

THE GREAT TRAGEDY

By: ZULFIKAR ALI BHUTTO



REPRODUCED BY:

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INTRODUCTION

I am reproducing this book put the record straight, unfortunately many people without knowing the facts blame Bhutto for breaking up Pakistan. Bhutto wrote this book in August 1971 and it was first published in the September 1971 and a second edition was published a month later. At that time General Yahya Khan was in power and there was full scale civil war going on in East Pakistan. In December three months after Bhutto wrote these facts Pakistan lost East Pakistan which became an independent country named Bangladesh. There are different reasons including Indian conspiracy with the help of Sheikh Mujibur-Rahman and plunder of West Pakistani army, businessman, and politicians who took advantage of the resources of East Pakistan for their own prosperity which caused the people of East Pakistan to revolt against West Pakistan.

Bengalis opted for Pakistan on 20th June 1946 through vote in the favor of Pakistan in Bengal Legislative Assembly; the Hindu MLA's did not favor the idea and opted for division of Bengal. Later West Bengal became part of India and East Bengal became part of Pakistan. These people who gave half of their country for Pakistan were labeled traitors when they spoke against imposition of Urdu as national language. Here are few examples how the Bengalis were financially deprived and taken advantage of.

REGION WISE EXPORTS			
(In million rupees)			
Year	West	East	East Pakistan's Share in Total Exports
1960-61	540	1,259	70%
1961-62	543	1,301	70%
1962-63	998	1,249	55%
1963-64	1,070	1,224	54%
1964-65	1,140	1,268	53%
1965-66	1,204	1,514	55%
1966-67	1,297	1,565	55%
1967-68	1,645	1,480	47%
Total	8,437	10,860	

These are the number of exports for both parts of the country; East Pakistan was contributing more in terms of export rupees for the center then West Pakistan.

REGIONAL DISTRIBUTION OF SANCTIONS UNDER COMPREHENSIVE INDUSTRIAL INVESTMENT SCHEDULE					
(In million rupees)				% of Distribution	
Year	West	East	Total	West	East
1965-66 to 1967-68 (Total)	3,118	1,113	4,231	74%	26%
Total Provision in the Schedule	5,861	5,024	109	54%	46%

They were only getting 26% from the allocated budget of 46%. Leave alone that they deserved more than 46%. East Pakistan's population was more than combined four provinces of West Pakistan.

No one individual, person or act can be blamed for the dismemberment of the country. It was the tragic result of a cumulative effect of inept leadership and incorrect domestic and external policies over the years which brought the nation to the brink of disaster. A faulty decision in 1971 pushed it over the precipice.

Unfortunately the founding fathers did not realize the impact of the unique nature of Pakistan's geography. To a set of wiser men it should have become evident that East Pakistan, 1,600 kilometers away with peninsular India in between jutting menacingly into the Indian Ocean, required a special political and economic dispensation.

The inability of the first Constituent Assembly to arrive at a consensus on the sharing of political power between the two wings sowed the seeds of discontent suspicion and bitterness between the East the West. For nine long years they quarreled over the quantum of authority each should wield in the parliament. When they did finally come to an agreement it was torpedoed by unconstitutional means which added to the animosity of the Bengalis against the West Pakistanis in general and the army in particular.

The abolition of the 1956 Constitution removed the only plank on which the weakening edifice was standing. The 1962 Constitution which ushered in an era of controlled democracy only satisfied psychopaths of the Field Marshal. East Pakistan began to simmer from within as it was being denied its rightful place in the corridors of power.

The replacement of an unrepresentative government by a second martial law increased the temperature mounting under the steamy surface of East Pakistan. The expectations of the Bengalis had been aroused. They were looking forward to handling real power for the first time. Suddenly Yahya pulled the carpet from under their feet letting loose a flood of resentment which he could not control.

Pakistan's foreign policy has been dictated by its security concerns. The presence of a powerful and unfriendly neighbor forced the Pakistani leadership in the 50s to join the anti-communist military pacts. The military alliance with the United State no doubt strengthened the armed forces but it pushed India into the lap of the Soviet Union and turned a superpower next door against Pakistan.

East Pakistan crisis, in spite of the US Congress and the US media being totally pro-India. The secret visit of Doctor Henry Kissinger from Islamabad to Peking in July, 1971, which was a fore-runner of Nixon's trip to the Chinese capital, turned USSR further against Pakistan. In retaliation to Pakistan's mediatory role Podgorny willingly signed the Indo-Soviet Treaty in August, 1971. This gave the green signal to Mrs. Gandhi to go ahead with her plans of a military invasion of East Pakistan as a possible threat from across the Himalayas had been neutralized.

Pakistan government's instructions to its permanent representative at the United Nations not to take up the issue of India's military intervention in East Pakistan in November, 1971 lost the opportunity for the world community to declare India as the aggressor. Ironically due to the failure of Islamabad to strike when the iron was hot it was Pakistan that was blamed for starting the war.

There was genuine feeling of economic deprivation of the people of East Pakistan against the economic planners at the Centre. Not examining this issue sincerely gave more than adequate ammunition to the Awami Leaguers to blow the Unity of Pakistan into bits.

The demeaning attitude of the West Pakistanis towards their Bengali brethren cannot be glossed over. The misconception that they were lesser Muslims because culturally they were different led to wrong conclusions that they needed purification. It is unfortunate that the color of the skin, dress, dietary conditions and cultural values were equated with loyalty to one's country. This attitude encouraged patriotic Pakistanis (Bengalis) to look for a separate country where their rights and respect is secure.

Zulfikar Ali Bhutto, while Pakistan's foreign minister in 1966, charged India for encouraging secessionist tendencies in East Pakistan. Speaking to the national assembly of Pakistan on 3 June, 1966, he stated: "India felt that it could liquidate the truncated Pakistan and that East Pakistan was particularly vulnerable where forces of disruption and subversion were let loose." He was not too far wrong.

In July, 1966, a Bengali citizen of East Pakistan contacted Lieutenant Colonel Muhammad Amir Khan, head of the counter intelligence section of the inter services intelligence (ISI) directorate of Pakistan, and informed him that an organization had been created in East Bengal to work for the separation of their 'homeland' from Pakistan. He revealed that Mujibur-Rahman and Lieutenant Commander Muazzam Hussein (Pakistan Navy) were the key figures in the newly created set up. Others whom he named, who according to him supported the idea was the Bengali speaker of the national assembly Fazalul Haq Choudhry and Major Rauf, of the ISI detachment in Dacca. Colonel Amir continued to make more trips to East Pakistan and succeeded in taping conversations between the alleged secessionists which showed that there were plans to support a move towards separation. Frequent meetings with the in Indian high commission officials and their crossing over to the Indian town of Agartala, just, across the eastern border between India and East Pakistan, was also noted. Sheikh Mujib and the Indians admitted, after the creation of Bangladesh, that he (Mujib) and other Bengali leaders had contacts with Indian diplomatic and intelligence circles. This scheme of dividing the country was going on from 1966.

To examine the facts one should also read the Agartala Conspiracy and Hamood-ur-Ranman Commission report. When Bhutto wrote this book all the actors were alive, some of them were even in power. No one ever contradicted his statements. Read it for yourself and be the judge on who to blame for the breakup of Pakistan.

Sani Panhwar
Los Angeles

PREFACE

The year 1971 has witnessed a great tragedy in Pakistan. The crisis which has engulfed our country did not come without warning. In the Preface to my book *The Myth of Independence* written in November 1967 I said: "I confess that this book has been written in haste, in circumstances over which I had no control, in a race against time which is dragging Pakistan, with giant strides, to the cross roads whence all ways but one lead to destruction." Less than four years later here we are at the crossroads.

In this narrative I have tried to record my personal impressions of the crisis into which Pakistan has been plunged, and the role of the Pakistan People's Party. I have touched on the past and the future only in so far as they can help us to a better understanding of the present.

My reflections were set down in early May and were initially intended merely as private notes; but as conditions deteriorated I thought it my duty to tell our people how Pakistan became involved in this dreadful situation. In part, my narrative has already been overtaken by important events. Many new developments have taken place which affect Pakistan. These are not dealt with here, although their implications are relevant to the solution of the crisis. However, in the interests of finding this solution, and owing to the limitations inherent in the present situation, I have exercised restraint and reserved comment on certain matters. Nevertheless, these developments need to be noted: on the 28th of June, President Yahya Khan, departing from his Legal Framework Order, announced a new plan and time-table for the restoration of democracy; Mr. Henry Kissinger, President Nixon's Assistant for National Security Affairs, paid a secret visit from Pakistan. to Peking in July, opening many Vistas for a new world equilibrium; the U.S.S.R.-India Pact signed on the 9th of August introduced a profound change in the sub-continent, with wider ramifications in Asia as the first step towards Secretary-General Brezhnev's Asian Security Pact to isolate China; the Government of Pakistan published in August its White Paper on the recent events in East Pakistan; and the Government announced that Sheikh Mujibur Rahman's trial in camera "for waging war against Pakistan" would commence on the 11th of August. One must also mention the critical economic situation in Pakistan, which has recently been further complicated by the Dollar Crisis in the international monetary system. Most of these developments call for some fundamental re-thinking and bold initiatives in our external and internal policies. We believe we can meet the challenge provided the responsibility for fulfilling our electoral mandate is given to us without further procrastination.

From this narrative it will be seen why the Pakistan People's Party wanted a Grand Coalition of the main parties of the two Wings, how before the 1st of March we made every effort to meet the essential demands of the Awami League, and how after that

date we maintained that any proposal for the resolution of the deadlock should finally be put to the decision of the elected representatives in the National Assembly.

The people of Pakistan can judge how the great tragedy came about. For the present, however, the paramount consideration is the resolution of the crisis; we must dedicate our efforts to saving Pakistan. We are convinced that with the support and confidence of the people we shall be able to do so if power is transferred without more delay. As I said in 1967; all ways but one lead to destruction.

Karachi,
August 20, 1971.

Zulfikar Ali Bhutto

THE GREAT TRAGEDY

Pakistan is passing through a terrible ordeal. This country, born in pain, is experiencing its gravest crisis. The nightmare of Pakistanis killing Pakistanis is not yet over. Blood is still being spilled. The situation has become greatly complicated by the aggressive involvement of India. Pakistan will live purposefully forever if we survive the turmoil of today; otherwise catastrophic convulsions will lead to total ruin. Much depends on what is done now.

Our starting point is 1940 when, on the 23rd of March, the Muslims of India led by the Quaid-e-Azam demanded Pakistan – a separate Muslim State in the sub-continent. This demand was formally contained in the Lahore Resolution sponsored by F Haque, popularly called Sher-e Bengal. The growing polarization between the two Wings of the country has resulted in the last few years in the bitter re-opening of the debate on the Lahore Resolution. First Sheikh Mujibur Rahman in 1966 and then Maulana Bhashani contended that the Lahore Resolution envisaged two separate Muslim States, one in the East Wing and the other in the West Wing. This is not an honest interpretation of the Resolution. No such meaning was seriously given to the Resolution from the time of Pakistan's foundation till 1966. The Lahore Resolution sought to incorporate into Pakistan the whole of Punjab, the whole of Bengal and the Province of Assam. Since Bengal and Punjab were divided, and Assam denied to Pakistan, the Resolution was accepted only in principle when the final Partition did take place. This apart, the crux of the matter lies in the fact that the British, who were responsible for the transfer of power in the sub continent, effected that transfer through the Indian Independence Act of 1947 which created not three but two sovereign States – India and Pakistan.

The common man, passionately attached to his home land, but not imbued with any Hegelian understanding of the State or with Austin's concept of sovereignty, wants to know how the great tragedy has come about. He is not responsible for it. For twenty-three years he did not so much as cast his vote in a general election. After twenty-three years he went to the polls to choose his representatives with great enthusiasm and high hopes. He voted with the expectation that the dawn of a new era would see Pakistan on the road to economic progress and political tranquility. The present crisis has shaken his hopes. His economic condition is worsening. The common man, who toils from morning to night, whose children are in rags, who lives in sub-human conditions, has every right to ask why his Pakistan has come to this dead end. And it is his Pakistan – created with his blood and built with his sweat and sacrifice, He has been betrayed.

Leaders Fail the People

The crisis did not suddenly descend upon us – it has been in the making for a long time. It is the product of mistakes going back to the days of the British Raj. The successive governments of Pakistan have handled the affairs of State so poorly that an impartial observer would be driven to conclude that the leadership of Pakistan has excelled in making mistakes. This leadership is not comprised of politicians alone. To it belongs the entire elite.

Pakistan was created in 1947 in a massive upheaval; more than three million lives were lost, many more innocent people were uprooted. The laceration of the sub-continent was an agonizing affair, and the departing British, who weakened Pakistan at every stage, left without remorse. The refugees who made the great trek to their new homes, carrying on their bodies the scars of Partition and in their hearts the hatred of centuries, exacerbated relations between India and Pakistan. The disputes over Hyderabad, Junagadh and Kashmir erupted almost simultaneously and further embittered relations. In 1948, India and Pakistan went to war over Kashmir. It was a grave mistake to trust the United Nations on Kashmir and to agree to a cease-fire in January 1949. Since that time the Kashmir dispute has spread its malignant cells in the body politic of the subcontinent. Today, after two decades of independence, both states are ailing badly.

The language controversy arose soon after Partition and introduced bitterness between the two Wings of the country. Pakistan is a multilingual State, comprising a variety of rich and ancient languages and cultures. None of these cultures is incompatible with the creation of a national identity. Instead of trying to suppress indigenous cultures in a ham-handed manner, past governments should have encouraged the flowering of a variety of cultures within our State to enrich the development of a synthesized national culture, as has been done with success in other federations. The language controversy sparked the first fire, and many followed.

The Founder of Pakistan, soon after the creation of Pakistan, anticipated with prophetic insight many of the problems that would arise in the East Wing, and gave strong warning of the dangers inherent in the situation. On the eve of his departure after a nine day visit to East Pakistan in March 1948 he said:

"I would like now to offer a word of advice to the people of this province. I notice a regrettable tendency on the part of a certain section of the people to regard their newly-won freedom, not as liberty with the great opportunities it opens up and the heavy responsibilities it imposes, but as license.... They have perfect liberty to have by constitutional means any Government that they may choose. This cannot, however, mean that any group may now attempt by any unlawful methods to impose its will.... I am sure you must realize that in a newly-formed State like Pakistan, consisting moreover as it does of two widely separated parts, cohesion and solidarity amongst all its citizens, from

whatever part they may come, is essential for its progress, nay for its very survival. ... I would ask you plainly, when political agencies and organs of the Indian press, which fought tooth and nail to prevent the creation, of Pakistan, ate suddenly found with a tender conscience for what they call the 'just claims' of the Muslims of East Bengal, do you not consider this. a most sinister phenomenon? Is it not perfectly obvious that, having failed to prevent the Muslims from achieving Pakistan, these agencies are now trying to disrupt Pakistan from within by insidious propaganda aimed at setting brother Muslim against brother Muslim? That is why I want you to be on your guard against this poison of provincialism that our enemies wish to inject into our State,"¹

The Founder of Pakistan died in September 1948. After his death the mantle of leadership fell on Liaquat Ali Khan, who was assassinated three years later. The other leaders of the Muslim League who subsequently came into prominence lacked the courage and the vision to make Pakistan a dynamic and progressive State. The first signs of disillusionment set in about five years after independence. The people began to feel isolated and indeed cheated. Petty politicians considered Pakistan their private fief and clung to power by postponing the framing of the Constitution and the general elections. Pakistan has since paid a heavy price for this failure.

A sensible compromise on the Constitution could have been reached in 1954 between the East and West Wings. But greed and the desire to dominate prevented it. The Basic Principles Committee of the Constituent Assembly had by 1954 prepared a draft constitution. This draft attempted to reflect the realities of Pakistan in the federal structure it proposed, but it was by no means an ideal arrangement. However, even this arrangement was not accepted. A sick and avaricious Governor-General illegally dissolved the Constituent Assembly before the draft could be finally approved. Earlier, the same Governor-General had illegally dismissed a Bengali Prime Minister of Pakistan who commanded a majority in the Constituent Assembly. With the passage of time, suspicions multiplied between the two Wings thus making the task of finding a constitutional settlement all the more difficult. Again for ignoble motives, One Unit² was imposed on the people of the West Wing in 1955. This One Unit Was a great curse. Before its imposition relations between the East and West Wings were uneasy but after One Unit relations between the people of West Pakistan also came under serious strain. What was worse, One Unit accentuated the polarization between the East and West Wings, and was chiefly responsible for the two Wings vying with each other as two rival States. After much manipulation and skullduggery, the second Constituent Assembly, which was not a sovereign body like the first one, passed the 1956

¹ Quotation from the speech of Quaid-e-Azam Mohammad Ali Jinnah broadcast on Radio Pakistan, Dacca, on the 28th of March, 1948

² One Unit was the term used for the Province of West Pakistan which was created by the merger of the four West Wing provinces Baluchistan, North West Frontier Province, Punjab and Sindh. They were restored as separate province by the province West Pakistan (Dissolution) Order, 1970

Constitution. This collapsed in two years. Then followed Ayub Khan who ruled for nearly eleven years, and in 1962 gave the country a quasi-unitary Constitution.

For historical, ethnic and linguistic reasons, a federal structure best suits Pakistan. Geography alone makes it imperative. The tragedy of Pakistan lies in the fact that although federalism is most appropriate for our conditions, nevertheless for the last twenty-three years Pakistan has been called a federation in name only. In practice, it has remained a quasi-unitary State. The consequences of such an arrangement have been disastrous.

The spirit of federalism and the rules of co-existence were sacrificed at the altar of ambition. In the name of a strong Centre the powers of the provinces were weakened to the point of being extinguished. In the name of our great religion of Islam, the most ruthless and inhuman form of exploitation was practiced over the common man. No Muslim country, no Muslim people have done so much disservice to Islam as a handful of discredited leaders in Pakistan by misusing the great name of Islam to allow an iniquitous economic system to flourish in Pakistan.

The cold-blooded exploitation of the people is the major cause of the troubles we face today. The whole country has suffered, but East Pakistan has borne the main brunt. Pakistan is one of the poorest countries in the world, and yet some of our capitalists are amongst the world's richest men. The exploitation of the poor masses of Pakistan is a tale of rapine and plunder. The under-developed Third World needs progress and not plunder. In our circumstances it is simply not possible to develop by the capitalist method. The Third World can be developed only by socialism. But socialism is anathema to the vested interests – many of them would first see the end of Pakistan rather than the end of capitalism.

Our country has been a prey to the insatiable appetite of Big Business and the caprices of ill-educated leaders. In the first ten years of Pakistan, politicians and bureaucrats combined to play havoc with the interests of the people. In 1958, the Armed Forces overtly stepped in and tried to redress past grievances by a series of half-measures. There was great enthusiasm for Ayub Khan when he took over the reins of Government, because the Armed Forces enjoyed the confidence of the people. He was acclaimed in both Wings of the country. People accepted him with a sigh of relief. No one could have had a better opportunity than President Ayub Khan in 1958 to tight past wrongs and to put Pakistan on the road to progress. But Ayub Khan lost this opportunity. The people looked to him but he was not a man of the people. Although he was hard working he was corrupt and his family members went on a veritable spree. He also suffered from many blind spots and had a heavy-handed approach to problems. Above all, he bore an intense prejudice against East Pakistan. In his time the links between East and West Pakistan were critically weakened. On the surface the regime was stable, but a deep and dangerous decomposition was taking place. It was

during this period that the plunder of Big Business reached its apogee. Ayub Khan built his power structure on the pillars of Big Business, Bureaucracy and the Basic Democrats, all anti-people forces. It was during the latter part of this period that militant Bengali nationalism began to show its face.

