

# Atrocities against humanity during the liberation war in Bangladesh: a case of genocide<sup>1</sup>

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## Introduction

Human achievements during the twentieth century in terms of science and technology are indeed significant and laudable. Nevertheless, the past century was “the bloodiest century in human history” (Forsythe, 1997, p 114). Scholars consider the twentieth century as “an age of genocide” (Chalk and Jonassohn, 1990, p 22). This article is concerned with the atrocities against humanity performed by the West Pakistani rulers and army during the war of secession in Bangladesh (former East Pakistan). Many intellectuals and journalists (e.g. Harff, 1984, p 3, Jahan, 1995, p 371; Mascarenhas, 1971, p 118; Mia, 1974, p 32) consider these atrocities as genocide. However, it cannot always be termed as genocide, if we strictly follow the definitions given by authoritative scholars in this field. The principal aim here is to show that the massacre in Bangladesh (1971) was genocide, considered in terms of two criteria—“victim group” and “intent.” An acceptable definition of genocide should be liberal in terms of both criteria; it should include as victim group all kinds of recognizable groups. As for the intent, it need not necessarily be to annihilate physically the entire victim group; a group can be practically destroyed by killing its political elite and intellectuals. The vacuum created by these killings leaves for the victim group little or no chance of thriving as a distinct entity, with self-respect and high ambitions. National, racial or ethnic groups can be destroyed in a planned manner by selective mass killings, and this type of killing should be included under the term genocide (Bauer, 1984, p 213). On the basis of the above criteria, an acceptable definition of genocide would be a modified form of the definition given by the United Nations in the Genocide Convention (which now is embedded in international law). The definition given by the United Nations in 1949 runs as follows:

... genocide means any of the following acts committed with the intent to destroy, in whole or in part, a national, ethnical, racial, or religious group, as such:

- Killing members of the group; b. Causing serious bodily or mental harm to the members of the group; c. Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part; d. Imposing measures intended to

prevent births within the group; e. Forcibly transferring children of the group to another group. (Center for the Study of Human Rights, 1994, p 36)

This definition is considered by some as too narrow for not including social and political groups (Chalk, 1989, pp 150–151; 1994, p 48; Chalk and Jonasohn, 1990, p 11, Kuper, 1981, p 139). Modifying this definition by replacing “a national, ethnical, racial or religious group” with “any recognizable group which the perpetrator defines” will make the UN definition acceptable in terms of victim group and intent. Attempts have been made in this article to show—after discussing the historical background—that the incidents and the intent of the atrocities performed by the West Pakistanis in Bangladesh were genocidal in scope; that these atrocities against the Bengalis as a nation and against the Bengali Hindus as a religious minority can be termed genocide.

Systematic mass rapes can itself be “acts of genocide” rather than being only the “means of furthering genocide” (Smith, 1994, pp 32–33). Referring to Helen Fein, Smith states that systematic mass rapes “are acts of genocide in at least three ways” (using the UN definition): (1) “Causing ... serious bodily and mental harm,” (2) inflicting “upon the group conditions that will bring about its physical destruction,” and (3) by forced pregnancies and the extermination of males, the perpetrator interferes “with births within the group.” According to Smith, all these are intended ways of destroying the victim group, which combined, can be accomplished through mass rape (Smith, 1994, pp 32–33). Thus, systematic mass rape can be termed as a form of genocide. Niarchos (1995, p 651), referring to the 30,000 to 50,000 rapes in Bosnia, also considers mass rape as genocidal in scope.

The idea of “nation” as used here is well expressed in the definition of “nation” given by Johnson (1995, p 188)—“a society that occupies a particular territory and includes a sense of common identity, history and destiny.” The Bengalis in East Pakistan (including Muslims and Hindus) occupied a specific territory, had a distinct language, a certain way of life (Chakrabarty, 1974, p 116) and a shared feeling of common history, identity and destiny. Therefore, they definitely constituted a nation. It would be useful to mention here that the Hindus in East Pakistan did not constitute a nation, because, they did not occupy a particular territory.

## Historical background

Bangladesh has a long history of colonial rule. It fell under British rule in 1757, which continued until 1947. In that year, Bangladesh (then East Pakistan), as a province of Pakistan, gained independence, through the partition of India. The partition of India created two countries—India and Pakistan, the latter consisting of two units—East Pakistan and West Pakistan (present Pakistan). In undivided India, in the state of Bengal more than 90% spoke Bengali. The Bengalis belonged mainly to two religious groups—the Hindus and the Muslims. The east part of Bengal had a majority of Muslims, while the majority of the west was

composed of Hindus. A seed of hatred between the Hindus and the Muslims was embedded in the fact that Muslims took over power in Bengal by overthrowing a Hindu monarch in the fourteenth century. Moreover, during British rule, as a part of “divide and conquer” policy, this feeling was fostered. As a result, quite a few riots took place during British rule in which the Hindus and Muslims killed one another on a large scale.

