan, Colonel Akbar, and Jadu Mia gang were given positions in the unconstitutional and illegal cabinet of that time by Ziaur Rahman – who had seized power by the force of gun. Attempts were made to make Bangabandhu's 7 March speech disappear; articulation of Bangabandhu's name was halted. All these events absolutely prove that the objective of killing Bangabandhu was to make Bangladesh a Pakistan once again.

Trials of those who had directly murdered Bangabandhu with arms have been held and they were meted out punishments. Just as that is true, it is also true that those who had masterminded Bangabandhu's killing from behind the curtain and prepared the blue-print have not been tried yet. Although allegations were made against Khankakar Mostaque on the basis of preliminary proofs, his name was excluded from the murder trial because of his death. Sufficient evidences corroborate that the then deputy chief of Bangladesh Army Ziaur Rahman played the main role in Bangabandhu's killing by remaining in the background; these were divulged during the trial by the frontal killers. Most notable among the irrefutable proofs was the statement of the two direct killers Faruq and Rashid broadcast on a television channel in London long before the murder trial had started. Both of them claimed in the interview that when they had expressed the desire to kill Bangabandhu after going to the deputy army chief Ziaur Rahman, Zia told them that he could not get directly involved at that point as he was a senior officer. But he asked Faruq and Rashid to proceed with their plan assuring they would receive his support and cooperation. The murderer Faruq had also mentioned this in a half-page article published in the widely-circulated and credible periodical Sunday Times in its 30 May 1976 issue. Their confessionary statement can be accepted under section 30 of our Evidence Act. This kind of confession is called extra-judicial confession in the language of law. Ziaur Rahman's responsibility was to hand over Faruq and Rashid to the law enforcers then; but he had committed treason by not doing that. Bangabandhu's killing could have been avoided if Zia had handed over Faruq-Rashid to the police on that day.

There are also many other irrefutable evidences for proving the allegation against Zia. The no. 9 witness in the Bangabandhu Murder Trial Colonel Hamid had disclosed in his deposition that when Zia, General Shafiullah, Colonel Hamid et al were playing tennis at the tennis court designated for senior army officers on 14 August 1975 afternoon a few hours before the assassination, the murderers Dalim and Noor were also present there illegally. As directed by General Shafiullah, Colonel Hamid asked them how they could come to the tennis court when they were dismissed and were lower level officers. Dalim and Noor then replied that they had arrived as guests of Zia after being invited by him. This evidence of the no. 9 witness proves that Ziaur Rahman met Dalim and Noor only a few hours before Bangabandhu's murder.

The evidences put forward by the no. 44 witness of the trial Colonel Shafaat Jamil leaves no one in doubt about Zia's involvement. He said, while going to General Shafiullah's residence

at dawn of 15 August, he went to Zia's quarter for a brief period. Zia was then shaving his face. When he told Zia about the assassination of Bangabandhu, Zia instantly replied in English, "The president has been killed, so what? The vice-president is there. You continue your work". The natural reaction after learning about Bangabandhu's killing should have been to express sorrow or anger; but none of these were seen on Zia's face or body language. His reply was as if everybody knew about it; it was also clear that Zia might not have slept at night, or woke up long before sunrise.

The no. 45 witness in the trial and the army chief of that time General Shafiullah mentioned in his deposition that all those who had come to his residence after getting his order were wearing night-dresses. The only exception was Ziaur Rahman; his beard was shaven and he was wearing full uniform, which was not normal at such an early morning hour. General Shafiullah also recalled: while conversing at his residence, Colonel Shafaat Jamil told him, "Please don't give any responsibility to your second man (i.e. Zia); he is behind everything".