The Indo war in 1965 again galvanized the people. But their enthusiasm was soon dissipated. A nation that stood indivisibly united in September 1965 suddenly found itself torn apart in January 1966. The victory of Pakistan became the defeat of Pakistan. Ayub Khan betrayed the country at Tashkent in January 1966 when he capitulated to the dictates of the Great Powers. West Pakistan was filled with gloom by the Tashkent Declaration, and in East Pakistan a sense of insecurity began to spread. If, instead of succumbing to external pressure, Ayub Khan had taken the people into his confidence, he might have avoided, or at least mitigated, the disillusionment and humiliation in West Pakistan and the sense of isolation and insecurity in East Pakistan. But Ayub Khan, dictator as he was, chose to ignore the people and keep them in the dark.

The extremist leaders of East Pakistan deliberately misinterpreted the Chinese ultimatum in order to tell their people that East Pakistan had been saved not by the Armed Forces of Pakistan, but by the Chinese ultimatum. The Chinese ultimatum did prevent India from attacking East Pakistan but this does not mean that our Armed Forces were not competent to repel any such Indian aggression. The success of our diplomacy was turned against us because Ayub Khan refused to go to East Pakistan at this propitious moment to explain to the majority of our people the correct position. Taking advantage of this void, the opponents of Ayub Khan collected in Lahore in February 1966 for what was called the All-Pakistan National Conference. It was at this conference that Sheikh Mujibur Rahman introduced his Six Point formula³ to confront the regime of Ayub Khan.

There has been a great deal of curiosity over the authorship of Six Points. Some people believe that a bureaucrat close to Ayub Khan framed the formula to divert attention from the Tashkent fiasco, and divide the people of East and West Pakistan in order to save Ayub Khan. A rumor persists that there was a foreign hand in the drafting of Six Points.

The origins of Six Points may be shrouded in mystery but there can be no doubt about the impact of the formula on Pakistan. President Ayub Khan's regime at first gave wide coverage to the statements of Sheikh Mujibur Rahman on Six Points. By April 1966, fearing that a Frankenstein monster had been created, and thinking the Tashkent crisis was over, President Ayub Khan clamped down on the Awami League and sent Sheikh

³ The text of the Six Points as originally published, and subsequently amended in the Awami League's Election Manifesto, is reproduced in Appendix I.

Mujibur Rahman to jail. Later, the Awami League leader was brought to trial in the Agartala Conspiracy Case.

President Ayub Khan survived the post-Tashkent crisis but basic conditions continued to deteriorate and the people became more and more alienated. Finally, their patience was exhausted. In September 1968, two and a half years after Tashkent, the Pakistan People's Party⁴ led the great revolt against the regime of Ayub Khan. It rallied the masses throughout the length and breadth of the West Wing of the country. By the end of November the people of East Pakistan joined the revolt. By February 1969 Ayub Khan released Mujibur Rahman from jail so that he could join the Round Table Conference of Leaders summoned by Ayub Khan to save his tottering regime. The Pakistan People's Party refused to take part in the Round Table Conference. Instead, it pushed on relentlessly to defeat the great dictator with the power of the people.

President Yahya Khan

In March 1969, President Ayub Khan withdrew from the scene and handed over power to General Yahya Khan, the Commander-in-Chief of the Army. On the 28th of March, 1969, General Yahya Khan informed the nation that democracy would be restored after the return of normal conditions. Thus in the twenty years of Pakistan's life, its people had twice seen the proclamation of Martial Law and the abrogation of the Constitution. Side by side, economic conditions continued to worsen. A general break-down became apparent. By the time President Yahya Khan came to power Pakistan seemed like a patient in the last stages of tuberculosis. Centuries ago, Machiavelli observed that wrong political decisions ate like tuberculosis, difficult to detect in the beginning but easy to cure, and, with the passage of time, easy to detect but difficult to cure.

The future will tell whether President Yahya Khan's regime had sufficiently well qualified doctors to, cure the tuberculosis of Pakistan. The hard reality is that a military regime, lacking a political base, has found itself in a dilemma. Being dependent entirely on bureaucrats, the regime is simply not geared to give national direction and to grapple with a grave socio-political crisis. Without roots in the people, without the participation and support of the people, no regime, and least of all a military regime, can successfully surmount a crisis as deep as the one which faces us today in Pakistan.

On the 28th of November, 1969, President Yahya Khan put forward a scheme and timetable for the transfer of power from the military to the people's representatives. In

⁴ The Pakistan People's Party, also referred to in this narrative as the People's Party, was founded in Lahore on 1st of December, 1967, with the credo—

*Islam Is On, Faith
Democracy Is Our Polity
Socialism Is Our, Economy
All Power To The People*

announcing the scheme he also took two, important decisions: to break One unit by restoring the historical provinces, and to abolish Parity between East and West Pakistan.⁵ In its place he introduced the democratic concept of "one man one vote" which gave the people of East Pakistan their majority rights in the legislature. At the same time President Yahya Khan announced that political activities would be permitted from the 1st of January, 1970, to enable political parties to campaign for the general elections that were to take place at the end of the year. The Legal Framework Order⁶ promulgated subsequently by the President on the 30th of March, 1970, provided for a Constitution to be framed on the basis of five principles. Here it must be noted that the principle relating to the Centre's authority and the quantum of provincial autonomy was in conflict with the Awami League's Six Points. Further, a time limit of a hundred and twenty days was imposed for framing the Constitution, which, under the Order, the President had the right to authenticate or reject.

General elections for the National Assembly were held on the 7th of December, 1970, and elections for the Provincial Assemblies on the 17th of December, 1970. The results of the first ever general elections in the history of Pakistan are known to the world. In East Pakistan the Awami League led by Sheikh Mujibur Rahman secured an overwhelming mandate, and in West Pakistan the Pakistan People's Party secured an impressive mandate. Out of a total of 313 seats in the National Assembly, the Awami League captured 167 out of 169 seats in East Pakistan, and of the 144 seats in the West Wing, some being reserved for the tribal areas, the Pakistan People's Party won 88 seats. Neither party, however, got a single seat from the other Wing. The elections thus brought into being two major parties – the Awami League in East Pakistan and the Pakistan People's Party in the West Wing. All other parties suffered a crushing defeat.

During the twelve long months of the election campaign the Pakistan People's Party in the West Wing placed its emphasis on economic issues and an independent foreign policy. Its main attack was on the economic conditions prevailing in the country. The party also took the position that Pakistan should have a genuine federal Constitution, and Mr. J.A. Rahim, the Secretary-General of the party, wrote a monograph upon the principles of the Constitution. The party rejected Six Points without dragging this issue vituperatively into the campaign. It also asserted that the Awami League's Six Point formula would not end the exploitation of East Pakistan – the true solution was a socialist system throughout Pakistan. The People's Party maintained this position consistently from the time of its foundation.

⁵ Parity was the concept of giving equal representation in the federal legislature to the two Wings of Pakistani irrespective of population. It was incorporated in both the 1956 and 1962 Constitutions.

⁶ Salient extracts from the Legal Framework Order, 1970 are contained in Appendix II.

Six Points

Although the first point of the Six Point formula provided for a federation "in its true sense", nevertheless the formula taken as a whole was a veiled charter for a confederation which contained the genesis of constitutional secession. Six Points envisaged a Central Government bereft of all powers except In the matter of Defence and Foreign Affairs, the latter being limited by the exclusion of foreign trade and aid. All other subjects including currency and taxation were to be within the jurisdiction of the provinces. This was indeed a unique constitutional proposal. Such a Central Government, divested of any real authority, would have become completely helpless amid the clamor of five warring provinces each asserting its own brand of sub-nationalism and each torn in different directions by foreign powers.

Foreign policy, particularly in the Third World, is generally concerned with economic development and international trade and aid. Thus, under the Six Point formula a large part of foreign affairs would be excluded from the competence of the Central Government, leaving war and confrontation as the only major matters of concern to it. War and confrontation are not permanent factors of foreign policy, even among the Great Powers. With the Central Government reduced to a nullity, and with the bisection of foreign affairs, a death-blow would have been dealt to Pakistan's international relations, and particularly her out standing disputes with India.

Defence affairs are in turn closely associated with foreign policy. Without full control over foreign policy, the Central Government would not be in a position to determine and implement an effective defence policy. Moreover, defence policy cannot be formulated without common interests. With virtually all links severed, the two Wings of the country would look in different directions and a common defence policy would have been impossible to achieve.

Under Six Points the Central Government was denied the powers of direct taxation, thereby placing it at the mercy of the provinces. At any time one or more of the provinces could give a number of compelling reasons for evading the federal levy. With foreign trade and aid vested in the provinces, with the power of taxation falling exclusively into the hands of the provinces, with Pakistan functioning on the basis of two or more economies, the country would have two or more regional rates of exchange. The Pakistani rupee as it exists today would, have disappeared. Furthermore with inter-Wing trade restricted, any movement of commodities would have to be under a batter arrangement or would require payment in foreign exchange. Nothing short of chaos would have ensued. Little imagination is needed to forecast the fate of a country having its currency divided into regional rates of exchange, with restriction on the movement of goods between provinces, and with two or more trade and aid missions operating under the fragile cover of a Central Government divested of taxation

powers and exercising a shadow authority over a pluralistic people of a geographically divided country.

The Six Point formula made even the National Assembly of 313 members virtually, redundant, limited as it would have been to the subject of Defence and Foreign Affairs, less foreign trade and aid. Then again, the very nature of Defence and Foreign Affairs being sensitive, and to some extent confidential, most national legislatures do not make them the subject-matter of frequent public debate. Under such an arrangement the Assembly would have been a mock legislature.

In essence, the Six Point formula was meant to strike at the roots of our nationhood. Initially it would have created two Pakistans, and later might well have brought five independent States into being. With provinces exercising quasi-sovereign authority, the overall control of the emasculated Central Government was to be so restricted as to give it no power of co-ordination at all. The Awami League leaders also talked of a provision in the Constitution giving every province the right to secede from the federation, using the totally inappropriate analogy of the Constitution of the Soviet Union. A scheme of this nature would have broken down in a few months with fragmentation following in its wake.

Sheikh Mujibur Rahman skillfully maneuvered the Government into believing that he would become more amenable after the elections, more susceptible to compromise on Six Points after an electoral victory. The defenders of the status quo accepted this because Mujibur Rahman, a pro-Western moderate, was preferred to leaders of the progressive forces in the East Wing. The Awami League leader's fiery brand of Bengali nationalism was condoned on spurious grounds such as his involvement as a student leader in the Pakistan Movement; and his unconcealed hatred for West Pakistan was blithely overlooked because of his association with Mr. Suhrawardy, who had a non-parochial approach. The Government made every effort to accommodate Mujibur Rahman and his party. The decision to hold the provincial elections after the Constitution was framed was reversed, and these elections were held almost simultaneously with those for the National Assembly because the Government believed, that Sheikh Mujibur Rahman was more likely to compromise on the question of autonomy when both elections were over and the prospect of governing lay ahead. The provincial administration gave complete support to the Awami League and, during the elections; the Awami League workers were allowed a free hand and took full advantage of it.

A few politicians from the West Wing enthusiastically supported Sheikh Mujibur Rahman from the beginning because they also wanted the secession of their provinces in the West Wing. These same individuals had bitterly opposed the creation of Pakistan. In Six Points they saw their chance to destroy Pakistan. Big Business hacked the Awami

League leader believing that he only paid lip service to socialism. The national press, being in the hands of Big Business, gave him effective support.

With such powerful support and the genuine grievances of East Pakistan to play upon, Sheikh Mujibur Rahman unleashed hatred against West Pakistan. He blamed West Pakistan for everything. Although he called himself a socialist, instead of attacking the system of capitalism, he attacked the people of West Pakistan. He used every means to mobilize the people of East Pakistan. Riding on the high crest of Bengali nationalism, and with a number of jail terms to his credit, the Bengali leader raised the emotions of his people to a frenzied pitch. The cry of Six Points reached a frightful crescendo. He went about like a Messiah telling the poverty stricken people of East Pakistan that their salvation lay in Six Points – that Six Points meant the end of exploitation by West Pakistan. He cleverly concealed his true intentions in an atmosphere of hatred. The language and the methods were of fascism. Six Points became a hymn of hate and the Awami League leader sang it with magnetic resonance. Sheikh Mujibur Rahman was a spell-blinding orator. He used his political skill with a mastery that no Bengali leader to this day has rivaled or surpassed.

The cyclone and tidal wave that struck East Pakistan in November 1970 was the severest calamity of the century. Most of the political parties, in sympathy with the sufferings of the East Pakistanis, suggested a postponement of the general elections. Mujibur Rahman threatened that, even if it cost a million more lives; the East Pakistanis would resist any postponement. The elections were held on the 7th of December as scheduled. Mujibur Rahman seized upon the cyclone disaster to channel the emotions of the people of the province to his advantage. He blamed the Central Government seated in far away Islamabad for apathy and neglect, charging it with gross inefficiency and callousness in dealing with the relief operations. Unfortunately the regime's propaganda machinery completely failed to counter these charges. Thus, at this most critical juncture the psychological gap between the two Wings was widened to the point that it became almost unbridgeable. Hence forward there was no stopping the progress of Mujibur Rahman's campaign of hate. Soon after the cyclone the Awami League leader held a press conference in Dacca and made a scathing attack upon West Pakistan and the Central Government. When asked by a foreign correspondent whether he wanted, secession he replied "not yet". After this the field was clear for Sheikh Mujibur Rahman and his party.

Emerging victorious from the elections, Sheikh Mujibur Rahman took the position that the Six Point formula was "the property of the people of Bangla Desh" and there could be no question of compromise on it. The posture of the Awami League became intolerably rigid. The leaders of the party sought to present the country with a fait accompli. They began to raise the tempo of their demands and started talking openly of the emancipation of Bangla Desh. On the 3rd of January, 1971, Sheikh Mujibur Rahman addressed a large public meeting in Dacca, at which he made all the Awami League

members of the National and Provincial Assemblies swear an oath of allegiance to the party's programme for provincial autonomy. Those who earlier believed that by accommodating Sheikh Mujibur Rahman they could get him to compromise, continued to find desperate relief in the fact that this oath did not specifically mention Six Points.

The Awami League High Command prepared a Constitution Bill on the basis of Six Points. Mujibur Rahman demanded an immediate session of the National Assembly to push through his Six Point Constitution. He secured a commitment from the Government that the inaugural session of the National Assembly would be held at Dacca. There after he knew that the future meetings of the Assembly and the choice of its venue would be in his hands because the Speaker would be an Awami Leaguer. He became certain that his Constitution. Bill would be passed by the brute force of his majority inside the Assembly, aided, if necessary, by terror on the streets. The Awami League President refused to visit West Pakistan. He made Dacca the gravitational point and forced the Government and other leaders of West Pakistan to hold negotiations with him in East Pakistan with the object of pressurizing them.

The people of East Pakistan did indeed give a sweeping electoral victory to the Awami League. But the real question is: Did the electorate vote for the Awami League to make East Pakistan a separate State or did the people vote for the Awami League to end their exploitation and misery within one Pakistan? These two positions are clearly wide apart. The common man in East Pakistan wanted an end to the ruthless exploitation which he suffered, first under the Hindus before 1947 and then by the Hindus who remained behind and the West Pakistani capitalists. The common man who fought and suffered so bravely for Pakistan was not disloyal to Pakistan. The masses were not fed up with Pakistan – they were fed up with their economic conditions. The people of East Pakistan wanted economic salvation and not secession. The Awami League leadership thus repeatedly projected Six Points as the end of exploitation, and not secession, before and during the election campaign. In fact, several Awami League members elected to the National and Provincial Assembly could not, when asked, articulate Six Points and most certainly the poor toiling masses could neither have known nor understood its significance. It was merely a symbol and a rallying point.

There can be no doubt that the vast majority of the people voted for the Awami League in the belief that Six Points would end their exploitation and not destroy their country. The entire Hindu vote, however, and the vote of much of the younger generation in the urban centers went to the Awami League in the expectation that Six Points would lead to a separate State of Bengal. The strength of the Awami League lay in two streams of sentiment: one for bold Bengali leadership that would end the miseries of the people within Pakistan, and the other for a nationalist Bengali leadership striving to break away from Pakistan. The latter, although a minority, ultimately proved to be a decisive force.

After the elections, the Awami League advanced a connected argument which needs to be considered. The Awami League took the position that a referendum had taken place on Six Points and it would be a negation of democracy if Six Points were rejected or compromised, whatever might be the effect or consequences of Six Points. However, Six Points was a constitutional proposal which affected not only the people of the East Wing but the people of Pakistan as a whole. Both Wings had to determine the constitutional structure under which all the people of Pakistan were to live. Neither Wing could unilaterally claim to dictate or opt out of the constitutional arrangement to the detriment of the other. Secession of East Pakistan could not be achieved by such means. This is true of all legal arrangements, international, constitutional or otherwise. Moreover, democracy as a form of government is available to the people within the jurisdiction of their State, and does not by itself confer a right to opt out of the State. It is not an instrument of self- destruction, and nowhere in the world has it been so used. It must be remembered too that while Bengali Muslims had at the time of Partition voted positively and overwhelmingly for the creation of Pakistan, in contrast the vote on Six Points could at most be interpreted as a negative vote. Indeed it cannot be denied that without the sacrifices of the Bengali Muslims who shed their blood at Calcutta, Noakhali and other places, Pakistan might not have come into existence. It was therefore an over-simplification, and wrong, to contend that Six Points was not negotiable, whatever the consequences. If Six Points were not negotiable nor was Pakistan negotiable.

The Awami League and the People's Party, the two majority parties of the East and West Wings, carried a special responsibility to find a workable constitutional and political solution. The Armed Forces, holding the reins of Government and being responsible for the transfer of power were also a relevant factor. The realities of the situation made it necessary for these three forces to reach an agreement. Instead of immediately recognizing this hard fact, the Awami League, goaded by most of the defeated parties of the West Wing, ought to bypass the People's Party. The Awami League declared that, as the majority party in the country, it alone was competent to frame the Constitution and to rule the country. The People's Party maintained that, bearing in mind the peculiarities of Pakistan both historical and geographical and the crying economic needs of the people, the majority parties of both Wings should come together in a Grand Coalition, and establish a new order in Pakistan. As neither majority party had any representation in the National Assembly from the other Wing, such a coalition would also avoid further polarization between the two Wings of the country. In the circumstances such a coalition would conform to the democratic principle of giving proper representation to, and combining the views of, the majorities of both Wings in a national government.

The People's Party had throughout opposed the exploitation and domination of the East Wing by the West Wing, and did not believe that the answer to the problems of the country lay in reversing the roles. The People's Party wanted a true federation but

Sheikh Mujibur Rahman rejected even the idea of a Second House, irrespective of its powers, notwithstanding that there is no federation in the world without a Second House. The People's Party argued that the rationale of Sheikh Mujibur Rahman's Six Points, based on the virtual independence of the two Wings from each other, was all the more untenable as the Awami League sought Six Points together with complete control of the Central Government and thus the destiny of the West Wing. The Awami League could only rely on its majority if it accepted the concept of one Pakistan – it could not exclude the majority party of the West Wing under a confederal or near-confederal Six Point arrangement in which of necessity the two Wings would have to be treated as equals. The contradiction was irreconcilable. The principle of majority rule could be applied in a federal, but not confederal, structure: under a federal arrangement the roles of the majority and minority are reversible, but this is not so in a confederal arrangement. Even in an arrangement approaching Six Points, let alone under Six Points itself, it was imperative that the majority parties of both Wings share power at the Centre. Alternatively, Sheikh Mujibur Rahman would have to modify his Six Points and accept a genuine federation for Pakistan before he could exclude the majority party of the West Wing from participating in the Central Government.

Our opponents tried to distort this self-evident truth by saying that we were denying the Awami League, the majority party, its right to rule the country. This is not correct. The majority party had the right to rule the country if it accepted one standard for the whole country, but not near-independence for East Pakistan together with its control of the Central Government to the exclusion of the wishes of the majority of the West Wing. The People's Party also maintained that in framing a Federal Constitution it was necessary to have a consensus of the provinces on the constitutional arrangements. For this reason also it was necessary for the People's Party, representing the two important provinces of Punjab and Sindh, to arrive at a settlement with the Awami League on the Constitution. There was also another reason which we could not openly explain while political negotiations were continuing. We sought to share power with the Awami League in the Central Government because otherwise with their, exclusive control of the entire central administration, together with complete authority in East Pakistan nobody could prevent Mujibur Rahman from taking the final step to secession. None of the small and defeated parties of West Pakistan was capable of fulfilling this national role. Moreover, most of these parties had been lured by the prospect of office and had already surrendered to the Awami League.