It is in this context that Muhammad Ali Jinnah, the leader of the Muslim League in India (who is also considered the founding father of Pakistan), put forward his artificial “Two Nations Theory.” The two nations implied in the theory are the Hindus and the Muslims—the Hindus belonging to India and the Muslims to Pakistan (Bhatnagar, 1971, p 27). In 1940, Jinnah declared in a speech that “Islam and Hinduism are in fact different social orders, and it is only a dream that the Hindus and the Muslims can ever evolve a common nationality” (Bhatnagar, 1971, p 27). While this was the position of the Indian Muslim League, the other main political party of India, The Indian Congress, although wanting independence from the British, was in favor of an undivided India.

Fortunately or unfortunately, in 1947, at the end of British rule, India was divided on British insistence on the basis of the Two Nations Theory. Pakistan came into existence as a separate country, including East Bengal, a portion of Assam and tribal areas of Chittagong Hill Tracts going to East Pakistan (East Pakistan being considered a single province), and West Pakistan comprising of four provinces, Punjab, Baluchistan, Sind and the North-West Frontier (Kuper, 1981, p 76).

The birth of Pakistan was a result of deep ill feelings between the Hindus and the Muslims. The Pakistani leadership considered the Hindus as worshippers of idols. Since the Muslims worship only one invisible God (Allah), the leaders of the Muslim League insisted that Muslims should abandon all Hindu customs and traditions that were not compatible with Islamic ideology. After the partition of India, a large number of Hindus of East Bengal migrated to West Bengal (Williams, 1972, p 16) and a large number of Bengali Muslims and non-Bengali Muslims (known as Biharis, although not all of them came from Bihar), migrated to East Pakistan. The culture traits of the Biharis resembled the culture traits of the West Pakistanis. They were Urdu speaking (Kuper, 1981, p 77).

East and West Pakistan were separated from each other by more than 1,000 miles with distinct differences in language, cultural heritage, physical appearance and climate. The only common feature shared by the East and the West Pakistanis was their religion—more than 80% of both the populations were Muslims. In East Pakistan there remained, even after the migration phase, about 10–12,000,000 Hindus, among a total of 75,000,000, constituting a significant minority (Kuper, 1981, p 77). Since the Congress Party of India was against partition, and it was the party in power in India after partition, there existed ill feelings between India and Pakistan. The central leadership of Pakistan, dominated by the West Pakistanis (Gupta, 1974, p 180), always suspected India as being engaged in a conspiracy to disintegrate and weaken the position of

**Table 1.** Economic disparity at a glance

Item of disparity	East Pakistan	West Pakistan
Revenue expenditure	Rs. 1,500 Crore	Rs. 5,000 Crore
Development expenditure	Rs. 3,000 Crore	Rs. 6,000 Crore
Foreign aid	20%	80%
Imports	25%	75%
Central government service	15%	85%
Employment in armed forces	10%	90%
Price of rice per mound	Rs. 50	Rs. 25
Price of flour (wheat) per mound)	Rs. 30	Rs. 15
Mustard oil per seer	Rs. 05	Rs. 02.50
Gold per tola	Rs. 170	Rs. 135

Crore: 10,000,000 units; Rs.: Rupees (currency of Pakistan);

Mound: 40 seers; seer: approximately 1 kg;

Tola: 1/16th of a seer.

Pakistan (Costa, 1972, p 71). Consequently, the Hindus in East Pakistan were suspected as agents of India because India had the majority of Hindu Bengalis.

After the birth of Pakistan, the people of East Pakistan had high aspirations and hopes for the new state. However, from the very beginning of the emergence of the new country, the East Pakistanis faced discrimination by the West Pakistanis. Despite the fact that East Pakistan had only 15% of the total area of Pakistan (Sagar Publications, 1971, p 22), it was always the majority province, containing 75,000,000 people (whereas West Pakistan with four provinces contained 55,000,000 people; Kuper, 1981, p 77). The Bengalis had to protest, and quite a few of them had to die before Bengali became one of the state languages of Pakistan in 1956 (Gupta, 1974, p 41; Kuper, 1981, p 76).

### **Economic disparity**

The economic disparity created by the West Pakistanis was very severe. Although most of the foreign exchange of Pakistan was earned by exporting jute, which was only cultivated in East Pakistan, the per capita income of East Pakistan was far lower than that of West Pakistan and the difference grew higher as time passed. As a result, the per capita income of the West was 61% higher than that of the East in 1969–1970, whereas it was 32% higher in 1959–1960 (Sagar Publications, 1971, pp 25–26). In 1969, there were 271 colleges in West Pakistan, whereas there were only 40 in 1948. However, in East Pakistan there were only 162 colleges in 1969, whereas there were 50 in 1948. The increase of university scholars was 30 times that in the West, but only five times in the East (Ayoob and Subrahmanyam, 1972, p 35; Chowdhury, 1972, p 9). There was also a huge transfer of capital with negligible transfer of labor from East Pakistan to West Pakistan.