Major General (retired) Moinul Hossain Chowdhury wrote in his book titled 'The Silent Witness by a General: First Decade of Independence' that he used to go to Zia's residence quite often (which indicates he had intimacy with Zia). On seeing Colonel Faruq there a number of times, he had asked Zia after becoming suspicious: why this junior officer frequently visited Zia's home. But Zia did not give any credible answer to that question. One of the direct killers of Bangabandhu Captain Majed was apprehended in 2020 after absconding for many years. Before his hanging on 12 April of that year, Majed said a number of times that Ziaur Rahman had a big role behind Bangabandhu's assassination. Majed also said that Ziaur Rahman was the leader in everything that was done at Bangabhaban throughout the day of 15 August. The words spoken by someone who faced certain death is considered by the Evidence Act as absolute truth. In that sense, what Majed said on that day is irrefutable in the context of the Evidence Act as well as the reality.

The main role played by Zia is undoubtedly proved if all the events after 15 August 1975 are reviewed. Firstly, the Indemnity Ordinance that was promulgated on 26 September 1975 for stopping the trials of Bangabandhu's killers and the planners of the killing certainly proves that those who were involved in its issuance were also involved in the murder; and they did that to keep all killers and planners of the murder outside any trial.

Those who side with Zia often claim that the ordinance was not issued by Zia, and it was done by Khandakar Mostaq. Although illegal, Khankakar Mostaq was known to be the president then. For that reason, the ordinance was issued under his signature. But after analysing all events, it is seen that the real key of power was in the hands of Ziaur Rahman, although Mostaq was shown as the president. In fact, Zia made Mostaq the president when that was necessary and expelled him when that necessity was gone, just as was done when Justice Sayem was appointed president and later expelled when the need expired. This has been spelt out by Justice Sayem in his book. Even If it is conceded for the sake of argument that Zia had no hand in the framing of the ordinance (which cannot be accepted after considering the whole situation), even then Zia cannot be freed from that liability; because Zia turned the ordinance into law in 1979 and gave it constitutional validity. At that time the BNP established by Zia had captured power, and Zia was occupying the chair of the president. Zia had signed that law.

After forcibly capturing power, Zia not only gave promotions to all the direct killers, he rewarded them by giving them jobs at various missions of Bangladesh. Don't all these facts absolutely prove Zia's involvement? Immediately after capturing power, Zia did everything to remove Bangabandhu's name in line with the directives of his foreign masters. By stopping publicity of all speeches of Bangabandhu, by removing Bangabandhu's pictures from all places, by halting articulation of Bangabandhu's name, by demolishing the spot where Bangabandhu had delivered his 7 March speech at racecourse maidan, and by erasing all memories of Bangabandhu, Zia strongly proved that he played the main role in the assassination. Zia even illegally seized the Dhanmondi road-32 residence of Bangabandhu, where he did not even allow Bangabandhu's daughter Sheikh Hasina to enter in 1981. When Zia had gone on a visit to China in 1977, the Chinese leaders congratulated him by saying Zia had saved Bangladesh. That implied the Chinese leaders had openly acknowledged that Zia had killed Bangabandhu. When the verdict of the Bangabandhu murder case was being delivered, the High Court and later the Supreme Court clearly stated that Zia, Mostaq and Sayem had committed treasonous offences as they had violated the constitution and captured power forcibly by destroying the democratic process. The honourable court also said that they had violated the oath they took before taking up their original positions. They had committed serious punishable offence by capturing power while remaining in job (in case of Zia) and other posts.