Negotiations on the Constitution

Shortly after Sheikh Mujibur Rahman made his famous speech on the 3rd of January, 1971, President Yahya Khan and his advisers left for Dacca to hold consultations with him and other leaders of the Awami League. At the conclusion of these meetings Sheikh Mujibur Rahman informed the press that he had explained his party's position and was satisfied with the discussions he had with the President. President Yahya Khan also

expressed similar satisfaction, and declared that "Sheikh Mujibur Rahman would be the next Prime Minister of Pakistan."

On his return from Dacca, President Yahya Khan some of his advisers came to Larkana, my home town 17th of January. The President informed us of his discussions at Dacca in which he told Mujibur Rahman that three alternatives were open to the Awami League, namely, to try and go it alone, to cooperate with the People's Party, or to cooperate with the small and defeated parties of the West Wing; and that, in his opinion, the best course would be for the two majority parties to arrive at an arrangement. For our part, we discussed with the President the implications of Six Points and expressed our serious misgivings about them. We nevertheless assured him that we were determined to make every effort for a viable compromise, and said we were to visit Dacca in the near future to hold discussions with the Awami League leaders. We had earlier sent Mr. Ghulam Mustafa Khar, the General Secretary of the People's Party for the Punjab, to Dacca to establish contact with Sheikh Mujibur Rahman and lay the groundwork for the visit. The President informed us that the Awami League leader was most anxious for an immediate session of the National Assembly, and that he had asked the President to call the National Assembly to session on the 15th of February.

On the 27th of January, 1971, the leaders of the People's Party left for Dacca. In our discussions with Sheikh Mujibur Rahman we found him intractable on Six Points. He told us plainly that he had received a mandate from the people on Six Points and that he was not in a position to deviate one inch from Six Points. We explained to the Awami League President that the People's Party had not received a mandate on Six Points. We reminded him that all the Awami League candidates who had contested elections in the West Wing had been defeated. All of them had lost their security deposits. We reiterated our position that we wanted a permanent end to exploitation, and proposed that there be a clause in the Constitution making a socialist pattern of economy mandatory. We tried to put forward certain other constitutional proposals but the Awami League leaders refused any discussion till Six Points was accepted in toto. We pointed out to Mujibur Rahman that public opinion in the West Wing was against Six Points. We told him that the general impression of the people of the West Wing was that Six Points spelt the end of Pakistan and that in our opinion the people's assessment was not far off the mark. We told Mujibur Rahman that the defeated parties could change their views overnight but the majority party of the West Wing could not barter away the interests of the people of the West Wing and those of the country by accepting Six Points in entirety. However, we were prepared to go as far as possible to meet the essential demands of Six Points on the condition that nothing should jeopardize the unity of Pakistan. For this we should have to assess and prepare public opinion in the West Wing; thus we requested a reasonable length of time before the convening of the National Assembly. Sheikh Mujibur Rahman was assured that in making this request we were not seeking any inordinate delay in the National Assembly session.

It was no small task to lay the groundwork in the West Wing for a change from a quasi-unitary system to an extremely loose federation. This task was made all the more complicated by some of the other demands of the Awami League, which sought to impose on the people of the West Wing an external debt of Rs. 38,000 million out of a total of Rs. 40,000 million, and an internal debt of Rs. 31,000 million. According to the Awami League's calculations, the four provinces of the West Wing would have to make a contribution of approximately 74% to the federal requirements. East Pakistan's contribution was to be 24% notwithstanding the fact that its population was 56% of the total. Moreover, it was intended to set off East Pakistan's contribution against the "reparations" it claimed were due from the West Wing. This would have meant the West Wing bearing the entire burden of the federal levy until the reparations were liquidated. These demands were to become constitutional obligations of the West Wing provinces. The strain would have been unbearable, with no prospect of developing the provinces of the West Wing for years to come. These burdensome and controversial obligations could not be assumed lightly. The Awami League had also adopted the 11-Point demand of the East Pakistani students which called for, *inter alia*, a sub-federation in the West Wing, and a scheme simply not acceptable to the smaller province of the West Wing. The Pakistan People's Party was prepared to agree to all the students' demands, except the one relating to sub-federation and of course the demand incorporating all the Six Points of the Awami League.

For all these compelling reasons, before leaving Dacca we pressed Sheikh Mujibur Rahman to agree to a reasonable delay in the convening of the National Assembly, but he replied that the problems of the West Wing were not his head ache. He was set on a meeting of the National Assembly for the 15th of February. The Awami League leader fully understood our difficulties but he was not prepared to accept them. He had chalked out his strategy and our request did not suit his plans. The strategy was to bring the National Assembly to session without loss of time in order to give legal sanction to his Six Points – to thrust a Six Point Constitution on the country before full awareness of its implications could grow in the West Wing or, for that matter in the East Wing itself. He sought to pressure the people of the country into submission, to leave no time for reflection. Mujibur Rahman was afraid of the consequences of any slackening of the momentum he had developed.

Once the National Assembly came into session in his own territory and under conditions completely within his control, Sheikh Mujibur Rahman proposed to convert the Assembly into a sovereign, body and thus make the Legal Framework Order inoperative. This would have cleared the way for his majority under the stewardship of his Speaker to impose a Six Point Constitution in a short time, preferably before the 23rd of March. Having given Six Points constitutional sanctity, with himself as the legally constituted Prime Minister of Pakistan, with control over the Armed Forces and

general administration, and with East Pakistan under his command the next step would have followed as night follows day.

We were alive to these dangers but we had to proceed cautiously. We left Dacca in a despondent frame of mind but not completely without hope. On our return we held a series of meetings with our elected representatives. We met the party leaders of central and northern Punjab in Lahore on the 2nd of February and held detailed discussions with them on the political situation. A meeting of our Sindh leaders was held in Karachi on the 4th of February and, with Eid holidays intervening, on the 10th of February a similar meeting was held in Multan with the party leaders of Multan and Bahawalpur Divisions. At the same time we met the leaders of some of the other West Wing parties.

We also held some meetings with the President and informed him that the leaders of our party were not prepared to accept Six Points without change. We told him that in the ordinary course of events we could have settled all controversial issues on the floor of the Assembly. But, as the Awami League had already dictated the Constitution and all that Sheikh Mujibur Rahman wanted was for the Assembly to act as a rubber-stamp, nothing could be achieved by our going to the Assembly unless some broad understanding with the Awami League was reached before the National Assembly met formally.

In my meeting with President Yahya Khan in Rawalpindi on the 11th of February I urged him to summon the National Assembly immediately after we had completed our discussions in the West Wing and held three or four public meetings in the principal cities to prepare public opinion for a compromise. The President was told that after fulfilling these essential prerequisites we wanted to make one last attempt to negotiate a broad settlement with Sheikh Mujibur Rahman, and then we would go to the Assembly on a date fixed by the President. Without these prerequisites we could not properly discharge our democratic obligations to the people. If the President found himself caught between two conflicting demands, he could reconcile both sides by giving us reasonable time to discharge our obligations and also satisfy Sheikh Mujibur Rahman by announcing a specific date falling about six weeks after the one sought by him. We believed that such a *via media* would give us the time we sought, and simultaneously allay the apprehensions of Mujibur Rahman about imaginary plots to delay indefinitely the convening of the National Assembly.

Before leaving Dacca I stated in a press conference that two of the Six Points, one relating to a federation in a true sense, and the other to the militia, were acceptable to the People's Party. In fact, these two points were contained in our own programme. The third point dealing with the central subjects was really related to the remaining three points. After assessing and preparing public opinion on our return, we became hopeful that we would be able to arrive at an accommodation with Mujibur Rahman's proposal on taxation and currency provided certain safeguards were built into the arrangement.

The President was thus informed that within a matter of weeks we had gone forward to meet the essence of Six Points without sacrificing national integrity, but that more time was needed to thrash out the difficult point relating to foreign trade and aid, and also to work out a suitable method of achieving a compromise on the question of taxation and currency, in such a way that Mujibur Rahman could extricate himself, without us conceding Six Points at the cost of Pakistan. We believed that constitutional law and modern administration provided sufficient latitude for us to strive to achieve a compromise satisfying both points of view, that is, the interest of national unity and the essential demands of the Awami League.

Three out of the Six Points were, however, difficult and required detailed discussions and hard negotiations. The points relating to taxation and currency needed an ingenious formula to satisfy the Awami League's demands within the concept of one Pakistan. But the most difficult demand related to foreign trade and foreign aid. How, could Pakistan, with all its other peculiarities and problems remain united with foreign trade and foreign aid as provincial subjects? – and this too when Six Points envisaged so many other divisive factors which taken as whole would in reality have meant separation. We were hoping against hope that Mujibur Rahman would find it possible to compromise to bring about an equitable solution acceptable to both Wings. Whether we were to succeed or fail would be known only after we had made a last earnest endeavor. We reiterated to President Yahya Khan the numerous hazards of going to the Assembly without making a final effort for a broad settlement and without sufficiently preparing public opinion for a basic compromise.

We left Rawalpindi with the impression that the President appreciated our difficulties and that he would not announce a date for the National Assembly before the end of February. However, the President did not make a de finite commitment. While we were continuing consultations with our party leaders in Peshawar and meeting other leaders, it was announced on the 13th of February that the President had summoned the National Assembly to meet at Dacca on the 3rd of March. This announcement took us aback. We were caught in midstream; we had not completed our consultations and we had not gone to the people of the West Wing for their approval for a Constitution based on far-reaching concessions. We thus found it impossible to attend the National Assembly session on the 3rd of March. We immediately contacted the President's Principal Staff Officer on the telephone and informed him of our inability to attend the National Assembly session on the 3rd of March for the reasons stated to the President only two days earlier.

Dilemma of the People's Party

The options for the People's Party were limited. The rejected parties of the West Wing, smarting with defeat, inveighed bitterly against the People's Party. Mujibur Rahman remained rigid in his position, and the regime's objectives were ambivalent. In such a

circumscribed situation, the choice open to the majority party in the West Wing was either to have nothing to do with Six Points or to seek a political compromise containing appropriate administrative and constitutional safeguards that would accommodate the Awami League and yet retain a united Pakistan. To launch a movement against Six Points in the West Wing would have been counter-productive as Six Points was demanded by the majority party of East Pakistan. It would have been equally futile for the People's Party to try to change overnight the people's outlook in East Pakistan. The only lever that the People's Party could use against the Awami League for an equitable settlement was to refuse to acquiesce in a Constitution based on Six Points. Even this was not a sufficient lever because the Awami League had a majority in the Assembly to pass their Constitution. It is true that a Constitution passed without the approval of the majority party of the West Wing would not have lasted, but it could have come into being and, whatever its duration, would have played havoc with the country.

If we refused to have anything to do with the Awami League's demand, we would have exposed the People's Party to the accusation of obstructing the return of democracy which was the demand of the people of both the Wings. As a democratic party having only recently received an overwhelming mandate from the people, the People's Party could in no event go against this demand. Moreover, the People's Party had its own stake in the transfer of power. A party that, at the very least, had to form governments in the two important provinces of Punjab and Sindh did not want to destroy its own hard won victory. Despite this obvious interest in the establishment of civilian authority and the termination of Martial Law – which was also shared by the Awami League – the People's Party would still have been blamed for obstructing the restoration of democracy if it had refused to negotiate with the Awami League. If the People's Party had started a non-cooperation movement against the Awami League's demands, apart from jeopardizing the chances of democracy, the country might have straightaway split into two.

This was the dilemma of the People's Party: whether to surrender to Sheikh Mujibur Rahman's Six-Point demand which would have led to constitutional secession within a few months, or to resist the demand, which would endanger the return to democracy and civilian rule, and carry with it the possibility of a violent parting of the ways. It was therefore essential to make every endeavor to find a political compromise on Six Points so that democracy could be restored and Pakistan saved from disintegration.

Six Point being a concealed formula for se in two strokes rather than one, we wanted to avoid, the application of the second stroke by arriving at an arrangement that would give the impression that Sheikh Mujibur Rahman's demands had basically been met without literally agreeing to them; and this could possibly be achieved by incorporating built-in constitutional and administrative safeguards that would act as brakes to the Awami League's runaway scheme. In this manner we wanted to arrest and reverse the harmful consequences of Six Points. We thought that it might be possible to

accommodate the points relating to taxation and currency with constitutional and administrative safeguards, but the point relating to foreign trade and aid was the most difficult. With the Awami League's rigid stand, it defied any solution. The question of financial liabilities, we be levied, could be determined by an impartial experts' commission. For these cogent reasons we thought the case for detailed negotiations was so self-evident that we would be allowed an opportunity to negotiate a settlement prior to the meeting of the National Assembly.

On the 15th of February, 1971, I held a press conference in Peshawar, and gave a resume of the crisis facing the country. I stated that in the circumstances we would not participate in the National Assembly session on the 3rd of March unless assured that our point of view would be heard and, if found to be reasonable, accepted by the Awami League. I deliberately kept the nature of the assurance vague to allow Mujibur Rahman an opportunity to respond without loss of face. I did not mention that the assurance should come either directly from Sheikh Mujibur Rahman or that he should make it publicly. When asked by correspondents at my press conferences in Peshawar and Karachi whether the People's Party was boycotting the Assembly, I categorically denied it. After this, we went to the people to explain the difficulties inherent in the situation.

On the 21st and 22nd of February we held a convention at Karachi of the leaders of the People's Party. At the conclusion of the two days session, all the leaders took oath to abide by the decisions of the party. Later, at a large public meeting in Lahore on the 28th of February, I took the people into my confidence and gave them the reasons for our position. I told the people that we needed a little time to make a last effort with the Awami League to find an acceptable settlement before the National Assembly could move into action. I said that we would be prepared to go to the Assembly if the assurance sought by us was forthcoming. Alternatively, if the assurance was not given and the Assembly session could not be postponed, I proposed that the limitation of 120 days for the framing of the Constitution should be waived so that time would not be ticking away against us whilst crucial decisions on the Constitution were being taken. The first Constituent Assembly had taken seven years to prepare a draft Constitution. The second Constituent Assembly took over two years to frame the Constitution of 1956. The problems had now become much more complicated and controversial. It was therefore necessary either to postpone the National Assembly session in order to get a broad settlement acceptable in the Assembly within 120 days or, alternatively, to waive the stipulated period of 120 days. Failing that, Sheikh Mujibur Rahman had a convenient excuse for rushing his Constitution through the Assembly on the pretext that time was running out. This was not the first time I had challenged the 120 day limitation imposed on the framing of the Constitution. In several speeches during the election campaign I had declared that this period was much too short, and in a public meeting at Badin in Hyderabad District I also questioned how the regime could expect the Constitution to be prepared in four months when the Government took the same

time to prepare and promulgate the Legal Framework Order. If neither of our proposals were, however, accepted, I told the people that we would not participate in the Assembly session on the 3rd of March.

We made every effort to demonstrate our spirit of accommodation and compromise. The people's response was most gratifying and it was clear that they whole heartedly supported our position. Sheikh Mujibur Rahman responded to my speech by saying that he was prepared to listen to everyone but that he was not prepared to compromise on Six Points which was "a trust of the people". This meant nothing and conveyed not even the pretence of an assurance.

Noting the positive public response in the West Wing to the position taken by the People's Party, the President announced on the 1st of March a postponement of the National Assembly session to enable the leaders to arrive at a settlement. Sheikh Mujibur Rahman, fearing that he might not now be able to get constitutional secession, reacted violently to the President's announcement.

Awami League's Apogee

Mujibur Rahman ordered a general strike in Dacca on the 2nd of March and then throughout East Pakistan. On his call the people of East Pakistan took to the streets and the administration was brought to a standstill. His hoodlums butchered the non-Bengali population. The Awami League leader began to issue directives in the name of Bangla Desh. Civil servants were ordered not to cooperate with the Central Government. Banks were directed to operate only on the orders of the Awami League. The police were given orders by the Awami League. High Court judges were directed to stay in their homes. Sheikh Mujibur Rahman behaved like the dictator of a newly independent country.

The Army took some hesitant steps on the first day but on the orders of the General-in-Charge of the Eastern Command it withdrew on the following day, and did not again intervene to control effectively the chaos that ensued. The Governor of East Pakistan who had always been a pliable tool in the hands of the Awami League was transferred and replaced by General Tikka Khan. Under the direction of the Awami League, the Chief Justice of the High Court of East Pakistan refused to administer the oath of office to the new Governor. With the Army withdrawn from the scene, the Awami League workers and hoodlums terrorized the people. Many non-Bengalis were murdered in cold-blood. Criminals were released from jail by force. Factories were gutted and communications disrupted. Shops were looted, and houses burnt. All normal activities were paralyzed. The economy was brought to a grinding halt. The people were ordered not to pay taxes to the Central Government. The Awami League began to collect taxes in the name of Bangla Desh. The refugees who had fled from India in 1947 were once again uprooted in 1971, this time in their promised land. They flocked to the docks, to

the airports and the railway stations to get away to the West Wing. Within a matter of day by a combination of terror and propaganda, and emboldened by the apathy of the provincial authorities, Sheikh Mujibur Rahman became the do facto ruler of Bangla Desh. In the name of civil disobedience the Awami League unleashed a reign of terror and set up a parallel government in East Pakistan.

This state of affairs had to be brought to an end. The Martial Law Government had quickly to find the means to arrest the alarming deterioration and reassert its authority. In an effort to do this, on the 3rd of March the President invited the leaders of the country to meet in Dacca on the 10th of March to discuss the political situation and to decide on a date for the National Assembly session. In view of the gravity of the situation I accepted the President's invitation. The leader of the other political parties in the West Wing also agreed to participate. But Mujibur Rahman rejected the invitation outright in contemptuous language, and so the conference was not held. Instead, the Awami League leader continued to take measures to bring East Pakistan more under its control. The situation got progressively out of hand. The writ of the Central Government ceased to run.

On the 4th of March I was invited by President Yahya Khan to visit Rawalpindi. We held discussions with the President on the 5th and assured him that we were prepared to do everything in our power to overcome the grave crisis. He told us that since his Legal Framework Order contained sufficient safeguards to prevent our fears from materializing we should not insist on the assurance we had sought on the 15th of February. We told him that in our opinion the Order would become inoperative because, after the National Assembly was convened and the Speaker elected, the Assembly would be converted into a sovereign body. The Pakistan People's Party had, no doubt, during the election campaign militated against the Order's derogation from the sovereignty of the people, but then the sovereignty of the Assembly is one thing and to use it as a device for secession is entirely different. It would also complicate the international position, introducing the question of recognition. We pointed out that the President would find it difficult and impolitic to implement his Legal Framework Order by refusing to authenticate the Constitution Bill once passed in the Assembly. We told him that, in our opinion, the Order had become a dead-letter, but because of the grave crisis we were prepared to accept his assurance provided he reiterated it to the nation.

On the 6th of March President Yahya Khan in a broadcast to the nation announced that the National Assembly session would take place on the 25th of March. He said that as Commander-in-Chief of, the Armed Forces he was determined to maintain the integrity of Pakistan and that his Legal Framework Order was an assurance to those who were apprehensive of a Constitution that might endanger the integrity of Pakistan.

On the 7th of March Mujibur Rahman addressed a public meeting in Dacca. In this meeting he bitterly criticized the role of the Armed Forces and pledged that he would

continue the struggle until became "free citizens of a free nation". He did not however, declare unilateral independence. On the night of the 6th March President Yahya Khan sent Sheikh Mujibur Rahman a message to refrain from taking extreme measures as he was prepared to renew negotiations with the Awami League leader in the near future. Perhaps this message prevailed upon him to desist from declaring unilateral independence. However, in his speech Sheikh Mujibur Rahman put forward four fresh demands. He called for the immediate withdrawal of Martial Law and for the transfer of power to the representatives of the people. In addition he demanded investigations into the Army shooting in East Pakistan and the return of the Army to the barracks. He said that he would "consider" attending the National Assembly on the 25th of March only when his four demands were met.