The following two tables taken from Gupta (1974, pp 180–181) point out the nature of economic disparity between the East and West Pakistan in 1970.

**Table 2.** Disparity in development expenditure

Plans for years	West Pakistan (Rupees in Crores)	East Pakistan (Rupees in Crores)
1950/51–1954/55	1,129	231
1954/55–1959/60	1,655	524
1960/61–1964/65	3,355	1,404
1964/65–1969/70	5,915	2,141
Sind development	1,500	
Total	12,834	4,300

Crore: 10,000,000 units.

Official statistics released by Bangladesh Government at Mujibnagar as quoted by Gupta (1974, p 183).

Disparity regarding industrial development was also acute in 1947; there were only nine textile mills in West Pakistan, whereas there were 11 in East Pakistan. In 1971, West Pakistan had as many as 150 mills, but there were only 26 in East Pakistan. The West Pakistanis actually made East Pakistan a protected market to sell their high priced products that could not compete in the world market (Gupta, 1974, p 183).

### Political deprivation

Being the majority, the Bengalis had the right to have a share of power at the federal level. However, as power was concentrated within “a small civil and bureaucratic elite,” the Bengali did not have much representation in it (Jahan, 1995, p 373).

Referring to these facts, the Awami League (the most popular party in East Pakistan) organized a movement for autonomy in the province, and in 1966 its leader, Sheikh Mujibur Rahman, came up with a six-point demand, which was the most important factor for the events that followed. The six points included:

- (1) The character of the government shall be federal and parliamentary ...
- (2) The federal government shall be responsible only for defense and foreign affairs, and subject to the conditions provided in [the next point] ...
- (3) There shall be two separate currencies mutually or freely convertible in each wing for each region, or in the alternative, a single currency subject to the establishment of a Federal Reserve System in which there will be regional federal reserve banks ...
- (4) Fiscal policy shall be the responsibility of the federating units. The federal government shall be provided with requisite revenue resources for meeting the requirements of defense and foreign affairs ...
- (5) Constitutional provisions shall be made to enable separate accounts to be maintained of the foreign exchange earnings of each of the federating units, under the control of the respective governments of the federating units ...
- (6) The government of the federating units shall be empowered to maintain a militia or paramilitary force in order to contribute effectively towards national security. (Mascarenhas, 1971, Appendix 1, pp 149–150)

The six-point demand was actually a prescription for having plural states “in diluted form as the only means of preserving the Pakistan entity” (Mascarenhas,

1971, p 14) and was in fact a direct threat to the interests of the West Pakistani rulers. While Sheikh Mujib became more and more popular in East Pakistan because of this six-point formula, the then military “President Ayub Khan threatened the autonomists with the language of weapons.” Soon after issuing the six points, Mujib, along with three other leaders of “the Awami League were arrested under the Defense of Pakistan Rules” (Ayoob and Subrahmanyam, 1972, p 68).

With the six-point demand as its manifesto, the Awami League won 167 out of 169 seats in the East and became the majority party in Pakistan in the General Election held in 1970 (Bhattacharjee, 1972, p 292). This result was quite unexpected and unacceptable to the leaders in West Pakistan (Mascarenhas, 1971, pp 58–59). Although Sheikh Mujib repeatedly announced that no harm to sovereignty or the Islamic character of Pakistan would be made, the leadership spread the word “that the unity of the country was in danger” (Mascarenhas, 1971, p 66). Therefore, instead of handing over power to the Awami League, the then President Yahia Khan “postponed the convening of the National Assembly, *sine die*” (Kuper, 1981, p 78). However, talks between Sheikh Mujib and the West Pakistanis continued, during which the central government was gathering West Pakistani troops in East Pakistan. On the night of the March 25, 1971, the West Pakistani Armed Battalion engaged in indiscriminate mass killing in different parts of Dhaka. This was called “Operation Searchlight,” the objective of which was to “neutralize” the Awami League of its political power. In order to achieve this objective, the Army had to (1) capture the leadership of the Awami League, (2) neutralize the student leaders and cultural organizations, which mobilized the renaissance of Bengali nationalism, and (3) disarm the Bengali armed men (Sission and Rose, 1990, pp 157–158). From the huge Hotel Intercontinental, reporters saw the city in flames. They were made to stay inside by heavily armed soldiers (Payne, 1973, p 21). Over 15,000 people were killed “between March 25 and 26” in the city of Dhaka alone (Chaudhury, 1972, p 21; before 1982 “Dhaka” was spelled “Dacca”).

In response to the crackdown, the independence of Bangladesh was declared on March 26, 1971 (Chaudhury, 1972, p 36; Jahan, 1995, p 375), triggering off a civil war. In the cities and in the towns, resistance was organized almost spontaneously. “The Awami League politicians, Bengali civil administration, police, army, students and intellectuals constituted the leadership of the resistance” (Jahan, 1995, p 378). On April 17, 1971, a government of Bangladesh in exile was formed, which undertook campaigns to gain support from the international community. The government also arranged, with the help of India, to train 100,000 young men as freedom fighters who began to take part in guerrilla attacks within Bangladesh (Jahan, 1995, p 378).