Zia's role was mysterious during the liberation war of 1971. Even after the declaration of independence by Bangabandhu on 25 March, i.e. even during the first hours 26 March, he had travelled towards the Pakistani ship named 'Swat' on orders from his superior Colonel Janjua for off-loading the arms sent from Pakistan. It was a proven incident. Zia was later forced to change his decision under pressure and threats from Bangali soldiers. As he had a special role in laying siege around Pakistani soldiers in Chattogram, Major Rafiq provided detailed account about this incident in his book. Recently, he described in the Sangsad the despicable role of Zia on that day. Besides, in the book 'Swadhinata 71' written at Kolkata in 1986, the freedom fighter Bagha Kader Siddique mentioned about the attempt to unload Pakistani arms by Zia after the midnight of 25 March. It could be gathered from the writing of Bagha Siddique that the then Captain (later Colonel) Oli came to know after going to Zia's office that Zia had gone to unload Pakistani arms. Without losing any time, he then rushed out on his motorcycle to stop Zia. On being asked, Zia told him that he had to unload the arms as per the Pakistani Colonel Janjua's order. Captain Oli then aimed his rifle at Zia and said he would kill Zia if he did not change his course. After that, Zia was forced to change his direction out of fear for his life. That write-up by Bagha Siddique fully resembled what Major Rafiq Bir Uttam had written. The valiant freedom fighter Kader Siddique Bir Uttam had written on pages 435/436 of his book that Bangabandhu's declaration of independence was first broadcast from Chattogram radio station by Zahur Ahmad Chowdhury, M R Siddiqi, Abdul Hannan, M A Mannan, two adjutants of Ansar force, and a former DIG of police. It was later felt that if a military officer announced Bangabandhu's declaration, then it would carry more weight. Abdul Hannan then requested the army officers to do that. Bagha Kader Siddique wrote, "The military officers were being repeatedly told how important the appeal by military officers could be for the countrymen. Despite this clarification and request, there was no change of mood in Major Ziaur Rahman, who was a steadfast supporter of the Pakistani state and Pakistan army. Despite being the senior among Bangali officers, he raised serious objection to making any statement or appeal". Bagha Siddique further wrote, when Zia was not agreeing to deliver that speech, others said they could not find any reason for Zia's objection. "Zia agreed to broadcast the statement after pressure from Oli Ahmed and a few other

colleagues, this time as well" (page-436). It is quite natural to raise question about Zia's role in 1971 based on Bagha Siddique's writing, especially those words: "Despite this clarification and request, there was no change of mood in Major Ziaur Rahman, who was a steadfast supporter of the Pakistani state and Pakistan army".

After considering Zia's activities in 1971, especially his opposition to the Mujibnagar Government, and his activities that went contrary to the spirit of Bangladesh Liberation War after 15 August 1975, it is difficult to refute those who call him an intruder in the liberation war and a Pakistani spy. The Pakistani rulers had sent a number of military officers to the Bangladesh war-field as intruders, who wore the masks of liberation war. Especially mentionable among them were Major Jalil, and the murderers Faruque-Rashid. They appeared only a few days before the country's liberation in the guise of freedom fighters for the sake of upholding Pakistani interests through sabotaging the liberation war. Many participants in the liberation war claim that no bullets came out from Zia's gun during the war. Finding answer to one question is very difficult: the person who became mad to erase all spirit, features of the liberation war only three years after independence, how could that person be a freedom fighter three years earlier! How can this be believed? Two of Zia's close associates, Barrister Moudud Ahmed and Captain (Navy) Nurul Haque had also written in their books that Zia was pro-Pakistan; he became mad to install the opponents of liberation war in power. The name of Captain Nurul Haque's book was 'High Tide, High Time'.

By installing the infamous Razakar Shah Aziz as the prime minister, by inducting other Razakars in the cabinet, by providing the hated war-criminal Golam Azam (who was the convener of the East Pakistan recovery committee sometime ago) the opportunity to return to Bangladesh from Pakistan, by establishing many war-criminals socially, financially and politically, by freeing a thousand Razakars through ignoring the Collaborators' Act framed by Bangabandhu, by changing the name and features of the Suhrawardy Udyan where Bangabandhu had delivered his 7 March speech and the defeated Pakistani soldiers had surrendered, by awarding the Independence Award to a heinous war-criminal like the Pir of Sarshina, Zia certainly proved the fondness he harboured for Pakistan during the first hours of 26 March. This was narrated by Bagha Siddique in his book; Zia had never deviated from his anti-independence ideology. That implied, he was actually an anti-liberation war person who worked as a Pakistani spy in the guise of freedom fighter.

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