The ugly deadlock continued and in order to break it I sent the following telegram to Sheikh Mujibur Rahman on the 10th of March:

"I am deeply distressed and profoundly concerned over the recent turn of events in our country. I grieve for our countrymen who have lost their lives in this crisis. My heart goes out to the bereaved families. We seek a new order for Pakistan an order where exploitation of man by a man or of region by region comes to an end. Let us strive to enshrine such a new order not only in the Constitution but in the hearts of all Pakistanis. We are faced with a crisis of the grave magnitude. The future of our country hangs in the balance. Both of us carry an extremely heavy responsibility and everything humanly possible must be done to avert the disaster that threatens us. It must be our common objective that Pakistan be saved and set on the road to peace and progress in which both wings of the country can play their full part.

The unfortunate crisis that has developed leads me to believe that we have come to a stage when the two wings of Pakistan must immediately reach a common understanding if the country is to be saved. And the country must be saved, whatever the cost.

*To overcome the present crisis, every effort must be made to bring the peoples of the two wings together. Every effort must be made to erase the, bitterness and misgivings engendered during the past twenty-three years. Every effort must be directed to preserve the unity and solidarity of the people of Pakistan so that they may march forward hand in hand as brothers. I am prepared to visit Dacca again immediately to meet you to devise a common solution to end the crisis that faces the country so that the Assembly can proceed with the framing of the Constitution. Let not the people say nor the history afterwards record that we have failed them."*⁷

Two days later the General Secretary of the Awami League, Mr. Tajuddin Ahmad, publicly spurned my overture and said that the Awami League was not even prepared to consider the telegram.

⁷ The text of this telegram appeared in the national press on the 11th of March, 1971

The Awami League continued on the path of revolt. The people in the West Wing were stunned by the developments in East Pakistan. Mujibur Rahman continued to issue directives in the name of Bangla Desh, some of which related to the resumption of trade relations with India. Portraits of the Quaid-e-Azam were burnt and the Pakistan flag desecrated in many places. Tagore's⁸ Amar Sonar Bangla was under consideration as the national anthem of Bangla Desh. The State-controlled radio and television stations began to operate under the directives of the Awami League. A Dacca University hall named after Iqbal⁹ was renamed Tagore Hall. An application was sent to the Secretary-General of the United Nations for the admission of Bangla Desh to the world body. Bengali extremists in London demonstrated in favor of Bangla Desh. In New York the Pakistan flag was burnt outside the headquarters of the United Nations. Efforts were made by Bengali students in the United States to take over the Embassy in Washington and the Permanent Mission in New York. The Army in East Pakistan was taunted, abused and humiliated by Bengali extremists from the day the Awami League launched its revolt, and this continued unabated until the 25th of March.

The defeated leaders of West Pakistan tried to capitalize on the situation. They sought to blame the People's Party for everything. The press which was mainly in the hands of Big Business joined these attacks to confuse and confound public opinion. No gambit or stunt was spared to put the blame on the People's Party. In their frenzied efforts to discredit the majority party of West Pakistan, the fate of Pakistan was forgotten. False and malicious rumors were circulated against the People's Party and its Chairman. It was said that the Crisis was caused by the insistence of the People's Party on sharing power. The agents of vested interests circulated the invidious lie that our negotiations with the Awami League had broken down because Mujibur Rahman refused to give the Foreign Affairs portfolio to the Chairman of the People's Party. If it were only a question of portfolios, surely Mujibur Rahman would have made any offer to the People's Party in exchange for its acceptance of his Six Points. Moreover, it would have made no sense for a person who had become the undisputed leader of West Pakistan by a democratic vote, and who had left the post of Foreign Minister in 1966 to protect his country's interests, to seek the same post five years later at the cost of his country.

Many political figures in the West Wing demanded that absolute power should immediately be transferred to the Awami League, both at the national and provincial level. Mujibur Rahman was called "the last link between the two Wings". The demand continued throughout this period. Implicit in the demand for absolute transfer of power to Mujibur Rahman at this stage was absolute acceptance of Six Points. Several West Wing politicians explicitly accepted Six Points in toto. All these politicians are as much to blame for encouraging Mujibur Rahman as he is for acting on such encouragement.

⁸ Rabindranath Tagore (1861-1941), a Hindu Bengali poet, author and educationalist, who was awarded the Nobel prize for literature in 1913.

⁹ Mohammad Iqbal (1873 - 1938), the Muslim poet and philosopher who envisioned Pakistan.

They are equally to blame for the carnage that has followed. These same politicians now not only choose to deny their recent past but have the audacity to start a whispering campaign against the Pakistan People's Party for having striven to arrive at a political settlement with the Awami League within the context of one Pakistan.

On the 12th of March President Yahya Khan arrived at Karachi on his way to Dacca and I met him on the 14th. I reiterated my Party's position and gave our understanding of the latest events. I told him that we agreed in principle to the four demands put forward by Mujibur Rahman on the 7th of March, but any settlement, interim or final, had to be with our consent. We had a responsibility to safeguard the interests of the West Wing and the country as a whole. The President was told that the demands relating to the investigations into the firings and the return of the Army to the barracks could be accepted forthwith. The two concerning the lifting of Martial Law and the transfer of power to the elected representatives were also acceptable to us but the modalities of the transfer and of the withdrawal of Martial Law had to be worked out on the basis of a common agreement. For this reason the negotiations could not succeed without our participation. He was informed that we were prepared to visit Dacca provided Mujibur Rahman would hold meaningful discussions with us.

That afternoon I addressed a public meeting in Karachi and restated our position. I said that power should be transferred to both the majority parties and that we were prepared for a compromise but not at the cost of Pakistan. The speech was welcomed by the people but the hostile press and our opponents perversely distorted it to claim that I wanted two Pakistans. Not only the press but all the vested interests got together to spread confusion in the minds of the people. All these efforts were aimed at isolating the People's Party, to bypass it and hold it responsible for the crisis. Discredited politicians and defeated parties joined the chorus against the People's Party. At a press conference the next afternoon, I strongly condemned the deliberate distortion of my speech and reiterated our position that power should be transferred at the Centre to the majority parties of both the Wings and in the provinces to the majority party in each province.

By any objective criterion, the demand for a reasonable postponement of the National Assembly session did not warrant the explosive reactions that followed the announcement of the 1st of March. The reason for Mujibur Rahman's extreme reaction lay elsewhere. Realizing that his way to constitutional secession through the National Assembly was being blocked, he changed his tactics and decided to rely on a policy of violence. The attitude of most of the defeated parties in the West Wing encouraged him. Because the Armed Forces did not effectively intervene, he believed that they had acquiesced in his demands. Conditions so deteriorated that on the announcement of the President's visit to East Pakistan, Mujibur Rahman remarked presumptuously that the President would be welcome to Dacca as "a guest of Bangla Desh." Against this background President Yahya Khan left Karachi for Dacca on the 15th of March.

On the night of the 16th the President sent me a message asking me to reach Dacca on the 19th of March. The following day I sent my reply. I assured him of my readiness to visit Dacca on the 19th of March provided Mujibur Rahman participated in the discussions. As the President was familiar with our point of view we thought that no useful purpose would be served by going to Dacca to hold another round of talks only with him. What was needed, what was imperative, was a dialogue between the People's Party and the Awami League, and we wanted to know whether this dialogue would take place. I sought clarification on this point – the clarification I referred to in my press conference in Karachi on the 18th of March. Meanwhile on the 17th of March the President's Principal Staff Officer sent another message stating that I was required to visit Dacca to hold discussions with the President. According to him these discussions had become necessary as a result of the President's talks with Mujibur Rahman. Having been informed that I was being summoned to Dacca to meet the President and not for the purpose of having discussions with Mujibur Rahman, we politely refused the invitation.

Sheikh Mujibur Rahman's several meetings with President Yahya Khan and the activities of some of the West Wing politicians in Dacca aroused a great deal of speculation. The press was full of canards, rumors floated by the hour. Sometimes it was reported that the negotiations were not progressing satisfactorily, on other occasions it was asserted that negotiations had almost concluded with success and that an interim Government was to be formed to the exclusion of the Pakistan People's Party. These rumors gained credibility when the legal advisers of the President were summoned to Dacca. Their presence in Dacca was taken to mean that an interim constitution was being prepared. In view of the uncertainty and the deepening conspiracy of vested interests, I sent a message to the President on the 18th of March in which I stated that we were carefully watching the grave developments taking place in Dacca and that as the majority party of the West Wing it was our duty to the people to see they were properly represented and thus to resist all attempts to exclude the Pakistan People's Party in any settlement, either interim or permanent. I reiterated our well known position that any arrangement not acceptable to the Pakistan People's Party would break down as it would not be acceptable to the people of the West Wing.

On the 19th evening I received a communication from the President stating that I, along with my advisers, should leave immediately for Dacca. The message went on to state that Sheikh Mujibur Rahman had agreed to hold discussions with me and the President. Our condition having been met, we accepted the invitation. On the morning of the 20th I summoned an emergency meeting of the High Command of the Central Committee of the People's Party at Karachi to review the situation and to prepare the brief for Dacca. Along with a number of my colleagues, including constitutional experts, we left for Dacca on the morning of the 21st. With our departure the eyes of a worried nation turned to Dacca. Even the man in the street knew that matters were coming to a head. In the next few days Dacca was to decide the fate of Pakistan.

Dacca: Grand Finale

We arrived in Dacca at 4.30 that afternoon. It was an emergency landing as two out of the four engines of our Boeing had failed during the course of the journey. While flying over East Pakistan, and on seeing the green fields of Dacca when the plane was descending, I was overcome by an indescribable sensation. I could not believe that this land of ours, that these people of ours who had contributed so heroically to create Pakistan were really on the verge of breaking away. I could not imagine that seventy-two million of our countrymen were being severed from Pakistan. I could not believe that in the last few years so much resentment had grown that our brothers and sisters should revolt against the country for which so many had shed blood. At the time of Partition Pakistan had lost East Punjab, West Bengal and Assam. The State of Jammu and Kashmir remained in Indian hands. And now, two decades later, the fate of the most populous part of our country was in the balance.

On alighting from the aircraft we were surrounded by military personnel and applauded by the army Jawans guarding the airport and by the refugees who had taken shelter in and around the cantonment. The plight of these refugees and their harrowing tales can never be forgotten. On being escorted to the VIP room, Brigadier Arbab Khan informed us that the Army's arrangements for our stay in Dacca had been taken over by the Awami League as Sheikh Mujibur Rahman had insisted that his party would look after us. A number of taxis had been brought to the airport by the Awami League workers. Some of my colleagues were a little wary of these arrangements, but I was willing to accept the gesture at its face value. However, a Colonel suggested that as a matter of precaution it would be safer for us to be escorted to the hotel by army personnel. We were soon to learn that this was a sensible suggestion. On our way to the hotel we encountered a hostile reception, which looked pre-planned. In the hotel lobby the Awami League workers shouted abuses and indulged in hooliganism. For some time the lift was prevented from taking us to our rooms. When we reached our rooms, Brigadier Arbab Khan informed his headquarters of the reception given by the Awami League. Mujibur, Rahman was then told that in view of the failure of his workers to make adequate arrangements the Army was again taking charge of our stay in Dacca.

At 7.30 that evening I met President Yahya Khan at President House. The President informed me of the series of meetings he had held with Sheikh Mujibur Rahman from the 16th to the 20th. In view of the headway made, Sheikh Mujibur Rahman had addressed a press conference on the 18th in which he said that progress had been achieved. As a result, the experts of the Awami League and of the President also held discussions on the proposed constitutional arrangements. The President proceeded to inform me about the proposal made by the Awami League leader.

The salient features of the proposal were that Martial Law be withdrawn immediately and power transferred in the five provinces without effecting a similar transfer in the Central Government. According to this proposal the President would continue running the Central Government as was being done at the time or, if he so chose, with the assistance of advisers not drawn from the people's representatives. It was also proposed that the National Assembly be divided ab initio into two Committees, one for West Pakistan comprising the elected representatives from West Pakistan and the other for Bangla Desh comprising the elected representatives from East Pakistan. The Committee for West Pakistan would meet in Islamabad and the Committee for Bangla Desh in Dacca. The Committees would prepare their separate reports within a stipulated period and submit their proposals to the National Assembly. It would then be the task of the National Assembly to discuss and debate the proposals of both the Committees and find out ways and means of living together. Under an interim arrangement, which was to be an amended form of the 1962 Constitution, East Pakistan would be given autonomy on the basis of Six Points and the provinces of the West Wing would have powers as provided in the 1962 Constitution, but would be free to work out their quantum of autonomy according to a mutually acceptable procedure, subject to the President's approval. The entire scheme was to be published in the form of a Presidential Proclamation.

After narrating the proposal, President Yahya Khan told me that he had made it clear to Mujibur Rahman that his concurrence to the proposal would be subject primarily to my agreement but that he would be more satisfied if the other leaders of West Pakistan would also give their consent. The President further informed me that he intended to take a letter from the leaders confirming their consent to the proposals. According to him such letters would arm him with additional authority to take the proposed steps.

The proposal was of far-reaching significance, but then the situation in East Pakistan was almost at the point of no return. Any proposal which might break the deadlock had to be given serious consideration. I had a preliminary discussion about these proposals with President Yahya Khan and told him that I would give him my considered comments after deliberation and having had the benefit of advice from my colleagues. Before my leaving, the President informed me that on the following morning at 11 o'clock Sheikh Mujibur Rahman and I were scheduled to meet him at President House.

The scheme was fraught with danger. I had only just arrived in Dacca and seen firsthand the state of affairs. I wanted a little time for reflection. On my return to the hotel I acquainted my colleagues with the "two Committee proposal." They expressed their misgivings and suggested that I should not accept the proposal as it contained the seeds of two Pakistans. I was relieved to get their reactions which were similar to my own. We also agreed that any settlement with such significant consequences could not be arrived at privately, or by exchange of letters. It had to be put to and approved by the recently elected National Assembly with the full knowledge of the people. Two or

more political leaders could not ignore the existence of the entire Assembly vested with constituent and legislative powers.

On the morning of the 22nd I arrived at President House a few minutes before the appointed time; Mujibur Rahman arrived promptly at 11 o'clock. We greeted each other and, exchanged a few formal words. After that we were escorted to the President. Once again there were formal greetings. Sheikh Mujibur Rahman expressed regret for what had happened on the way from the airport to the hotel and inside the hotel saying that he had tried to control the feelings of the people but as passions were running high it was difficult to exercise restraint over each individual. I replied that such things did not bother me as my aim was to arrive at a satisfactory settlement, and nothing else mattered. Mujibur Rahman then turned to the President and asked him if he had given his final approval to the proposals of the Awami League. The President reminded him that it was necessary for me also to agree and for that reason I was present at the discussions. On that Mujibur Rahman remarked that the proposals had been communicated to the President and it was for the President to convince me and went on to say that once Mr. Bhutto agreed in principle to the proposals, they could hold formal discussions, but until then the discussions were of an informal nature and on leaving the President he would tell the press that he had met the President and that Mr. Bhutto also happened to be present. The President replied that this was not good enough, but Mujibur Rahman remained adamant. Throughout the discussions Sheikh Mujibur Rahman was courteous but tense. To break the tension, the President ordered coffee and refreshments. Immediately after taking coffee, the Awami League leader said that he was in a hurry because one of his colleagues had died in the early hours of the morning. With that he rose to his feet and took the President's leave, and I accompanied him to see him to the car.

As we entered the Military Secretary's room on our way out, Sheikh Mujibur Rahman asked General Mohammad Umar, General Ishaque, the Military Secretary to the President, and the President's Naval aide-de-camp who were sitting in the room, to leave as he wanted to talk to me. I was a little surprised by this sudden change of attitude on his part. He grasped me by the hand and made me sit next, to him. He told me that the situation was very grave and that he needed my help to overcome it. At this point, thinking the room might be bugged, we walked out to the verandah towards the back of the house and sat in the portico behind the President's salon.

Sheikh Mujibur Rahman repeated what he told me in the Military Secretary's room, and went on to say that things had now gone too far and there, was no turning back.

According to him the best way out was for me to agree to his proposals. He emphasised that there was no other alternative. He told me that he now realized that the People's Party was the only force in West Pakistan and that the other politicians of West Pakistan were wasting his time. He volunteered the information that he had rebuked all of them

except Khan Abdul Wali Khan, whose party at least represented one province, when they called on him. He said that he was now convinced that it was essential for the two of us to agree. He told me I could do whatever I wanted in West Pakistan and he would support me. In return I should leave East Pakistan alone and assist him in ensuring that the Awami League's proposal materialized. He suggested that I should become the Prime Minister of West Pakistan and he would look after East Pakistan.. According to him this was the only way out of the impasse. He cautioned me against the military and told me not to trust them: if they destroyed him first they would also destroy me. I replied that I would much rather be destroyed by the military than by history. He pressed me to give my consent to his proposal and to agree to the setting up *ab initio* of the two Committees. He went on to say that in the present circumstances it would be impossible for the National Assembly to meet at all as one body; it should be adjourned sine die. He told me that he would like to meet me again and that he would arrange a secret meeting between the two of us. In the meantime I should ask Mr. Ghulam Mustafa Khar to keep in touch with him; on the next day he would send me one of his men to take Mr. Khar to his house.

I explained to Mujibur Rahman that my request for the postponement of the National Assembly had been made in good faith, and that his reaction was unnecessarily violent. Now, only a few days later, he did not want the Assembly to meet at all. The negotiations that he had with the President and his talk with me confirmed the necessity for consultations before the meeting of the Assembly. I told him that for this very reason I had been insisting on prior negotiations between the two majority parties, but he had shunned every initiative of ours in this direction. Thus, although he had misunderstood and misconstrued my demand for a reasonable postponement of the Assembly, events were nevertheless supporting my earlier position. I told him that I would naturally give my most careful thought to his proposal and do everything possible to arrive at a fair settlement. However, whatever the final shape of the proposal, it should be passed by the National Assembly, if necessary in the form of a resolution authorizing the issuing of the Presidential Proclamation. I further informed him that I was not prepared to give any letter in connection with proposals made outside the Assembly. I could not assume this responsibility as an individual or on behalf of my party when the people's representatives to the Assembly had already been elected, and were waiting to discharge the same responsibility as was their right. Mujibur Rahman was quick to take the point. He replied by saying: "You are right; nor will I give any letter. But you should first refuse giving it and I will follow you."

Mujibur Rahman rejected the idea of the Assembly meeting at all, even briefly. Whatever the nature of the arrangement he was now determined to have it concluded in full without the National Assembly sitting as an Assembly for the whole country. After expressing these views he got up to leave. I accompanied him to his car and we said good-bye to each other. This was my last meeting with the Awami League leader.

After leaving President House, Mujibur Rahman informed the press that he had met the President and I happened to be present at the meeting. He did not mention anything about our separate talk on his initiative. Later when I returned to the hotel and was asked by correspondents whether Sheikh Mujibur Rahman and I had a separate meeting, I replied by saying that I did not want to contradict the impression that Mujibur Rahman had given to the press on leaving President House.

After saying good-bye to Sheikh Mujibur Rahman I went back to President Yahya Khan, who apparently was watching us from his salon. When the President expressed his surprise at what he called "the honeymoon between the two of you", I told him that such dialogues are a part of politics. I gave the President a resume of those parts of the conversation which were relevant to the crisis but omitted the remarks that were made in confidence. I also conveyed to the President my considered opinion of the Awami League leader's proposal.