As suspected by the West Pakistanis, India, from the very start, supported the idea of an independent Bangladesh. It offered refuge to the Hindus and the Muslims of East Pakistan who fled there to save themselves from the atrocities of the West Pakistanis. The then Prime Minister of India, Mrs. Indira Gandhi, also helped the Bangladesh government in getting international support for the

cause of Bangladesh (Chakravarty, 1974, p 149). The freedom fighters (Mukti Bahini) fought the Pakistani Army, preparing the ground for Indian soldiers to intervene on December 3, 1971. After only a 14-day war, the Pakistani Army was forced to surrender, on December 16, 1971, when Bangladesh became independent (Mankeker, 1972, p 73).

The principal characteristics of the massacre in Bangladesh, as described by the International Commission of Jurists, are as follows:

[T]he indiscriminate killing of civilians, including women and children and the poorest and weakest members of the community; the attempt to exterminate or drive out of the country a large part of the Hindu population; the arrest, torture and killing of Awami League activists, students, professionals and businessmen and other potential leaders among the Bengalis; the raping of women; the destruction of villages and towns; and the looting of property. All this was done on a scale which is difficult to comprehend. (quoted by Kuper, 1981, pp 78–79)

During the nine-month period of massacre, one to three million people had been killed (Chaudhury, 1972, p 22) and 200,000 women were raped (Brown-miller, 1975, p 79) causing 25,000 pregnancies (Smith, 1994, p 3). In addition, around one million people took shelter in India as refugees, facing extreme hardships (Kuper, 1981 p 79; Sagar Publications, 1971, p 73). During the war, the Urdu speaking Biharis joined the West Pakistanis in killing the Bengalis (see eyewitness accounts in Jahan, 1995, pp 401–402). The Awami League supporters also engaged in killing the West Pakistanis and Biharis in East Pakistan (see Williams, 1972, pp 127–140). A white paper issued by the Pakistani government shows that the Awami League had massacred at least 30,000 Biharis and West Pakistanis (Williams, 1972, pp 131–140).

### **The main targets**

Although the army of West Pakistan killed and burned indiscriminately in order to terrorize all the people, they had some specific targets (Jahan, 1995, p 378; Mascarenhas, 1971, pp 117–118; Payne, 1973, p 20). According to Mascarenhas, the following were the main targets. (1) The Bengali military men who were in “the East Bengal Regiment, the East Pakistan Rifles, police and paramilitary Ansars and Mujahids.” The obvious reason for them to be targeted is that they were the only available trained groups that could resist the army of West Pakistan (Mascarenhas, 1971, p 117). (2) The Hindus (because they were considered by the West Pakistanis as the “subverts of Islam and agents of India,” the country which was engineering the movement of autonomy to force the disintegration of Pakistan; Costa, 1972, p 56). Moreover, with the extinction of Hindus in East Pakistan it would be easier to get rid of the Hindu cultural traits still practiced by the Bengali Muslims. (3) “The Awami Leaguers—all office bearers and volunteers down to the lowest rank in the chain of command” (Mascarenhas, 1971, p 117). This was the party which, after winning overwhelmingly in the 1970 elections, duly demanded transfer of power, which

would have ended West Pakistani domination. Therefore, people belonging to this party were to be crushed. (4) Students of colleges and universities who played a significant role in anti-government movements. And (5) Bengali intellectuals: intellectuals were thought to be the ones who guided the independence movement.

The atrocities committed against the Bengalis had a feature of “a systematic policy of rape,” in order to humiliate and dominate them. Both Hindu and Muslim women, after being taken by force from their houses, were raped repeatedly, either individually or in groups. Some women were brought into military camps to be used as sexual objects (Smith, 1994, p 3). Often women were raped in the presence of their families (Jahan, 1995, p 379). In order to save themselves from shame, some of the raped women chose to commit suicide (Smith, 1994, p 3).

Planned and calculated killing of intellectuals throughout the nine months of atrocity, and especially just before the surrender of West Pakistan, is another feature of the massacre in Bangladesh. Some of the intellectuals who were killed had nothing to do with politics, and did not pose a direct threat to the Pakistani rulers. During the period of December 12, 13 and 14, 1971, many reputable, honored and influential professionals (doctors, engineers, civil servants, etc.) and intellectuals (teachers, etc.) of all cities and towns of Bangladesh were murdered in cold blood after being picked up from their houses. Nearly 80% of the intellectuals of Dhaka were murdered (Bhatnagar, 1971, p 132).

In the killing of intellectuals, vigilante and regular groups—Al-Badr and Al-Shams—who were Bengali collaborators recruited by the Pakistani Army—played an important role. Most of those collaborators belonged to the political parties—Jamaat-e-Islami and the Muslim League (Jahan, 1995, p 382, Mia, 1974, p 31), who were convinced by the West Pakistanis that as pure Muslims they had a duty to save the integrity of the largest Muslim country (Pakistan) and destroy those who were enemies of Islam. Considering the victim intellectuals and professionals (most of whom were noted for their leftist and progressive views; Chaudhury, 1972, p 196) enemies of Islam, the collaborators executed the plan of the West Pakistani leadership to destroy the intellectuals and professionals of the Bengali nation—who made up the cream of the society. The intention of killing the intellectuals was to leave the nation without intellectual guidance (Jahan, 1995, p 382). “Major General Rao Forman Ali, the advisor to the Martial Law Administrator” (Jahan, 1995, p 380) of East Pakistan, who was in charge of “the planned and cold-blooded elimination of intellectuals,” said, “if we have to leave the country, let’s make it as difficult as possible for the Bengalis” (Chaudhury, 1972, pp 193–194). Indeed a nation can be virtually destroyed by killing its elite, for it makes the job of developing the nation next to impossible.

### **The intent**

The principal motive of the West Pakistani leadership was to suppress the Bengalis in such a way that they could continue their domination for a prolonged

period of time. The West Pakistani leadership wanted to teach the Bengalis a lesson, so that they could not rise again to demand democracy and autonomy (Tripathy, 1972, pp 31–32). The “Commander in Charge of the Dhaka operations reportedly claimed that he would kill four million men in forty eight hours and thus have a ‘final solution’ of the Bengal problem” (Jahan, 1995, p 376). The Pakistani military junta wanted to “reduce the majority into a minority” (Sethi, 1972, p 28, as quoted by Chalk and Jonassohn, 1990) and did not want to leave any chance of secessionist activity.

“Elements of racism” also played a significant role in the genocide (Jahan, 1995, p 377). General Ayub Khan, the decade long ruler of Pakistan wrote: “East Bengalis ... probably belong to the very original Indian races, ... they have been and still are under considerable Hindu cultural and linguistic influence. They have all the inhibitions of downtrodden races” (as quoted by Jahan, 1995, p 337). Having these ideas and beliefs in mind, the West Pakistanis did not want to be governed by the Bengalis. But if they were to act according to the results of the 1970 election, it would require them to call Sheikh Mujibur Rahman to form the central government. This was not acceptable to the West Pakistanis, so they were determined to crush the Bengalis, so that they could never come to power.

As mentioned earlier, Bengali language and culture, according to the West Pakistani belief was essentially Hindu in character. Therefore, “to cleanse the Bengali Muslims of Hindu cultural linguistic influence,” the West Pakistanis decided to undertake a genocidal policy (Jahan, 1995, p 337). The West Pakistanis wanted to purify the Muslim Bengalis in East Pakistan by making them abandon Bengali cultural traits, especially those which resembled Hindu cultural traits. They used the political situation, targeted the Hindu population, either killed them or drove them away and created a reign of terror among the Muslims, so that these would comply with the directions given by the West Pakistanis to make them “pure” Muslims.

### **Analysis of the massacres according to different definitions of genocide**

If the Bangladesh massacre is analyzed on the basis of the acceptable definition put forward in the introduction, the atrocities can be called genocide from the point of view of the Bengali nation as the victim group. From the discussion on the historical background, it is clear that there was the intent to destroy the Bengalis as a nation, at least in part. To achieve this end, the perpetrators killed and tortured people and raped women, causing serious mental and/or bodily harm. Considering the Hindus as the primary victim group, the massacre in Bangladesh can also be called genocide. The Hindus were a minority group, the destruction of which was intended by the perpetrators. Taking the 200,000 cases of rape and 25,000 forced pregnancies into account during the nine months of atrocities in Bangladesh, it can surely be called genocide against the Bengali nation as a whole on the basis of the incidents of rape alone.

What follows shows how the rigidity of the definitions given by six authoritative thinkers in the study of genocide would lead one not to identify the

Bangladesh incident as genocide *per se*, either in terms of the Bengali nation or the Hindus as the victim group, or in terms of both.

### *Lemkin's definition*

Raphael Lemkin first coined the word “genocide” in 1944, combining Greek “genos,” meaning race or tribe, with “cide,” meaning “killing.” His definition of the concept is:

... the coordinated plan of different actions aiming at the destruction of essential foundations of life of national groups with the aim of annihilating the groups themselves. The objectives of such a plan would be the disintegration of the political and social institutions of culture, language, national feelings, religion, economic existence of national groups and the destruction of the personal security, liberty, health, dignity, and even the lives of the individuals belonging to the national group as an entity, and the actions involved are directed against individuals, not in their individual capacity, but as members of the national group. (Lemkin, 1982, p 317)

Lemkin's definition is inflexible in terms of both victim group and intent by including only national groups and the restrictive phrase “the aim of annihilating the groups themselves.” Under this definition, the massacre in Bangladesh cannot be called a “genocide” in terms of the Bengali nation. The intention of the West Pakistani rulers was not to annihilate the whole nation, but only a part. The Bangladesh massacre cannot be called genocide against the Hindus either, according to this definition, as the Hindu did not fulfill the conditions of being classified as a nation.