I told President Yahya Khan that I could not be a party to the proposed scheme as it inevitably meant two Pakistans. This was my main objection to the scheme, but it also contained other serious defects. For one thing, a different measure of autonomy for the provinces of the West Wing during the interim period, apart from being unacceptable, would be difficult to work out without the approval of the National Assembly. Then again, Martial Law was the source of law then obtaining in Pakistan and the very basis of the President's authority; with the Proclamation lifting Martial Law, the President and the Central Government would have lost their legal authority and sanction. There would thus be a vacuum unless the National Assembly was called into being to establish a new source of sovereign power on the national level. If, in the absence of any such national source, power were transferred as proposed in the provinces, the government of each province could acquire *de facto* and *de jure* sovereign status. This was not only a legal but a practical problem. The object of Sheikh Mujibur Rahman was to take control of East Pakistan both in fact and in law, and in such a situation nothing could stop the secession of East Pakistan. For that matter, the provinces of the West Wing would also be in a position to declare their independence. The two Committees meeting separately *ab initio* would accelerate the polarization between the two Wings. The National Assembly, divided and with no prospect of meeting as one body, could provide no check to this polarization. Mainly for these reasons I expressed my inability to give my approval to the proposal as it stood.

However, moved by the urgent need to find a compromise to save the integrity of Pakistan, I said we would be prepared to accept a negotiated settlement for an interim arrangement enforced by a Presidential Proclamation but only if this was approved and authorized by the National Assembly. We also felt it was necessary that the Assembly should meet first as one body to determine the content of the Center's subjects and the mechanics by which it would later resume its functions. Once the central subjects were determined, the two Committees would be obliged to limit their concern to matters

coming under this national umbrella. There would be no such limitation if the two Committees met separately *ab initio*.

I suggested to the President that he should exert his authority and influence to make Mujibur Rahman agree to a compromise of this nature. The Assembly could meet in a matter of a few days and determine all these issues within a week. Surely, it was reasonable to expect Mujibur Rahman to make some sensible adjustment that would preserve national unity and at the same time give him the substance of his demands. The President requested me to discuss all these questions in detail with his experts at 4.30 in the afternoon. Accordingly, accompanied by my constitutional and political advisers, we met the President's advisers. In this meeting we discussed at some length the implications of the Awami League's proposal and also repeated our own views on the nature of the compromise.

On the 23rd of March President Yahya Khan met the other leaders of West Pakistan. I was informed that in these discussions the President, among other matters, briefed them on my views on the need for the Assembly to authorize the terms of the Proclamation and to decide the federal subjects. I was told later that a leader from Baluchistan said that if there could be two Committees, why could there not be five Committees? But they all accepted my objections and rejected any permanent settlement without the National Assembly meeting at all. This they reiterated emphatically when I sent Mr. Mahmud Ali Kasuri and other colleagues on the 23rd of March to inform them of our decision regarding the proposed scheme.

On the 23rd and 24th of March the Awami League leaders and the advisers of the President had a series of protracted meetings. In these meetings the Awami League amended its original proposal. Now they wanted two Constitutional Conventions instead of two Committees. They wanted the Constitutional Conventions to submit two Constitutions, not merely reports containing proposals, to the National Assembly which would later meet to tie-up the two Constitutions for a "Confederation of Pakistan." For the first time the Awami League formally proposed a Confederation for Pakistan. In the new scheme, the Central Government would have no control or power even in an emergency in the provinces. In fact, they wanted a separate country. On the 24th Mr. Tajuddin Ahmad, the General Secretary of the Awami League, issued a press statement that the Awami League had given its final position to President Yahya Khan and there was nothing further to negotiate.

The 23rd of March was Pakistan Day. Thirty-one years ago on this day the Lahore Resolution was passed calling for a separate homeland for the Muslims of the sub-continent and formally demanding the sovereign State of Pakistan. After thirty-one years we were about to witness the shattering of that dream, and the edifice built upon it. On this historic day instead of a demonstration of national fervor we witnessed the hatred of Pakistanis for Pakistanis; instead of national jubilation there was grave

tension; and most painful of all, instead of the Pakistan flag fluttering proudly over every house-top we saw for the first time the new flag of Bangla Desh being hoisted everywhere including Government buildings and public institutions. On this day instead of the militia and the Bengali youth of Pakistan parading to show the strength and power of Pakistan, we saw the local youth and newly created militia demonstrating their power by parading with weapons as the soldiers of Bangla Desh. Sheikh Mujibur. Rahman himself hoisted the Bangla Desh flag at his residence.

This was a painful spectacle for those of us who were enchanted by the concept of Pakistan from the days of our youth, who had devotedly served the cause of Pakistan both at home and in foreign lands. Events were truly moving faster than time could keep pace with. Decisions had to be taken one way or the other. We were on the edge of a precipice. Either we had to step back or step forward and fall to pieces. This was the moment of truth, the moment of reckoning. It was awesome knowing that the fate and future of our countrymen lay in three pairs of hands and that Allah in His Wisdom had made mine one of them.

On the 24th morning I again called on President Yahya Khan and also met his Principal Staff Officer, Lt. General Peerzada. I told him that the time for a settlement seemed to be running out, and it was necessary to come to a decision without delay. I informed the President that I had sent back some of my party leaders as I felt that their presence was more necessary in West Pakistan at this critical juncture. For that matter, in view of Mujibur Rahman's adamant and inflexible attitude, I was of the opinion that there was little point in the rest of my party remaining in Dacca. However, we had decided to stay as an emissary had been sent to inform Mr. Ghulam Mustafa Khar that he would be escorted that night from the hotel to meet Sheikh Mujibur Rahman.

On the night of the 24th Mr. Khar met Rahman and found him perturbed. He informed Mr. Khar that there was a lot of trouble in Chittagong and that some army officers were getting out of hand. As the situation had come to a breaking point, he told Mr. Khar that I must accept his proposal and become the Prime Minister of West Pakistan, leaving East Pakistan to him and his people. Mr. Khar told Sheikh Mujibur Rahman that he would communicate this to me but doubted whether I would agree to a proposal dividing Pakistan. Before Mr. Khar left, Mujibur Rahman said that they would keep in touch and again send someone to fetch him for a meeting on the night of the 25th.

On the 25th morning accompanied by Mr. J.A. Rahim, the Secretary-General of our party, and Mr. Khar, I met President Yahya Khan and Lt. General Peerzada to discuss the proposals and the latest developments including Mr. Tajuddin's ultimatum. In the afternoon of the 25th our advisers were briefed by the President's aides about the final proposals of the Awami League.

Sheikh Mujibur Rahman's emissary came at about 8 o'clock in the evening to fetch Mr. Khar. As no fresh developments had taken place, Mr. Khar told the emissary that there was nothing new to report to his leader and that it might be better if the meeting were postponed; before our departure for Karachi on the morning of the 26th we might again meet the President, and if there were any important developments we would stay behind, and he would meet the Awami League leader in the evening. The emissary, however, informed Mr. Khar that the President had already left Dacca at 7 p.m. We tried to ascertain whether this was correct by telephoning President House, but could get no confirmation.

That evening Sheikh Mujibur Rahman issued a statement for a general strike on the 27th of March to protest against the Army's action in Chittagong and some other places. I remember discussing with my colleagues that at his climactic juncture such a call was strangely weak – or was it deliberate and calculated?

At about 10.30 at night after finishing our dinner, we went to our rooms. An hour later we were awakened by the noise of gun-fire. A number of my friends came to my room and we saw the Army in action. We witnessed from our hotel room the military operations for about three hours. A number of places were ablaze and we saw the demolition of the office of the newspaper "The People". This local English daily had indulged in crude and unrestrained provocation against the Army and West Pakistan. With the horizon ablaze, my thoughts turned to the past and to the future. I wondered what was in store for us. Here in front of my eyes I saw the death and destruction of our own people. It was difficult to think straight. Many thoughts crossed my mind. Had we reached the point of no return – or would time heal the wounds and open a new chapter in the history of Pakistan? How I wished I knew the answer.

On the 26th morning at 8 o'clock Colonel Saeed came to take us to the airport. When we were leaving the hotel lobby, the foreign journalists swarmed around us and asked me a number of questions, which I refused to answer. On our way to the airport Colonel Saeed informed me that Mujibur Rahman had been arrested at his residence at 1.30 in the morning and that at present he was lodged in a school in the cantonment. I told Colonel Saeed to treat him well; to remember that in spite of what was happening, and in spite of what Sheikh Mujibur Rahman stood for, he was a leader of the people and merited respect. This may have sounded sanctimonious but I meant it sincerely. Colonel Saeed assured me that the Awami League leader would be well looked after and given due respect. On our way to the airport we saw the flags of Bangla Desh coming down from the house-tops and we also saw barricades on the streets. As I was leaving Dacca I was again haunted by thoughts of the future. I prayed that this turn in events should not degenerate into a protracted internecine conflict. I hoped that the patriotism of the common people would soon reappear in vigor and that the nightmare of fascism would disappear.

Return to Karachi

In West Pakistan there was much concern about our safety. A tumultuous crowd welcomed us at Karachi Airport on our return at 6.30 in the evening, and insisted that I make a speech; but I was in no mood for speeches. I nevertheless did manage to say: "By the Grace of God Pakistan has at last been saved". In my heart I hoped and prayed that I was right. The future will tell whether Pakistan has been saved or lost. But this much can safely be said that if the regime had not acted on the night of the 25th, on the following day the Awami League would have declared the independence of Bangla Desh. Everything was made ready for it—the state of their armed preparedness, the concentrations of their forces and the barricades on the streets were visible proof of this.

The general strike called for the 27th was obviously a blind to lead the regime astray. The intention was to proclaim the independence of Bangla Desh on the 26th of March after Friday prayers.

On the evening of the 26th the President addressed the nation.¹⁰ He informed the bewildered people of our country that the Awami League had been outlawed and that, until the situation in the country was brought under control, Martial Law would be tightened. The President said that Sheikh Mujibur Rahman's action in East Pakistan was an act of treason. He described the Awami League leader and his party as enemies of Pakistan who wanted East Pakistan to break away completely from the country, and said their crimes would not go unpunished. The President assured the people that he would restore democracy as soon as the situation permitted.

Since the 26th of March political activity in Pakistan has been considerably restricted. Vigorous censorship has been imposed and public meetings banned. It is reported that the situation in East Pakistan is gradually coming under the control of the Army. However, this control may prove only temporary, particularly if force, and not reform, remains the main instrument of policy over a period of time.

The World and Our Crisis

The attitude of foreign powers in our crisis has been disappointing, if not unfriendly. In so self-evident a matter, with a nation struggling for its own survival, world opinion should have been unambiguously on the side of Pakistan. Here was a country doing its fundamental duty to preserve its national integrity. Pakistan was not imposed upon the people of East Bengal. All the provinces constituting the State of Pakistan voluntarily chose to form an independent State. Indeed, had it not been for the will of the people, exercised so resolutely and with so many sacrifices, the State of Pakistan would not have come into being. Moreover, Pakistan has been in existence for twenty-three years

¹⁰ The full text of the President's address is reproduced in Appendix III.

and despite past blunders the nation has overcome a multitude of vicissitudes. Pakistan has withstood the intrigues of India and has repelled two armed attacks by her. It is the largest Islamic State and the fifth largest nation in the comity of nations. Does Pakistan need any further credentials for its survival?

Except for India, Pakistan's relations with the world outside have to a large extent been cordial. Pakistan has rendered invaluable services to the Muslim World and to all Arab causes. Pakistan has been on friendly terms with the countries of Asia, Africa and Latin America, and also with Western Europe and the United States. The country has remained faithful to the Charter of the United Nations and is a member of the British Commonwealth. From 1960 Pakistan has made sustained efforts to improve its relations with the Soviet Union and Eastern European nations, and since the Sino-Indian War of 1962 has developed productive relations with the People's Republic of China.

In spite of our good record in international relations, the attitude of most countries except for China has been vacillating and ambivalent in our hour of crisis. Pakistan was not asking for support against another country. There was no question of taking a position in favor of Pakistan and against another country. No country was being put in a predicament to support Pakistan at the cost of its relations with any other country. Thus there should have been no reluctance for the foreign powers to reaffirm the well established principle of international law calling upon States not to interfere in each other's internal affairs.

The attitude of the British and the American press has been, to say the least, deplorable. In general the Western press has unashamedly supported the secessionist movement. At the height of the crisis in East Pakistan, many foreign correspondents exceeded all bounds of even journalistic partisanship and curiosity by openly distributing Bangla Desh flags and encouraging the secessionists.

Prompted by India, the Soviet Union sent a demarche to the Government of Pakistan dictating a political solution for the crisis in East Pakistan. In doing this the Soviet Union chose to forget her own history, her Own military interventions for self-preservation even beyond her borders in Hungary and Czechoslovakia, and called upon the Government of Pakistan to find a particular kind of solution to a problem that exclusively concerns the people of Pakistan. The United Kingdom has been equally partisan. A small but significant indication of British sympathy occurred when the British High Commission in Islamabad, Lahore and Karachi, knowing the crisis was not over, first issued invitations for a reception to celebrate the Queen's Birthday on the 21st of April and then cancelled them because of the situation in East Pakistan. This was an extraordinary way of showing British sympathy for the secessionists. How would the British react if Pakistan were to cancel a function in London because of the bloodshed in Northern Ireland? These are only some of the instances of foreign sympathy for the secessionists. By a number of subtle and surreptitious measures,

several Western countries have interfered in Pakistan's internal affairs on the side of the secessionists; Only China, Pakistan's great and friendly neighbor, has come out boldly to support Pakistan. China has gone one step further. In a letter addressed to the President of Pakistan, the Prime Minister of China assured the Pakistani people of China's complete support in the event of Indian aggression.

India's hostile attitude, although expected, has been unbecoming in the extreme. She has blatantly interfered on the side of the secessionists. She has openly supported the forces seeking to destroy Pakistan. The Prime Minister of India waxed eloquent in support of the secessionists in the Lok Sabha, and declared that the problems of East Pakistan could not be regarded as the internal affair of Pakistan. Both Houses of Parliament unanimously passed a resolution in support of the aspirations of the secessionists. West Bengal has been turned into a springboard for Indian infiltrators to penetrate East Pakistan. It has also turned into a haven for the insurgents. The Border Security Forces of India have been sent in civilian clothes to East Pakistan. Large quantities of arms and ammunition have been supplied to the rebels. Indian forces have actively aided the rebels on the borders particularly in Sylhet, Khulna and Jessore. The Indian Navy harassed Pakistan's merchant ships and even attempted to blockade the Bay of Bengal. Funds for the secessionists are being collected throughout India. The State Legislatures are whipping up Indian public opinion in support of the secessionists.

India's actions cannot be passed off as spontaneous demonstration of support for an independent Bangla Desh. The conspiracy is as old as Partition, and since the Agartala Conspiracy Case it has been considerably intensified. India always had a covetous eye on East Bengal, as a first step in destroying Pakistan. The late Prime Minister Jawaharlal Nehru personally planned the policy of giving East Bengal different treatment from the rest of Pakistan. The over ten million strong Hindu population of East Bengal and the ethnic affinities of East Bengal to West Bengal were partly responsible for this separate treatment. When, after Partition, India introduced the Evacuee Laws, as a matter of policy she did not apply them to East Pakistan. India encouraged border trade between East and West Bengal and did not apply between East Bengal and India the stringent rules for visas and permits. From the beginning India has tried to wean away East Bengal from Pakistan. Had it not been for the increased Communist influence in West Bengal, the Naxalite movement, and her troubles with the Nagas and Mizos, India would have taken even more adventurous steps to inveigle East Pakistan; as it is she has shown little inclination for restraint.

After the victory of the Awami League in the general elections, the Prime Minister of India called snap general elections to strengthen her hand so she could assist a rebellion in East Bengal. During the Indian elections, on the excuse of conducting orderly polls in West Bengal, more than 120,000 Indian troops were massed in West Bengal. This was done in anticipation of the present crisis that has hit Pakistan. On the 30th of January,

1971, an Indian plane that was flying from Jammu was hijacked to Lahore. It now appears that this was a calculated move to find a pretext for the suspension of inter-Wing flights. It was done to prevent direct communications between East and West Pakistan over Indian territory.

The present crisis has brought out into the open the strong links that India developed with the Awami League and its leaders. Indian Missions abroad have taken up the cause of Bangla Desh as if it were their own. All India Radio continues to broadcast a tissue of lies in support of Bangla Desh. A number of secessionists have taken shelter in Calcutta and are being supported by the Government of West Bengal and the Indian Government. A clandestine radio station was set up by India in the River Hoogli to broadcast in the name of Bangla Desh. Had it not been for the forthright position taken by China, and for India's own troubles in West Bengal and in Assam, India might well have launched a full scale invasion of East Pakistan by this time.

Apart from a few friendly States like Iran and Turkey, and some other countries in the Middle East, in Asia and Africa, international response to a matter which is exclusively within the jurisdiction of Pakistan has been disappointing. It is in marked contrast to the situation in 1965 when, during the Indo-Pakistan War, the whole world, with the exception of Yugoslavia and Malaysia, supported Pakistan to such an extent that the late Prime Minister of India, Mr. Lal Bahadur Shastri, had to bemoan the fact that India stood isolated.

The Foreign Office has failed abysmally. It has not only been on the defensive but been shamefully apologetic. This is what happens to a country that turns an activist foreign policy into a defensive foreign policy. This is what happens to a country whose foreign affairs fall into the hands of commonplace bureaucrats and incompetent individuals arbitrarily appointed by non-political regimes. Not only has the Foreign Office failed to explain the tragic events of East Pakistan but in the process it has allowed India to confuse world opinion on the Kashmir dispute. So much so, that India has drawn a parallel between Kashmir and East Pakistan when none exists. East Bengal of its own choosing is an integral part of Pakistan whereas Kashmir, even as admitted by Pandit Jawaharlal Nehru, the first Prime Minister of India, has yet to settle its future.

The people of Pakistan should, however, remain undaunted. They must learn a permanent lesson from this crisis. They should learn to assert their own independence and prepare themselves to face every form of external interference. History bears ample testimony to the success of a people who take the destiny of their nation into their hands, who withstand foreign interference. If the people of Pakistan stand united under the right leadership and are determined to put their house in order, no external influence can prevent them from realizing their objectives. We cannot be overwhelmed by international intrigues and foreign interference unless our own people stumble. A

popular leadership will not permit the people to falter – it will inspire them collectively to overcome the crisis.

Shortcomings of Legal Framework Order

The catalogue of mistakes and miscalculations over the past twenty-three years has been briefly stated earlier: how the combination of political blunders and the rapacious plunder of capitalism accentuated the dichotomy of Pakistan. President Yahya Khan's regime had tried to tackle the accumulated mistakes of the past but it has been caught in vortex. It has not been free from mistakes. I would go so far as to say that President Yahya Khan acted in good faith in holding the general elections, but political events escalated so rapidly that they could not be contained by the framework he put forward. In his broadcast to the nation on the 28th of November, 1969, President Yahya Khan said that he would provide a scheme by the end of March 1970 "in the nature of a provisional Legal Framework" for "holding elections to the National Assembly". However, the Legal Framework Order as it was promulgated at the end of March went far beyond being provisional and, by its own terms, could be amended only by the President. Moreover, its contents gave it the nature of a "Constitutional" Framework Order. Even in this respect, however, the Order contained certain inherent contradictions. It sought to retain the supremacy of Martial Law and at the same time provided, under this shadow, for a National Assembly to frame the country's Constitution by the people's representatives. History has shown that the harmonious co-existence of such dual and parallel powers is difficult; the currents of dictatorship and democracy, in variably in conflict, cannot in practice be easily blended. It should have been foreseen that two "equal" powers, one of the people and the other of a military junta, could not govern at the same time. The Order also imposed a limit on the sovereignty of the Assembly by giving the President the authority to refuse to authenticate the Constitution passed by the Assembly. Perhaps it was not appreciated at the time that it would not have been possible for an individual, no matter how great his power, to reject without democratic sanction the decision of the National Assembly. Such an affront to democracy would have provoked the final crisis.