### *Dadrian's definition*

Dadrian defines genocide as the following:

Genocide is the successful attempt by a dominant group, vested with formal authority and/or with preponderant access to the overall resources of power to reduce by coercion or lethal violence the number of a minority group whose ultimate extermination is held desirable and useful and whose respective vulnerability is a major factor contributing to the decision for genocide. (Dadrian, 1975, p 201)

Dadrian's definition is a little rigid in terms of the victim group, as it includes only minority groups as the probable victim groups of genocide. It is also rigid in terms of intent as it mentions that the ultimate extermination of the victim group has to be held desirable and useful by the perpetrator. Taking the Bengali nation as the victim group, the atrocities in Bangladesh cannot be considered as genocide using Dadrian's definition, because the Bengalis were not a minority group, and their ultimate destruction was not held desirable or useful by the West Pakistanis. Taking the Hindu as the victim group, the acts of the West Pakistanis can be called genocide according to Dadrian's definition, because the Hindus were a minority group with respective vulnerability, the destruction of whom was desired by the perpetrator.

*Porter's definition*

Jack Nusan Porter defines “genocide” in the following way:

Genocide is the deliberate destruction, in whole or in part, by a government or its agents, of a racial, sexual, religious, tribal or political minority. It can involve not only mass murder, but also starvation, forced deportation, and political, economic and biological subjugation. Genocide involves three major components: ideology, technology, and bureaucracy/organization. (Porter, 1982, p 14)

Porter makes it clear that “the definition of genocide during wartime must include the intent to annihilate an entire people, race, or tribe and not simply to exterminate the political leadership.” However, even during a war, the intent to destroy a group can be found, in spite of not having the evidence of the aim to annihilate all the members. For example, the killing of the intellectuals, businessmen, professionals, etc. (who constitute the elite of the victim group), or the destruction of the economic base of the group can bring about the destruction of the total group. If there is evidence that this is the aim of the perpetrator, the incident should be termed genocidal. Porter’s definition in terms of victim groups is rigid, because it does not include national groups. Moreover, it requires the victim group to be a minority. In terms of intent it is liberal in general, but it becomes rigid for cases of war.

As Porter’s definition mentions the victim group as a minority, the Bangladesh massacre in terms of the Bengali nation as the victim group cannot be called genocide (as the Bengali nation was not a minority, but the majority) under this definition. Moreover, as a civil war (which can be defined as “[a] fratricidal conflict between military forces of the same state or political entity”; Shafritz *et al.*, 1993, p 146) was going on at the time of the atrocities, there had to be the intent to annihilate the entire victim group. But the West Pakistanis did not have that intent against the Bengalis as a nation. It is interesting to see, however, that Porter includes the massacres in East Pakistan against the Bengali nation in his anthology of genocide (see Jahan, 1982, pp 256–257). Taking the Hindus as the victim group, following Porter’s definition we can certainly consider the atrocities in Bangladesh a genocide. It fulfills all the required conditions.

The ideology to destroy the Bengali nation was that they were descendants of aboriginal Indian tribes. They do not deserve to rule but only to be ruled. Therefore, they were to be crushed in such a way that they could never again demand the fruits of election victory. The Hindus as the victims had the double negative characteristics—they were Bengalis and they were Hindus, who were considered enemies of Islam and agents of India. So, they had to be exterminated. Technology and bureaucracy were the same for both the victim groups—the Pakistani Army used tanks, rifles, machine guns, bayonets, mortars and fighter planes to destroy their victim groups.

*Definition of Chalk and Jonassohn*

Chalk and Jonassohn (1990, p 23) define the term genocide as follows:

Genocide is a form of one-sided mass killing in which a state or other authority intends to destroy a group as that group and membership in it are defined by the perpetrator.

In their discussion, Chalk and Jonassohn emphasize the intent of killing each and every member of the victim group. To them, any case that is characterized as having any lesser aim by the perpetrator should be excluded from the category of genocide. They also mention that in order for a mass killing to be termed as genocide, the victim group should possess the feature having “no organized machinery that might be opposed to that of the perpetrator” (Chalk and Jonassohn, 1990, p 24). Moreover, these scholars make it clear that the perpetrator must be “a state or other authority.” For those cases of mass killing which do not comply with the condition of the intent to annihilate the entire victim group but comply with all the other conditions, Chalk and Jonassohn use the term “genocidal massacre” (p 26).