The Legal Framework Order sought to be comprehensive in that it laid down the contents of the preamble and the directive principles to be incorporated in the Constitution and five fundamental principles on which the Constitution was to be based. It also provided in many respects for the nature of the National Assembly, including its officers, its rules of procedure and quorum. However, even in its attempted comprehensiveness the Order failed. There was a patent void as to the voting procedure, which was, as a favor, left to the Assembly to decide. The Assembly, to ensure its sovereign character and to facilitate the early framing of the Constitution, would have naturally settled for a simple majority, which would inevitably have challenged the Legal Framework Order and brought the Assembly into conflict with the regime. While the Order provided for a federal and parliamentary system of

government, it left unsettled the important question of whether the federal legislature was to be unicameral or bicameral. Most vital, in the final analysis it left vague and open the central issue of provincial autonomy, and, by allowing an over long period for the election campaigning, it permitted this issue, to become explosive. Perhaps these omissions occurred on the basis of the miscalculation that the complexion of the National Assembly would be one of small conflicting parties and that no major parties would emerge to dominate the Assembly and dictate their will.

The regime failed to appreciate the full significance of the demand for provincial autonomy in its scheme for the restoration of democracy. It could have followed several other, courses to satisfy this demand. One course would have been for President Yahya Khan to have called a conference of leaders soon after the imposition of Martial Law to settle the quantum of autonomy for the provinces, the main problem. The regime should have put the leaders on notice by telling them that it was prepared to abolish One Unit and Party and hold general elections provided there was agreement on autonomy, but not otherwise. The necessity of fulfilling this condition precedent would have forced the leaders to work out a satisfactory solution on autonomy. Otherwise they would have incurred public anger and stood condemned for thwarting the restoration of democracy. The leaders would also have been held responsible for the perpetuation of One Unit and Party, both of which were extremely unpopular. The political leaders would have been driven to arrive at a compromise. With an agreed compromise on the degree of autonomy, the remaining principles of the Constitution could have been submitted to a referendum in which the people would have been given a clear cut choice to accept or reject each of the principles. Once the principles of the Constitution had been determined by a referendum, a Constitution Commission could have been set up to draft the Constitution. The final draft could have again been put to a referendum and the leaders of the country made to commit themselves to the Constitution on the basis of the pre-existing agreement on the quantum of autonomy. After that general elections could have been called under the Constitution so framed, and power immediately transferred to the elected representatives of the people after the elections. Alternatively, the principles of the Constitution passed by the referendum together with the agreement on autonomy could have taken constitutional form through a Constituent Assembly later converted into a legislature as was designed under the Legal Framework Order.

It was a serious mistake to leave undecided the main question of autonomy. The election in East Pakistan was allowed to be fought on this divisive issue. It was equally - wrong to allow so much time to whip up primitive passions. In the West Wing a progressive party swept the polls. Had this not, happened Pakistan would by today have been in pieces. In East Pakistan, however, the forces of the left f miserably. The other parties in East Pakistan were swept away and there was nothing to hold the Awami League.

What is more striking is the fact that the provision regarding provincial autonomy contained in the Legal Framework Order was virtually not used from its promulgation in March 1970 till the 6th of March, 1971, to challenge Six Points. The Order laid down that the provinces should have maximum autonomy, but "the Federal Government shall also have adequate powers including legislative, administrative and financial powers, to discharge its responsibilities in relation to external and internal affairs and to preserve the independence and territorial integrity of the country." Six Points was in conflict with this provision, but the regime made no pronouncement on Six Points. Instead it allowed the programme to gain ground. Its Governor in East Pakistan openly advocated the acceptance of Six Points. It was not until the 6th of March, a year after the promulgation of the Legal Framework Order, that the President in his broadcast to the nation asserted that the Order was an assurance against a Constitution which undermined the integrity of Pakistan. By implication this assurance related to Six Points. But by then it was really too late.

The Regime and the Majority Parties

Why did the regime allow such latitude to the Awami League and its Six Point programme? There are many reasons, but the main one was to be found in the prejudice against the left. The authorities did not take unkindly to the demand of Sheikh Mujibur Rahman for a paramilitary force under provincial command; because he needed this paramilitary force to crush the left. In contrast, the regime was extremely sensitive to the setting up of a similar force in the West Wing by the People's Party. Mujibur Rahman had boasted that he would liquidate the leftists in East Pakistan. This was reassuring to those attached to the status quo. Big Business and their agents in the bureaucracy influenced the regime to give the benefit of the doubt to the Awami League. Ministers of the Central Government were inimical to the People's Party, and several supported Mujibur Rahman. These Ministers came not only from East Pakistan but also from West Pakistan. Mr. Mahmood Haroon, a Minister from West Pakistan, proudly proclaimed his long established association with the Awami League leader. His elder brother, Mr. Yousuf Haroon, a man with foreign links and a tainted past, for whom Mujibur Rahman worked as an insurance agent, claimed to act as an intermediary between the regime and the Awami League, to whom he gave considerable material assistance. The Awami League leader was also favored by the Western Powers, which fact was not lost on the regime.

A combination of powerful influences was working all the time in favor of the Awami League, at the expense of progressive forces in the East Wing. This is how the Awami League, a secessionist party, acquired respectability. This is how Sheikh Mujibur Rahman came to the pinnacle of power. Otherwise it is unlikely that the Awami League would have swept the polls in East Pakistan with such unprecedented success. It was reported that only a few months before the elections, in a poll conducted by the Awami League itself, the party found its strength was not beyond 40% of the total electorate.

With this discovery, the Awami League intensified its campaign of hate and abuse for West Pakistan. Not a finger was lifted to check the spread of this deadly poison. The Awami League workers and hoodlums went about freely coercing Voters, and the provincial administration did nothing to stop them. Throughout this period the military Governor of East Pakistan sympathized with the aspirations of Mujibur Rahman, and in this atmosphere the activities of the Awami League flourished even after the elections.

In sharp contrast, Central Government Ministers such as Mahmood Haroon and General Sher Ali worked openly against the People's Party during the year long election campaign, and before and after it. When in broad daylight a murderous attack was made on me and my party men at Sanghar by a mob of fanatics, mock action was taken against a few of the culprits and an attempt was made to draw a veil over the Incident. Many of our party's workers were jailed. In fact, some of the party's candidates withdrew from the elections for this reason, and two were elected members of the National Assembly while in jail. Polling agents of our party's candidates were arrested a day or two before the elections. Hoodlums were let loose in my home constituency of Larkana two days before the elections to strike terror among the electorate.

In the West Wing the People's Party, which according to the regime's calculations was not supposed to get more than 20 seats, came out victorious with 88 seats. This was a revolution in itself. The People's Party triumphed over forces which were generally regarded as unbeatable; it defeated the combined power of all the reactionary elements and vested interests. Given an impartial administration, the People's Party would have secured not less than a 100 seats in the National Assembly, and it is unlikely that many more would have been won by the Awami League.

As a result of the elections the regime found it necessary to deal with the reality of power in the West Wing. The People's Party extended its cooperation to the regime without rancor in the search for a national solution. In my first meeting with President Yahya Khan in Karachi after the elections I told him that so far as I was concerned I did not want to dwell upon the administration attitude towards the People's Party before and during the year-long election campaign. To me the past did not matter; national interest was the only consideration and it was solely in this spirit that I would look upon future developments. Moved by the same consideration, the People's Party sought to cooperate with the Awami League, but the Awami League leaders had intentions outside the national interest; thus meaningful cooperation could not be achieved.

In the process of transferring power, the majority parties of the two Wings had to arrive at an agreement, but in reality the Armed Forces, who held the reins of power and had to effect the transfer, were also relevant. Moreover, the Legal Framework Order made the President a party to the process. President Yahya Khan, as head of the Armed Forces, discharged a vital role in the political negotiations. He held crucial discussions

with Mujibur Rahman both before the elections on the 3rd of November, 1970, and afterwards in January and March 1971. The President remarked to journalists at Larkana airport on the 18th of January that he was a link in the chain. President Yahya Khan was prepared to act as more than a link. He did everything in his power to come to terms with the Awami League. He even described Mujibur Rahman as "the next Prime Minister of Pakistan". He was prepared to go to the edge of the abyss to get a settlement.

Sheikh Mujibur Rahman

In spite of all this Sheikh Mujibur Rahman failed. Why did he fail when he was on the threshold of power? He could undoubtedly have become the Prime Minister of Pakistan in the first instance, and, with his parliamentary majority, with control over the civil administration and Armed Forces, with the cooperation of secessionist politicians and opportunists in West Pakistan and the support of Big Business, he could have consolidated his position and achieved in the second phase his objective, an independent Bangla Desh. But Sheikh Mujibur Rahman missed this opportunity. He let it fall out of his hands whilst it was within his grasp. Disaster followed in his wake. The country has been plunged into bloodshed. The sufferings of his people, of our people, have contrary to his promise multiplied, and not ended. If this was not sheer madness, there must be some reason for it.

Before the 1st of March, that is before the President announced the postponement of the National Assembly, Sheikh Mujibur Rahman's strategy was to get constitutional secession in two stages. It would have been very awkward, if not impossible, for the Armed Forces later to brand the legally constituted Prime Minister of Pakistan as a traitor. It would have been equally difficult for President Yahya Khan to reject a Six Point Constitution once it was passed by the National Assembly. Sheikh Mujibur Rahman planned to become Prime Minister of Pakistan in the first stage and after consolidating his power he aimed to achieve his ultimate objective in the second stage. He wanted to contrive a situation that would facilitate the separation of the two Wings of Pakistan by constitutional and legal means. This strategy was reversed after the 1st of March. When the session of the Assembly was postponed, Mujibur Rahman fearing that he stood exposed, chose to revolt against the Central Government.

If Sheikh Mujibur Rahman had negotiated a settlement prior to the meeting of the National Assembly he would at best have got the substance of his demands. This was not enough. He needed all his demands to be met in letter and spirit to achieve the second phase. He feared that anything short of total acceptance of Six Points and the connected demands would make it difficult for him to get legal separation even with himself as Prime Minister of Pakistan. For this reason he rejected a compromise prior to the meeting of the Assembly. Sheikh Mujibur Rahman could again have got the substance of his demands after the postponement but he rejected the proposal that these

demands be met through the National Assembly. He rejected this because events had forced him to reveal prematurely his true intentions, and demand outright separation. The situation had gone beyond the parliamentary phase. It had become necessary to grab power by force in East Pakistan and forget the National Assembly.

What made Mujibur Rahman miscalculate at the end will probably remain an enigma for some time to come. Perhaps he became over-confident and could not contain himself. Some people think it was pressure from extremists. To find an answer, his character and personality will have to be studied closely. His ambitions and prejudices require minute scrutiny. His background, his family life, his habits and predilections will have to be examined. His temperament and his education must be analyzed. His abilities as a political leader, his strategy and tactics require to be noted carefully. He is a complex person and the study will be equally complex.

Sheikh Mujibur Rahman is an impressive personality and he impressed easily. Although not an original thinker nor an innovator, his alert mind was quick to grasp a point. He took bold initiatives. As a student leader, Sheikh Mujibur Rahman was associated with the Pakistan Movement. He was influenced by the Muslim struggle to end Hindu domination and exploitation. Twenty years later he took up the cause of Bangla Desh. This time he wanted to end what he called "Punjabi exploitation". Previously he wanted freedom from the British yoke, now he wanted freedom from what he thought was "the yoke of West Pakistan". Because he was associated with the Pakistan Movement, it does not necessarily follow that he would forever remain bound to the idea of Pakistan. History is full of examples of men who have first espoused a cause and then rebelled against it.

In the early years of Pakistan, Mujibur Rahman was a young man and not a politician of the first rank. He was a Muslim League worker involved in the task of rehabilitation and similar assignments. In 1948, he was active in the language, controversy and played a leading role in the recognition of Bengali as a national language. He took part in the demonstrations in Dacca's Curzon Hall when the Quaid-e-Azam spoke on the national language. He was arrested for his role in this agitation. Within one year of the creation of Pakistan Sheikh Mujibur Rahman had his first stint of detention.

In 1949 Mujibur Rahman, then a rising politician, left the Muslim League to join and help organize the newly-formed Awami Muslim League, as the Awami League was first known. The party was started by Mr. Hussein Shaheed Suhrawardy in 1949 a few months after he came from Calcutta to settle in Pakistan. The party was composed of three main groups: firstly and primarily of politicians from both Wings who found themselves in disagreement with the Muslim League government; secondly, socialists under Maulana Bhashani, who became President of the party in the East Wing; and thirdly, some of the Muslim students who had been active in the language controversy, supported by the Hindus. Although, in 1950, East Pakistani student leaders called a

Grand National Convention which demanded a constitutional arrangement for Pakistan closely resembling what appeared several years later as Six Points, nevertheless in December 1952 the Awami League Manifesto, adopted at a convention in Lahore, contained no particular regional ideas. The Manifesto's three main constitutional features were the election of the Head of State by direct vote, fundamental rights and the independence of the judiciary.

The Awami League and the Krishak Sramik Party joined forces to contest the 1954 elections in East Pakistan; as the United Front against the Muslim League. The Front's 21-Point programme was all-embracing and included the demand for regional autonomy. Sheikh Mujibur Rahman was actively involved in the Front's efforts. The United Front swept the polls in East Pakistan, but its victory was short-lived. Subsequently, however, Mujibur Rahman along with twelve other Awami Leaguers led by Mr. Suhrawardy was elected to the second Constituent Assembly. He was an active member of the opposition and a vociferous speaker. A careful examination of his speeches at the time would reveal that he was becoming disillusioned. He spoke bitterly of the domination of Bengal. He spoke eloquently and with feeling on the cruel exploitation of his people. His hatred for West Pakistan, and particularly the Punjab, was taking deep roots.

The Awami League acquiesced in the 1956 Constitution, and in September 1956 there were Awami League governments in East Pakistan with Mr. Ataur Rahman Khan as Chief Minister, and at the Centre with Mr. Suhrawardy as Prime Minister. Mujibur Rahman became Minister for Industries and Commerce in the provincial government. He was eased out of the ministry by Mr. Suhrawardy mainly on account of a clash with the Chief Minister.

Two significant changes in the party took place during this period. At the instance of the party's East Pakistan Council, the word "Muslim" was dropped from the name of the party which became known as the Awami League in December 1955. This enhanced further the party's already good position with the Hindus in East Pakistan. It also resulted in several important West Pakistani members leaving the party. Then in 1957 Maulana Bhashani and his leftist followers broke away from the party and formed the National Awami Party. With the departure of these two groups, the Bengali nationalist element led by the younger generation, and supported by the Hindus, gained in strength. The younger generation had not experienced Hindu exploitation, which was worse in pre-Partition Bengal than elsewhere in the sub-continent, and thought of exploiters in terms of West Pakistanis. This group and its supporters ultimately formed the hard core secessionists in the party under the leadership of Mujibur Rahman.

In October 1958, Ayub Khan imposed Martial Law and no political activity was permitted, till 1962. Shortly after the imposition of Martial Law, Sheikh Mujibur Rahman was arrested and kept in detention for a few years. It appears that the decisive

change in his outlook took place during this period. By the time he was released he had become disgusted with the state of affairs. Over the next three years he made his way back into politics and awaited his big opportunity.

In 1963, Sheikh Mujibur Rahman was of little political importance. In fact, even Tafazzal Hussain, better known as Manek Mian, was considered more influential on account of his daily newspaper "Ittefaq". Manek Mian, who after Mr. Suhrawardy's death became Mujibur Rahman's mentor, was perhaps the only politician of East Pakistan who really worried Ayub Khan's regime. The provincial administration did not appear to be troubled by the activities of Sheikh Mujibur Rahman. Many people thought that he was a spent force, wandering about aimlessly as an insurance agent of Mr. Yousuf Haroon.

I met Sheikh Mujibur Rahman in Dacca in 1963, after his release from detention, having previously met him briefly once before at Mr. Suhrawardy's Karachi residence in 1955. It saw him in the lobby of the Shahbagh Hotel and asked him to join me for tea. We did not seriously discuss political matters because he said that he was finished with politics. He gave me an account of Mr. Zakir Hussain's enmity with him. He held Mr. Zakir Hussain, who was then Governor of East Pakistan, responsible for instigating President Ayub Khan to arrest him. I told Mujibur Rahman that I could not imagine a man of his zest abandoning politics. With a bitter smile he replied that Ayub Khan's jails had taken the fire out of him. Although he professed to forsake politics, it was clear from his talk that he was deeply interested in what was happening. But he appeared isolated, as-if he were lost in the political wilderness of Martial Law.

In the Presidential elections at the end of 1964, Mujibur Rahman was among the East Pakistani politicians who supported Miss Fatima Jinnah. He was not given any special importance by Miss Jinnah, and on occasions she openly reprimanded him for making irresponsible statements. Along with other East Pakistani politicians he made his contribution to her campaign but their combined effort did not get Miss Jinnah a majority of the votes in East Pakistan. It is true that this was an election by Basic Democrats, but in December 1970, even with all the pitfalls of a restricted election, Sheikh Mujibur Rahman would probably have swept the polls. During the 1965 War, the Governor of East Pakistan, Mr. Monem Khan, summoned the leaders of East Pakistan to seek their cooperation for the war effort. After the war, in his report to President Ayub Khan, Mr. Monem Khan claimed that in this meeting Mujibur Rahman advised Monem Khan to declare himself the President of an independent Bengal and break away from West Pakistan. But there the matter rested.

Mujibur Rahman's great opportunity came when Ayub Khan signed the Tashkent Declaration in January 1966. The death in 1963 of Mr. Suhrawardy, the only leader with national stature in the party, had already removed a major obstacle in his path. In February 1966, Sheikh Mujibur Rahman thrust himself into the forefront of politics with his Six Point formula. He held the stage in East Pakistan until he was arrested in June

1966. Before his arrest there were riots in Dacca and Narayanganj in early June and some lives were lost but no serious agitation followed the arrest. While still under detention, at the end of 1967, he was brought to trial in the Agartala Conspiracy Case. Even at this time there were no disturbances. Mujibur Rahman remained in goal without sparking off any agitation in support of his cause. He was released from jail in February 1969 not on account of any movement initiated by him or his party but on account of the movement launched by me in West Pakistan in September 1968 against Ayub Khan..

In 1966, when Sheikh Mujibur. Rahman introduced his Six Points, I advised President Ayub Khan that the exigencies of politics required a dialogue between them. I could see that the scheme had the makings of a prairie fire. The Bengalis had a genuine cause, their grievances were not without substance. The cause had at last found a leader. It was necessary to redress the grievances urgently. I feared that from an appealing slogan Six Points might turn into a movement and from a movement to an avalanche. This was indeed the case. At the time that Six Points was introduced, Mujibur Rahman freely confessed that the programme was negotiable. On a few occasions he stated that Six Points was not the Bible. There no mention of foreign, aid, a subject of primary importance in a developing country, being within the exclusive jurisdiction of the provinces. There was no restriction on the movement of goods between provinces; no division of the internal and external debts of the two Wings; and no allocation of the percentage of taxation to be levied on the provinces. At that time there was no talk of a constitutional provision permitting a province to secede from the federation.

If Ayub Khan had at this stage heeded my advice, a reasonable compromise could have been reached, recognizing the basic merits of the case. If Ayub Khan had done in 1966 what he sought to do at the Round Table Conference in 1969, the problems of Pakistan would not have come to such a pass. Unfortunately, Ayub Khan chose what he called the language of weapons, and not the weapon of language. He arrested Sheikh Mujibur Rahman. The Agartala Conspiracy Case which, followed was handled in a disastrously clumsy manner and boomeranged so seriously that we are still reeling from its consequences. Only Sheikh Mujibur Rahman benefited from this case.

Ayub Khan's protagonists may consider that recent events have vindicated his position. But Mujibur Rahman's incarceration between June 1966 and February 1969 did not mean that the situation in East Pakistan was being properly handled – beneath the apparently, silent surface, seething discontent was growing. The cauldron was boiling, only the lid was on. Ayub Khan merely postponed the crisis which, intensified by the miscalculations of the present regime, finally exploded in 1971.

After coming out of jail, Sheikh Mujibur Rahman made a number of impetuous statements and committed some mistakes. The vested interests of West Pakistan collected around him and for a time it appeared that he might become the Prime

Minister of Pakistan with Ayub Khan as President. Mr. Yousuf Haroon who had been imported from the United States to become the Governor of West Pakistan contrived to bring about this arrangement. An unscrupulous bureaucrat also played an active part in these political negotiations. A compromise was sought by proposing a series of amendments to the 1962 Constitution to allow for the post of Prime Minister. This intrigue of the vested interests was defeated by the refusal of the Pakistan People's Party to participate in the Round Table Conference. The agitation was continued and finally Ayub Khan was forced to leave the scene.

The imposition of the second Martial Law in March 1969 greatly perplexed Sheikh Mujibur Rahman. A French correspondent met him soon afterwards and reported that the Awami League leader seemed jittery and unsure of himself. He also feared arrest. Soon, however, Mujibur Rahman was to discover that the Martial Law administration was not unfavorably disposed towards him. He slowly regained confidence and moved forward to establish a meaningful dialogue with the regime. In the beginning he complied with the Martial Law regulations with meticulous care. Step by step he escalated the tempo of his activities and the tone of his demands. By the end of 1969 he was well entrenched politically. Ministers in the central cabinet and the administration in East Pakistan wooed him. He began to receive massive monetary and material assistance from Bankers and Big Business. He got weapons from abroad. He organized his party on systematic lines. He made the great thrust forward and there was nothing to stop him. The press was on his side and his Six Points movement began to acquire greater and greater momentum. He played on the chauvinism of injured pride. He capitalized on the raw sentiments of Bengali nationalism. He was an unsurpassed agitator and he made full use of this quality. His virulent speeches and unabashed hatred for West Pakistan were brushed off by the administration as a part or electioneering.

Sheikh Mujibur Rahman's strength gained noticeably towards the end of 1969, and soared in 1970, reaching a climax when he was allowed to turn the tragic November cyclone to his advantage. By the time the elections were over in December 1970, the Mujibur Rahman who emerged was entirely different from the forlorn and dejected man of 1965. It was a great achievement. Six Points, which was given scant attention in 1966, and not considered very seriously even in February 1969, had become the creed of the people. Conditions in Bengal were ripe for change. Bengal was searching for a hero. Circumstances chose Sheikh Mujibur Rahman to play this role. He turned into a rare political phenomenon. Mujibur Rahman the fire brand agitator was always there, but Mujibur Rahman the great Bengali leader was created by the successive mistakes and miscalculations of the last two regimes.

Some observers contend that in the latter part of the crisis, Sheikh Mujibur Rahman was a captive of the extremists. In my opinion, this is not correct. He was as much in command as any leader could be of a mass movement. A man holding such decisive

influence over the masses could not become a captive of a few student leaders or backroom extremists in the Awami League. As a part of his general strategy, Mujibur Rahman tried on occasions to give the impression that he was a moderate being hard pressed by extremists but this was a ploy.

Sheikh Mujibur Rahman made some fatal mistakes, some serious errors of judgment. He sought to bypass the majority party of the West Wing trying to make a deal with the defeated and discredited politicians. He badly underestimated the strength of the Armed Forces and misunderstood their mood. After he launched his civil disobedience movement he misread the inaction of the Armed Forces. He thought he had overawed them and that the Army had virtually capitulated. With an overwhelming electoral victory behind him, he believed that he could force his way through with a political blitzkrieg. But he over reached his mark.

Foreign pressure was partly responsible for the position eventually taken by him. It seems that India wanted him to call the Army's bluff and strike before it was too late. Perhaps India was getting worried about the turn of events in the Middle East and desperately wanted Mujibur Rahman to wrench Bangla Desh out of Pakistan before the Great Powers turned their attention again to the Middle East and other international developments. Or did India have an inkling of new initiatives in Sino-American relations? Whatever the reasons, he made disastrous miscalculations during the final phase of the political negotiations.

I came to know and understand Sheikh Rahman better during my meetings with him when we visited Dacca in January 1971. I found him to be most courteous. He spoke emphatically and persuasively on questions on which he was well versed but cut the arguments short on matters on which he was not properly briefed. His knowledge of world affairs was sketchy and he tried to oversimplify some basic matters. My assessment may be wrong, but I have no personal prejudice against Mujibur Rahman. When he was in jail I visited his family on a number of occasions, and during the Agartala Conspiracy Trial I went to the court and had a meeting with him.

When as Foreign Minister I met him in 1966 before his arrest, I cautioned him against taking impetuous action. At the time I sought a political debate with him on Six Points to thrash out a settlement, trying to avoid a conflict within the country. I was the first West Pakistani politician to warn the people of the West Wing that unless there was a debate to settle the Six Point issue in good time, Six Points might become a mill-stone round the neck of Pakistan. Later, I hoped and prayed that Mujibur Rahman would compromise on Six points and become the Prime Minister of a united Pakistan. But fate decided differently.

My differences with Sheikh Mujibur Rahman were not in the nature of a power struggle. As a student of history, I always recognized the need to give Bengal its proper

place in Pakistan, and with Sheikh Mujibur Rahman's, majority in the Assembly it was natural to assume that he would be the Prime Minister of Pakistan. Immediately after the general elections I congratulated him on his great victory, and soon afterwards in a speech at Kotri in Sindh I warned that some persons who were the enemies of democracy should desist from trying, to create differences between us. It was maliciously suggested by my opponents that as I could not expect to be Prime Minister of one Pakistan because of Mujibur. Rahman's absolute majority, I was scheming to be the Prime Minister of West Pakistan. All my actions have shown that this was absolutely incorrect. The people of Pakistan know how resolutely I have struggled for Pakistan's integrity. When this suggestion was made to me after the general elections, a foreign correspondent recorded my reaction as follows. "Mr. Bhutto recoiled at the suggestion: 'I am too passionately committed to the concept of Pakistan to think of such an idea'."¹¹ This slanderous suggestion I rejected to the end, even when Mujibur Rahman made his "two Committees proposal" which would have given the People's Party complete control over the West Wing.

The differences between Mujibur Rahman and me arose on principles. It was a struggle of conflicting equities. For Mujibur Rahman equity lay in an independent Bengal; for me in the retention of Pakistan. For him Six Points was the property of the people – for me, Pakistan was the property of the people. This is how our points of view clashed.

The Ultimate Verdict

God witnesses all actions and history speaks the truth. The events of today will be examined and evaluated repeatedly before history gives its final verdict. If history confirms that there was a secessionist movement in East Pakistan spearheaded by Sheikh Mujibur Rahman and his Awami League, there will be one verdict. If, however, the future decides that Six Points was not a concealed scheme for secession but only a demand for provincial autonomy within the framework of one Pakistan, then the verdict will be different. Whether we are right or wrong, whether our actions have been correct or incorrect, whether our initiatives have been influenced by supreme national interest or by personal ambition, will be judged in this light.

There is a very thin line indeed between maximum autonomy and secession. There is little to distinguish between a loose federation, confederation and near-independence, as can be seen by the different interpretations given to Six Points. To some, Six Points may have meant maximum autonomy, and to others secession. The debate can go on endlessly. But it is more than just a question of the meaning and possible effects of Six Points – it is really the question of the intention behind the Six Points. An analogy is found in law between the *mens rea* of an act and the act itself. The intentions behind the

¹¹ Report from Mr. Peter Hazelhurst datelined Larkana 11th of December, 1970 which appeared in *The Times*, on the 12th of December.

making and working of the Constitution of a country ate of fundamental importance. The 1936 Stalin Constitution of the Soviet Union, which continues in effect, provides for complete autonomy with a right of secession for the federating units – but the intention behind this provision can be ascertained from the Soviet Union’s action in Hungary in 1956 and in Czechoslovakia in 1968, two sovereign States, and the subsequent declaration of the Brezhnev Doctrine. Thus, the intentions of Sheikh Mujibur Rahman and the Awami League High Command are of paramount importance.

Whatever may have been Sheikh Mujibur Rahman’s original intentions, there can be no doubt about his intentions after his overwhelming electoral victory. Whether he achieved his goal in two stages or one, whatever his tactics and timing, his goal was an independent sovereign Bangla Desh. He hated West Pakistan and was totally disillusioned with Pakistan. If any further proof were necessary, the events just before the 25th of March, and the well and long planned conspiracy with India that came fully to light after the 25th, are there for all to witness and judge.

For my part, I recall a conversation a few months before the general elections with Lt. General Peerzada, the President’s Principal Staff Officer, in which he asked me outright what I thought were Mujibur Rahman’s true intentions. Without hesitation, I replied "separation". Nevertheless, after the elections I made every effort to arrive at a political settlement within the context of one Pakistan, knowing as I did that the alternative would be bloodshed and slaughter.

While everyone must abhor the bloodshed that has ensued since the 26th of March, it must be remembered that had secession occurred on the 26th, as planned, the non-Bengali population would have been decimated in East Pakistan and a mass exodus of millions would have taken place. Doubtless, the same treatment would in turn have been meted out to the Bengalis in the West Wing. In fact, it required the sustained efforts of the Pakistan People’s Party to prevent reprisals in the West Wing when the Awami League went on their rampage in East Pakistan after the 2nd of March. It is to the credit of the People’s Party that no Bengali was allowed to be attacked in the West Wing; without our efforts this would not have been the case in the charged atmosphere prevailing.

Many false accusations have been leveled at the Pakistan People’s Party on account of its role in the recent events. One day the dust will settle on the great tragedy of 1971: the politicians of the West Wing will get over the humiliation of their defeat at the hands of the People’s Party in the elections, while in the East Wing the hatred which the Awami League concentrated against the People’s Party, particularly in the months of February and March, will gradually disappear. Then the role of the People’s Party in attempting to avert the crisis will be appreciated. It will be realized that the People’s Party consistently made every effort to arrive at a just settlement of the grave problems facing

the country. In the light of sane reflection, the critics of the People's Party will reassess their judgment of the party's actions. Nevertheless, it is now an opportune moment to dispel finally the two main charges made against the party. Although our reply has been elaborated earlier in this narrative, I now propose briefly to outline its essence.

In the first place, it is charged that Mujibur Rahman would have been prepared to compromise on Six Points inside the National Assembly, and that the People's Party was wrong in refusing on the 15th of February to participate in the Assembly proceedings. It must be pointed out that the People's Party did not refuse to attend the Assembly -- some people have wrongly accused us of a boycott. What did happen on the 15th of February? We only asked for some assurance that the Awami League would accept any reasonable suggestions and not be intractable on Six Points. But Mujibur Rahman refused to give any assurance what so ever. For that matter, even earlier, during our meetings in Dacca in January, we repeatedly asked the Awami League leaders whether their position on Six Points was a political posture which would be relaxed within the National Assembly, but they categorically told us not to entertain any such false hopes. There is thus no substance in the charge that Mujibur Rahman would have compromised on Six Points if the Assembly session had not been postponed. He was, and remained, adamant and uncompromising, and rejected every reasonable proposal to end the deadlock. The closer he came to power the more uncompromising he became: before the elections he said Six Points was not the Bible; after the elections he said it was the property of the people and unalterable, and in these circumstances what can make anyone believe that with his brute majority in the Assembly Mujibur Rahman would have suddenly changed. Then again, it must not be forgotten that on the 28th of February I suggested, as an alternative to the assurance of flexibility, a waiver of the 120 day limitation to allow a full debate on the Constitution Bill. This alternative was not accepted. At every turn our attempts to find a just compromise were blocked.

In the second place, it is said that the present crisis could have been averted if the People's Party had accepted the role of opposition to the Awami League Government in the National Assembly. The role of opposition, however, can only be considered in the context of a Constitution. In this case, it would without any doubt have been a Six Point Constitution as the Awami League was determined to have nothing less. Such a Constitution was not acceptable to the People's Party as it struck at the roots of Pakistan. Even within the terms of a Six Point Constitution there was no role for the opposition to perform. The Six Point arrangement only envisaged joint defence and foreign policy, less foreign trade and aid, as central subjects. By any objective standard it is clear that this made the National Assembly itself redundant, let alone any opposition within it. One can well ask the question, opposition to what? We have answered our critics, but can they justify their support for Mujibur Rahman in opposing the Grand Coalition the People's Party sought in the national interest?

The Present and the Future

Today there is strife in the country. India has openly involved herself on the side of Mujibur Rahman. The nation is fighting for its survival. It is imperative to keep the country together. The military operations in East Pakistan continue. The last pockets of resistance are being cleared. It is essential to bring the situation under control, although for a long time it is unlikely that conditions will return to normal. Sporadic outbursts of violence and conflict will occur but these will have to be accepted as un avoidable. What must be avoided is long protracted guerilla warfare. East Pakistan, with its large population, with its broken terrain and poor communications, with discontent among the people, is ideal for guerilla warfare. Fortunately, however, the Awami League's separatist movement was concentrated in the towns and had not filtered down to the villages. Then again, it is difficult for a rightist movement to spearhead or sustain protracted guerilla action. However, if there is a delay in the political settlement, guerilla activity may well intensify after a short lull.

The Army will have to act with alacrity but not with brutality. The rebels have to be ferreted out individually. Mass destruction will not do. It will only aggravate the problem. Innocent people will get exposed to military action, thereby making them enemies and further military action necessary. This in turn will necessitate more troops and the cycle can become unending. Tanks and heavy weapons cannot be used indefinitely, nor can a soldier guard every vantage point or stand behind every individual. The border with India is 2309 miles long and easily accessible. It cannot be sealed completely. The months of rain and floods are fast approaching. During these months military action will become more difficult this will be an advantage to guerilla activity. The regime will have to devise a system of mobile military operations. All this will depend in large measure on an efficient intelligence network, and intelligence must in turn depend upon the local population.

The intelligence services have performed miserably, particularly those of the East Pakistan administration. The arms build-up in East Pakistan either went unnoticed or unchecked. How is it that 16,000 rifles were stockpiled in one Dacca police station, and that so many barricades appeared on the streets on the night of the 25th of March? Did nobody know that thousands of Bangla Desh flags were made ready for hoisting on the 23rd of March? Did nobody know the routes for infiltrators and supplies from India? If the administration did not turn a blind eye to all this, then most certainly its intelligence services failed and the administration was not properly informed. It is inexcusable that the entire Awami League leadership, with the exception of Sheikh Mujibur Rahman, was allowed to escape to Calcutta, there establishing a so-called Bangla Desh government. The regime must greatly improve its intelligence services to cope with the emergency.

But it cannot be emphasised too strongly that the main problems will arise once law and order is restored. The final solution must be of a political nature. Military measures become meaningless unless they are part of an over-all political policy. To the maximum extent, even immediate and short-term measures must bear the ultimate objective in mind. What is the objective in East Pakistan and how best can it be achieved?

East Pakistan must be satisfied if it is to be saved. There must be an end to domination and exploitation, both political and economic. Till law and order is restored in East Pakistan there can be no final solution, but equally there should be no political void in the meantime. If a political vacuum is allowed to develop, the final solution will be all the more difficult, if not impossible. If the correct course is not followed at the right time, why should East Pakistan want to be a part of Pakistan — what stake in Pakistan will East Pakistanis have if their due rights are denied them? The benefits of remaining within Pakistan must be made apparent and attractive without delay. The people of East Pakistan should be left in no doubt as to their being an integral part of the nation. They will have to be convinced by deeds rather than words. They have been deceived too long by words.

On the political level there must be a restoration of confidence along with a return to normal conditions. It was unavoidable to ban the Awami League: the organization that sought secession had to be outlawed. However, a distinction must be made between the hard core secessionists in the organization and the remaining Awami League leaders and workers. Those who disassociate themselves from the organization and its secessionist leaders and admit that they were misled must be pardoned. In a few instances it may amount to hair-splitting, but in most cases the distinction can be made with minimal risk. Their membership in the Assemblies should not be forfeited and they should be permitted either to join existing parties or to remain independent. The success of the regime will to a large extent depend upon the number of Awami League leaders and workers it can wean away from the secessionist cause. This can be largely achieved by giving the provinces maximum autonomy and an economic structure based on socialism.

The confidence of East Pakistanis cannot be gained by projecting politicians who have been routed in the elections and who are despised by the people of East Pakistan. These politicians might have a limited use in the immediate difficult days but their projection over a period of time will be counterproductive. Efforts should be mainly directed towards those Awami Leaguers who admit they were deceived and misled by their High Command, and are willing to work for the integrity of Pakistan.

As confidence is restored the animosity created by the Awami League towards the West Wing will diminish. Political figures in the West Wing must help in this process and not exacerbate East Pakistani susceptibilities by slogans like restoration of parity and talk of

three provinces in the East Wing – concepts minimizing the status and role of East Pakistan and which look back instead of forward. Above all, irresponsible statements regarding a strong Centre will be read to mean further strangulation and exploitation. One cannot in this manner deprive East Pakistanis of their legitimate and inherent rights.

No efforts at the political level, however, can substitute for the restoration of a democratic order. Without the participation of the people, without the people controlling their own national destiny, without a people's government, the present crisis cannot be overcome nor progress made. The sooner the military regime restores power to the people's elected representatives, the sooner will a political solution to the country's problems be in sight. If a democratic order cannot be restored throughout Pakistan for the time being it should at least be restored in those parts where it can. Agents of vested interests and political parties who have been defeated in the general elections are against the transfer of power to the elected representatives of the people. They advance the specious argument that if power is transferred to the elected representatives in the West Wing provinces immediately, and not in East Pakistan, it will further aggravate the situation and may give support to the charge of colonial rule in East Pakistan. The real fear of this coterie, who created and perpetuated the internal colonial pattern, that power will be transferred to the Pakistan People's Party – to the party determined to deal a deathblow to those very same vested interests and right past wrongs throughout country. Moreover, they unabashedly accuse the People's Party of being hungry for power, when it is they who have been rejected at the polls and who still seek to cling to power by every backroom device and maneuver. The call of People's Party for the transfer of power reflects not a hunger for power but the aspirations and wishes of the people who voted for the party.

Promotion of democracy in any part of Pakistan will facilitate its introduction throughout the country. If anything, it will provide an incentive to those people of East Pakistan who are still fighting to lay down their arms, to stop fighting, and to assume their democratic rights and responsibilities. Apart from this, it can well be asked: Why should the entire country and all the provinces suffer for the sins of one political party in East Pakistan, nay, a handful of individuals in that party? It is common in most federations that if there is a crisis or break down in one federating unit the central authority takes charge in that particular unit only. In neighboring India, Presidential Rule has been in force at one time in over one-third of the federating units comprising more than half the total population of India.

The inescapable conclusion is that the people must participate in government. With military operations continuing in the East Wing, with India on the point of going to war, with mounting frustration in the West Wing, the present regime cannot continue its military-bureaucratic rule and hope to overcome the crisis. Only a genuine representative government, having the confidence and support of the people, can

succeed. For this reason, the People's Party believes that, representing the people, it is not only its right but its duty to call for an early transfer of power to the elected representatives. If there is delay in the transition from military to democratic rule, the country may well reach the point of no return within a matter of months.

Economic exploitation has throughout accompanied political domination. There must be an end to exploitation if East Pakistan is to be saved. In the economic sphere the East Wing should be treated no less favorably than the West Wing, and in fact due consideration should also be given to making good past wrongs. East Pakistan must cease to be a private exploited market for West Pakistani capitalists.

Urgent attention must be paid to the economic problems of East Pakistan, The most immediate problems are food, health and rehabilitation. The threat of famine must be averted. The regime must ensure the proper distribution of food at reasonable prices and enforce strict price control on essential commodities. Medical teams must tour the countryside to prevent the spread of epidemics. Rehabilitation work must be given priority, and every effort must be made to alleviate the hardship and suffering of the poor people.

Economic measures on a socialist pattern will have to be introduced. For example, in the all-important agricultural sector in East Pakistan, where land-holdings are small and productivity low, reforms must be peasant-oriented. The most underprivileged and exploited class within East Pakistan itself is that of the share croppers who comprise fifteen per. cent of the population. Share cropping must be abolished and the share croppers given ownership rights. Simultaneously there should be a massive drive for the consolidation of small holdings through farmers' cooperatives. Small holdings should be exempt from land tax, and this could be tied in with the drive for consolidation of small holdings by making exemptions conditional upon consolidation through cooperatives. These measures can be taken immediately to be followed by more sweeping reforms in the agricultural sector. Since the majority of our people live in villages, it is imperative to cater to their needs. "Agro-villes" and agro-industries need urgent attention. Agriculture alone, however, is not capable of absorbing the large number of unemployed and under-employed in East Pakistan. In the immediate term many will have to be absorbed in public works such as flood and cyclone control and road-making, for, which they can be paid in essential commodities. New industries in the public sector will have to be set up to utilize the surplus manpower and realize the full potential of the East Wing.