Chalk and Jonassohn’s ideas of genocide are very liberal from the point of view of the victim group, however, very rigid in terms of intent. Although Chalk and Jonassohn consider the atrocities in Bangladesh as genocide and include it in their book as a case study of genocide against the Bengali people, it cannot be called genocide if we strictly follow their definition (and the discussion on their definition). As mentioned earlier, there was a civil war going on in Bangladesh, and as such, the Bengali freedom fighters had some organized machinery to strike back at the Pakistanis. As a result, it did not possess the characteristic of “one-sidedness” on the part of the perpetrator. Moreover, the intent of the perpetrator to kill each and every single member of the victim group was also missing. Because of the lack of “one-sidedness,” the massacre against Bengalis as a nation cannot be called “genocidal massacre” either. However, with the Hindus as the victim group, the massacre in Bangladesh does fall under the term “genocide.” The Hindus were a minority religious group, the physical annihilation of whom was intended by the state authorities.

### *Bauer’s definition*

Yehuda Bauer (1984) distinguishes between the attempt to kill each and every single person of the victim group, which he calls “holocaust,” and the term “genocide,” which he defines as:

... the planned destruction, since the mid-nineteenth century, of a racial, national, or ethnic group as such, by the following means: (a) selective mass murder of elites or parts of the population; (b) elimination of national (racial or ethnic) culture and religious life, with the intent of “denationalization”; (c) enslavement, with the same intent; (d) destruction of national (racial, ethnic) economic life, with the same intent; (e) biological decimation through kidnapping of children, or the prevention of normal family life, with the same intent. (Bauer, 1984, p 213)

Bauer’s definition is rigid in terms of victim groups for including only racial, national and ethnic groups but liberal in terms of intent. On the basis of Bauer’s

definition, having the Bengali nation as the victim group, the massacre in Bangladesh can be called a genocide, but not in case of the Hindus as the victim group, because this definition does not include religious groups in it.

### *Horowitz's definition*

Perhaps, the simplest definition of genocide is the one given by Irving Lewis Horowitz. According to him, genocide is “a structural and systematic destruction of innocent people by a state bureaucratic apparatus.” Horowitz holds that, for sociological analysis, two points have to be subsumed under the heading of genocide. “[F]irst: genocide represents a systematic effort over time to liquidate a national population, usually a minority; second, it functions as a fundamental political policy to assure conformity and participation of the citizenry” (Horowitz, 1976, p 18). Horowitz mentions, however, that exceptions to both the points can be found.

Horowitz's definition, without considering the two sociological points, is liberal both in terms of victim group and in terms of intent. However, the sociological points make it rigid in terms of both the criteria—as the points only include national groups, and have the intent of liquidating a national group over time.

On the basis of the simple definition given by Horowitz, without taking into account the two sociological points, the Bangladesh massacre can be called a genocide, as far as it concerns any of the victim groups being analyzed here. However, if the condition “systematic effort over time to liquidate a national population” (Horowitz, 1976, p 18) is taken into account, the Bangladesh massacres cannot be called a genocide, either in terms of the Hindu or the Bengali nation as the victim group because the Hindus did not constitute a national group and the perpetrator did not have the systematic goal to annihilate the whole national group of the Bengalis in East Pakistan in mind.

### *Fein's definition and paradigm*

Helen Fein has offered a sociological definition of genocide, which is:

... sustained purposeful action by the perpetrator to physically destroy a collectivity directly or indirectly, through interdiction of the biological and social reproduction of group members, sustained regardless of the surrender, or lack of threat offered by the victims. (Fein, 1993, p 24)

Fein's definition is liberal in terms of victim groups as she uses the words “any collectivity,” but it is rigid in terms if intent for mentioning that the action of the perpetrator has to be toward the physical destruction of the victim group. Fein has proposed “a paradigm for detecting and tracing genocide.” According to her, five necessary conditions are to be found in an act of genocide:

1. “There was sustained attacks or continuity of attacks by the perpetrator to physically destroy the group members” (Fein, 1993, p 25): the Bengali nation

as the victim group does not satisfy this condition. However, there existed such an attempt against the Hindus.

2. "The perpetrator was a collective or organized actor or commander of organized actors" (Fein, 1993, p 25): the perpetrator of the Bangladesh massacre was indeed organized because the West Pakistanis, the Biharis and some Bengali collaborators carried out the whole massacre under orders from the prevailing military government at that time.
3. "Victims were selected because they were members of a collectivity" (Fein, 1993, p 26): the victims in Bangladesh were selected for being Bengali, especially Hindu Bengali.
4. "Victims were defenseless or were killed regardless of whether they surrendered or resisted." Most of the Bengali victims were defenseless. But there is evidence that not all those who fought with arms but had to surrender were killed. Some men were taken as prisoners, suffered torture but gained freedom after independence (Chaudhury, 1972, pp 42–47). However, the Hindus were not likely to be so lucky. We can assume this from the massacre in Jagannath Hall (a dormitory of Dhaka University where Hindu students resided), as narrated by Kali Ranjansheel, in which unarmed Hindu students were murdered indiscriminately (see "Eyewitness accounts," Jahan, 1995, pp 390–393).
5. "The destruction of the group members was undertaken with the intent to kill and murder was sanctioned by the perpetrator" (Fein, 1993, p 26): the destruction of the group members in Bangladesh was undoubtedly sanctioned by the perpetrator, as Mascarenhas states, "the cold-blooded genocide" was undertaken by the government (Mascarenhas, 1971, p 118).

From the discussion above, it is clear that on the basis of Helen Fein's definition and paradigm, the atrocities in Bangladesh cannot be called a genocide from the point of view of the Bengali nation as the victim group. But taking the Hindus as the victim group, those atrocities can be called genocide. Helen Fein herself mentions the massacre of the Hindus as genocide in her article on "The prevention of genocide" (see Fein, 1982, p 269).

In Table 3, we can see the rigidity and liberality of the definitions in a nutshell.

Table 4 shows whether the massacres in Bangladesh can be called genocide in terms of the Bengali nation and the Hindu Bengalis of East Pakistan as the victim group under the discussed definitions. Under most of the definitions (Dadrian's, Porter's, Chalk and Jonassohn's), with the Hindus as the victim group, the massacres in Bangladesh can be considered as genocide. As the Hindus did not constitute a separate nation, or a racial or ethnic group in East Pakistan, the atrocities against them cannot be called a "genocide" following the definitions given by Lemkin, Horowitz, and Bauer. However, if we take the Bengali nation as the victim group, atrocities in Bangladesh can be considered as "genocide" only under Bauer's definition. The main condition of the other definitions, which it fails to fulfill, is the intent to destroy the all members of the

**Table 3.** Rigidity and liberality of definitions

Definitions	In terms of victim groups	In terms of intent
Lemkin	Rigid	Rigid
Dadrian	Rigid	Rigid
Porter	Rigid	Liberal (but rigid for cases of war)
Chalk and Jonassohn	Liberal	Rigid
Bauer	Rigid	Liberal
Horowitz	Rigid	Rigid
Fein	Liberal	Rigid

**Table 4.** Whether the Bangladesh massacre is genocide or not (under different definitions)

Definitions	In terms of the Bengali nation as the victims	In terms of the Bengali Hindus as the victims
Lemkin	No	No
Dadrian	No	Yes
Porter	No	Yes
Chalk and Jonassohn	No	Yes
Bauer	Yes	No
Horowitz	No	No
Fein	No	Yes

victim group physically. For Chalk and Jonassohn's definition, it also falls short of the characteristic of "one-sidedness."

The International Commission of Jurists was of the opinion that there was a strong "*prima facie*" evidence of genocide against the Hindus, but regarding the killings of the Biharis by the Bengalis, the commission could not find any conscious intent (Kuper, 1981, pp 79–80).

## Conclusion

In this article, an acceptable definition of genocide has been proposed by revising the UN definition, which includes as victim group "any recognizable group which the perpetrator defines," and requires the "intent to destroy the victim group either fully or in part." Judging on the basis of this definition, the massacre in Bangladesh can be called genocide in terms of the Bengali nation and the Hindu Bengalis as the victim group. It can also be called genocide on the basis of the systematic mass rape carried out by the West Pakistanis. The discussion on the different definitions show how the obvious attempt of the West Pakistanis to destroy the Hindu Bengalis and the Bengali nation can escape from being termed as genocide because of their rigidity in terms of victim group and intent. The analysis also shows that, although some of the definers (e.g. Porter

and Chalk and Jonassohn) agree in practice that the massacre in Bangladesh was genocide against the Bengali people, strict application of their definitions does not allow us to do so. Here, we find contradiction between theory and practice.

The author is aware of the fact that a civil war was taking place in Bangladesh during the time when the atrocities took place. The special features which make these atrocities (even within a civil war) a genocide against the Bengali nation are as follows: the intent to turn a “majority into a minority,” the indiscriminate killing, looting and emptying of villages of their populations, selected killing of the intellectuals and the systematic mass rape. The targeting of the Hindus while carrying out the massacre proves that these killings were not mere casualties of war, but genocide against the Hindus. Thus it is clear that, in spite of the fact that a civil war was going on in Bangladesh during the time of the massacre, the West Pakistanis actually attempted to carry out genocide against the Hindus and against the Bengalis (in East Pakistan) as a nation.

The atrocities in Bangladesh took place 30 years ago. It was definitely desired by all that no such blood bath should be allowed to take place again anywhere in the world. Instead, we have had to observe several similar mass killings in Cambodia, East Timor, Brazil, Bosnia and Rwanda. Will these atrocities never stop? Human rights activists, along with leading countries of the world, the United Nations, regional organizations and conscious citizenry will have to reach consensus regarding effective ways of preventing these atrocities. Otherwise, humans certainly would have nothing to boast about their humanity—their claim to being the most superior species on Earth.

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