Success in East Pakistan can be achieved by meeting the demand for genuine provincial autonomy and by ending exploitation. Sooner or later this has to be done. There can be no return – the clock cannot be put back, The flight of capital from the East to the West Wing and abroad must be prevented. It must be ensured that West Pakistani products are not allowed to be sold in the East Wing at prices higher than in the West Wing.

Control measures must be rigidly enforced and violations, severely punished. The management, of industries should be taken away from West Pakistani businessmen and placed under public authorities in East Pakistan. Foreign exchange earned in the East Wing should be, utilized there after meeting an equitable share of the Centre's expenditure including defence. The subjects, of currency and foreign trade and aid can remain central subjects with adequate safeguards to ensure that the rights of East Pakistan and the other provinces are not violated, and the Centre can retain taxation powers sufficient to meet its essential requirements. In this way the demands of the people of East Pakistan could be met within a true federal structure.

But an end to exploitation in East Pakistan can only be fully achieved by bringing to an end exploitation throughout Pakistan. The problems are interlinked and cannot be separated. We need a revolution in our national thinking, outlook and structure. Our government stands condemned in supposing a choice between economic growth and social justice when it states that the people would "rather have slower growth rate than uneven economic distribution."¹² The two must, on the contrary, go, hand in hand, and indeed would do so in the socialist order which the people have demanded in the general elections.

We have inherited a terrible legacy of unforgivable mistakes we have become answerable for the sins of the Old Guard. Superficial minds without an elementary knowledge of politics, without any sense of history, have made fundamental political decisions which have bought Pakistan perilously close to ruin. We who have loved and admired the brave people of Bengal, their culture and traditions, who have championed the rights of East Pakistan and demanded an end to the internal colonial structure and to exploitation, have now to face their wrath. This is a cruel irony. But we cannot resign from our responsibilities. We must face the great challenge and play our part. It is a colossal undertaking but the future of Pakistan is at stake. We must make every endeavor to bring about a new order to end the exploitation of man by man and region by region – to usher in an era of happiness, progress and fraternity. We want to build the real Pakistan for which millions of Muslims have made sacrifices and died – we can only do this with the new forces emanating from the people.

As a spokesman of the people, it might be said that I have a subjective interest in Pakistan. This is true. Every citizen should feel the same way. In my youth I made a study of Pakistan's place in the world. Since those days, I have held important office in Pakistan, and I have also suffered the tyranny of dictatorship's wrath, but I have had no cause to change my original beliefs. Despite numerous errors in Pakistan's past and the unbearable pain of her present crisis we still possess the capacity and the capability to put the country's affairs in order.

¹² Government of Pakistan Planning Commission's Fourth Plan Outline (1970-75) at page 12 of the Chapter "Compulsions for a New Development Strategy".

The country lacks a sense of direction. Political chaos has made matters more critical. The nation cannot remain in limbo indefinitely. Maladministration and corruption have reached new heights. A multitude of abuses have spread far and wide because the administration is not accountable to the people. There is a cloud of frustration hanging over the people. The younger generation is becoming skeptical and estranged. We cannot ignore our youth. We have suffered almost irredeemably by leaving the youth of East Pakistan to the care of Hindu teachers and professors. We have lost the present generation but we cannot afford to lose the generation of tomorrow.

A few school boys of Karachi have recently brought out a magazine called "VENCERMOS" which in Spanish means "We shall overcome". In the first edition of this magazine a young student wrote an essay called "Reality". This is how it begins: —

"Some questions arose in my mind—I am a true Pakistani, born in Pakistan, nourished on its soil, cultured and molded by its ideas, yet I feel I am a member of a dying society; the first child of Pakistan feels a pang of degeneration; feels that he is empty, void, that he has no ideology to fight for. How did this come to be? Where are the zealous people who gave us our nation, where is that generation, and why has it not handed us the ideals that it fought for, that made a country survive when the world prophesized its collapse? Today we have strange values of life; clothes of color matter more than character. Today, a man is judged by his car, his financial backing; who gave us this ideal? I belong to a rich class, a dying class; is it but natural that I should see the world crumbles around me?"

One young student does not represent the generation of tomorrow but what this student has expressed is symptomatic of the state of affairs. We have to undertake a comprehensive scheme for rejuvenating the nation's affairs; otherwise we shall die, not because Pakistan is territorially divided but because Pakistan belongs to a sick society. To survive and succeed we must revolutionize our society.

One Pakistan

At the outset I said that the starting point of Pakistan was the Lahore Resolution of 1940. This date is arbitrary. In a sense, the starting point of Pakistan goes back over a thousand years to when Mohammad Bin Kassim set foot on the soil of Sindh and introduced Islam in the sub-continent. Almost from that time, Hindus and Muslim have formed two distinct elements in the sub-continent. The study of the Moghul and British periods will show that the seeds of Pakistan took root in the sub-continent from the time the Muslims consolidated their position in India. The creation of the two sovereign States of India and Pakistan merely formalized this existing division. Pakistan is here to stay. This fact must be recognized and we must learn to live together.

Despite the fact that Pakistan was created by the free will of the Muslims of the sub-continent, there are many foreign observers who still persist in saying that Pakistan is an artificial State. One may well ask: What is a natural State and an artificial State? If Pakistan is an artificial State, how can Czechoslovakia, or Yugoslavia, for instance are considered as natural States? What makes Malaysia a natural State? Many of the States that have come into being in Africa are the products of historical accidents. Their origin is to be found in the competing rivalries of the Imperial powers of Europe: it all depended on where and how the British, the French, the Portuguese and the Germans divided the continent of Africa. On this count many areas in Africa have been arbitrarily divided into separate States without regard for ethnic and tribal affinities. The same is true of some States in the Arab World. Many Westerners think it unnatural for East Bengal to be in Pakistan and West Bengal to be a part of India, but they do not consider similar divisions to be unnatural in Africa and the Middle East. One of the most important States of Europe, indeed of the world, is Germany. Having one race, one language and one culture, with enormous pride in its destiny, Germany is today nonetheless divided into two States. Then again, the origins of Germany as a State and a nation are not exactly natural. Had it not been for Bismarck and the wars he fought in 1864 against Denmark, in 1866 against Austria and in 1870 against France, the German nation might not have come into existence. What would have been the fate of some of the States of Europe had it not been for Charlemagne? Would Italy have been a natural State if it had not been for Count Cavour or Garibaldi? What would have been the final shape of the Balkan States and the States of Central Europe, without the force exercised by the Ottoman Empire or the Austro-Hungarian Empire? To what extent is the Soviet Union a natural State? How did it acquire its present shape? What are the common denominators between the Republic of Russia and the Republics of Central Asia? Where do their natural links lie?

Pakistan is as much a natural State or as much an unnatural State as most modern nation States. If Pakistan is considered to be an unnatural State because it came-into being on account of religion, what has made Israel, based as it is on religion and race and at the same time smaller than Metropolitan Karachi, into a natural State? If Pakistan appears to be an unnatural State on account of its geographical separation then there are other States that are not geographically contiguous, and some are comprised of a chain of islands separated by great distances and stretching thousands of miles. It is said that we are not a natural State as we are divided by a hostile India. Does this mean that Pakistan will become a natural State the moment its relations normalize with India? Since Alaska is separated from the rest of the United States of America by Canada, would the United States become an unnatural State if her relations with Canada deteriorated?

Nor is Pakistan the only multi-lingual State. Switzerland is a multi-lingual State, and so are many other States including India. If Pakistan has a Hindu population, India has a

Muslim population; and tiny Lebanon has three religious communities to be balanced. If Pakistan is comprised of a variety of cultures and races so are many other States, including India and the United States of America which prides itself on this account. If Pakistan has fissiparous tendencies, so have India and many other States. Not a single State from Algeria to Indonesia is free from regional tensions, in Europe, Spain has a problem with the Basques, Great Britain is engaged in suppressing a rebellion in Northern Ireland over which it usurped power sever hundred years ago. Parties within Wales and Scotland are also pressing for autonomy, or is it a question of secession? President Charles de Gaulle chose to leave office on the Issue of the autonomy of Brittany.

The physicians of the world who want to heal the wounds of Pakistan must first cure their own ailments. They should shed their prejudices and leave us alone to overcome our problems. Now is the time for the world to accept once and for all the indivisibility of Pakistan. Let it not be forgotten that if Pakistan falls apart the rest of the sub-continent cannot remain united.

East Pakistan is an inseparable part of Pakistan. The majority of our people live in the East Wing, they fought for and won Pakistan. Now the people of East Pakistan demand justice, the same justice that the people of the West Wing seek. The people did not fight and sacrifice for the creation of Pakistan so that they might be ruled indefinitely by a Generals' junta, ruthlessly exploited by a handful of capitalists, bullied by bureaucrats, and lashed into obedience on the orders of mobile military courts. Nor have the poor people of Pakistan toiled for twenty-three years to see their Pakistan come to this pass. The people demand the Pakistan for which they have fought, sacrificed and toiled, in which they are their own masters, free from all forms of exploitation, and in which their children can be properly housed, fed, clothed and educated. Is it too much to demand after twenty-three years when all this and more, enshrined in the Constitution and guaranteed by the rule of law, was promised to them by the Pounder of Pakistan? Only through a new order, a new leadership, can the aspirations of the people be realized. They will not wait indefinitely; they have been betrayed too long. Either the forces of reaction will continue to betray the people and destroy Pakistan, or the chosen leaders will come forward to answer the call of the people, surmount the great tragedy, and save Pakistan.

APPENDIX – I
THE TEXT OF THE SIX POINT FORMULA AS ORIGINALLY
PUBLISHED, AND SUBSEQUENTLY AMENDED IN THE AWAMI
LEAGUE’S MANIFESTO

Point No. 1
Original

The Constitution should provide for a Federation of Pakistan in its true sense on the basis of the Lahore Resolution, and Parliamentary form of Government with supremacy of Legislature directly elected on the basis of universal adult franchise.

Amended

The character of the government shall be federal and parliamentary, in which election to the federal legislature and to the legislatures of the federating units shall be direct and on the basis of universal adult franchise. The representation in the federal legislature shall be on the basis of population.

Point No. 2
Original

Federal Government shall deal with only two subjects, viz: Defence and Foreign Affairs, and all other residuary subjects shall vest in the federating states.

Amended

The federal government shall be responsible only for defence and foreign affairs and, subject to the conditions provided in (3) below, currency.

Point No. 3
Original

A. Two separate but freely convertible currencies for two wings may be introduced, or
B One currency for the whole country may be maintained. In this case effective constitutional provisions are to be made to stop flight of capital from East to West Pakistan. Separate Banking Reserve is to be made and separate fiscal and monetary policy to be adopted for East Pakistan.

Amended

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 which shall devise measures to prevent the transfer of resources and flight of capital from one region to another.

Point No. 4
Original

The power of taxation and revenue collection shall vest in the federating units and that the Federal Center will have no such power. The Federation will have share in the state taxes for meeting their required expenditure. The Consolidated Federal Fund shall come out of a levy of certain percentage of all state taxes.

Amended

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 defence and foreign affairs, which revenue resources would be automatically appropriable by the federal government in the manner provided and on the basis of ratio to be determined by the procedure laid down in the Constitution. Such constitutional provisions would ensure that the federal government's revenue requirements are met consistently with the objective of ensuring control over the fiscal policy by the governments of the federating units.

Point No. 5
Original

- (1) There shall be two separate accounts for foreign exchange earnings of the two wings,
- (2) earnings of East Pakistan shall be under the control of East Pakistan Government and that of West Pakistan under the control of West Pakistan Government,
- (3) foreign exchange requirement of the Federal Government shall be met by the two wings either equally or in a ratio to be fixed,
- (4) indigenous products shall move free of duty between two wings,
- (5) the Constitution shall empower the unit Governments to establish trade and commercial relations with, set up trade missions in and enter into agreements with, foreign countries.

Amended

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. The foreign exchange requirements of the federal government shall be met by the governments of the federating units on the basis of a ratio to be determined in accordance with the procedure laid down in the Constitution. The Regional governments shall have power under the Constitution to negotiate foreign trade and aid within the framework of the foreign policy of the country, which shall be the responsibility of the federal government.

Point No. 6 Original

The setting up of a militia or a paramilitary force for East Pakistan.

Amended

The governments of the federating units shall be empowered to maintain a militia or paramilitary force in order to contribute effectively towards national security.

APPENDIX II
SALIENT EXTRACTS FROM THE LEGAL FRAMEWORK ORDER, 1970

PRESIDENT'S ORDER NO. 2 OF 1970

LEGAL FRAMEWORK ORDER 1970
(Gazette of Pakistan, Extraordinary, 30th March 1970)

No. F. 24 (1)/70-Pub. – The following Order made by the President is hereby published for general information: Whereas in his first address to the nation on the 26th March 1969, the President and Chief Martial Law Administrator pledged himself to strive to restore democratic institutions in the country;

And whereas in his address to the nation on the 28th November 1969, he reaffirmed that pledge and announced that polling for a general election to a National Assembly of Pakistan will commence on the 5th October 1970;

And whereas he has since decided that polling for elections to the Provincial Assemblies shall commence not later than the 22nd October 1970;

And whereas provision has already been made by the Electoral Rolls Order, 1969, for the preparation of electoral rolls for the purpose of election of representatives of the people on the basis of adult franchise;

And whereas it is necessary of making provision as to the Constitution of Pakistan in accordance with this Order and a Provincial Assembly for each province;

Now, therefore, in pursuance of the Proclamation of the 25th day of March 1969, and in exercise of all powers enabling him in that behalf, the President and Chief Martial Law Administrator is pleased to make the following Order: –

4. Composition of the National Assembly. –

- (1) There shall be a National Assembly of Pakistan consisting of three hundred and thirteen members of whom three hundred shall be elected to fill general seats and thirteen to fill seats reserved for women.
- (2) In conformity with the population figures appearing in the Census of 1961, the number of seats in the National Assembly shall be distributed amongst the Provinces and the Centrally Administered Tribal Areas, as set out in Schedule I.

- (3) Clause (1) shall not be construed as preventing a woman from being elected to a general seat.

5. Composition of the Provincial Assemblies. —

- (1) There shall be a Provincial Assembly for each Province consisting of the number of members, elected to fill general seats and to fill seats reserved for women, as set out in Schedule II in relation to such Province.
- (2) Clause (1) shall not be construed as woman from being elected a general seat preventing a woman from being elected to a general seat.

6. Principle of election. —

- (1) Except as provided in clause (2), the members shall, be elected to the general seats, from territorial constituencies by direct election on the basis of adult franchise in accordance with law.
- (2) The President may, by regulation, make separate provision for election of members from the Centrally Administered Tribal Areas.
- (3) As soon as practicable after the general election of members of the National Assembly, the members from a Province for the seats reserved for women in that Assembly shall be elected by persons elected to the general seats from that Province in accordance with law.
- (4) The members for the seats reserved for women in a Provincial Assembly shall be elected by persons elected to the general seats in that Assembly in accordance with law.

12. Oath of members of Assembly:— A person elected as a member of an Assembly shall, before entering upon the office, take and subscribe before a person presiding at a meeting of the Assembly, an oath or affirmation in the following form, namely: —

"I do solemnly swear (or affirm that I will bear true faith and allegiance to Pakistan and that I will discharge the duties upon which I am about to enter honestly, to the best of my ability, faithfully in accordance with the provisions of the Legal Framework Order 1970, the Law and rules of the Assembly set out in that Order, and always in the interest of the solidarity, integrity, well-being and prosperity of Pakistan."

14. Summoning of National Assembly etc. —

- (1) After the close of the general election of members of the National Assembly, the President shall, for the purpose of framing a Constitution for Pakistan, summon the National Assembly to meet on such day and at such time and place as he may think fit; and the National Assembly so summoned shall stand constituted on the day of its first meeting:

Provided that nothing in this clause shall be construed as preventing the President from summoning the National Assembly on the ground that all the seats of the members have not been filled.

- (2) After meeting as convened under clause (1), the National Assembly shall meet at such times and places as the Speaker may decide.
- (3) The National Assembly shall, subject to reasonable adjournments, meet from day to day to transact its business.

15. Right of address etc. of President.— The President may address the National Assembly and send a message or messages to the Assembly.

16. Speaker and Deputy Speaker. —

- (1) The National Assembly shall, as soon as may be, elect two of its members to be respectively the Speaker and Deputy Speaker thereof and shall, so often as the office of Speaker or Deputy Speaker becomes vacant, elect another, member to be the Speaker or, as the case may be, Deputy Speaker.
- (2) Until the Speaker and Deputy Speaker are elected, the Commissioner shall preside at the meetings of the National Assembly and, perform the functions of Speaker.

17. Quorum and Rules of Procedure. —

- (1) If, at, an time during a meeting of the National Assembly, the attention of the person presiding at the meeting is drawn to the fact that the number of persons present is less than one hundred, the person presiding shall either suspend the meeting until the number of members present is not less than one hundred or adjourn the meeting.
- (2) The procedure of the National Assembly shall be regulated by the rules of procedure set Out in Schedule III; in particular the National Assembly, shall decide how a decision relating to the Constitution Bill is to be taken.

20. Fundamental Principles of the constitution. – The Constitution' shall be so framed as to embody the following fundamental principles: –

- (1) Pakistan shall be a Federal Republic to be known as the Islamic Republic of Pakistan in which the Provinces and other territories which are now and may hereafter be included in Pakistan shall be so united in a Federation that the independence, the territorial integrity and the national solidarity of Pakistan are ensured and the unity of the Federation is not in any manner impaired.
- (2)
 - (a) Islamic Ideology which is the basis for the creation of Pakistan shall be preserved; and (b) the Head of the State shall be a Muslim.
- (3)
 - (a) Adherence to fundamental principles of democracy shall be ensured by providing direct and free periodical elections to the Federal and the Provincial Legislatures on the basis of population and adult franchise; (b) the Fundamental Rights of the citizens shall be laid down and guaranteed; (c) the independence of the judiciary in the matter of dispensation of justice and enforcement of the fundamental rights shall be secured.

(4) All powers including legislative, administrative and financial, shall be so distributed between the Federal Government and the Provinces that the Provinces shall have maximum autonomy, that is to say maximum legislative, administrative and financial powers but the Federal Government shall also have adequate powers including legislative, administrative and financial powers, to discharge its responsibilities in relation to external and internal affairs and to preserve the independence and territorial integrity of the country.

(5) It shall be ensured that: –

- (a) the people of all areas in Pakistan shall be enabled to participate fully in all, forms of national activities; and
- (b) within a specified period, economic and all other disparities between the Provinces and between different area in a Province are removed by the adoption of statutory and other measures.

21. Preamble of the Constitution. –

The Constitution shall contain, in its preamble, an affirmation that: –

- (1) the Muslims of Pakistan shall be enabled, individually and collectively, to order their lives in accordance with the teachings of Islam as set out in the Holy Quran and Sunnah; and
- (2) the minorities shall be enabled to profess and practice their religions freely and to enjoy all rights, privileges and protection due to them as citizens of Pakistan.

22. Directive Principles. —

The Constitution shall set out directive principles of State Policy by which the State shall be guided in the matter of —

- (1) promoting Islamic way of life;
- (2) observance of Islamic moral standards;
- (3) providing facilities for the teaching of Holy Quran and Islamiat to the Muslims of Pakistan; and
- (4) enjoining that no law repugnant to the teachings and requirements of Islam, as set out in the Holy Quran and Sunnah, is made.

23. National and Provincial Assemblies to be the first Legislature. — The Constitution shall provide that. —

- (1) the National Assembly, constituted under this Order, shall, —
 - (a) be the first Legislature of the Federation for the full term if the Legislature of the Federation consists of one House, and
 - (b) be the first lower House of the Legislature of the Federation for the full term if the Legislature of the Federation consists of two Houses.
- (2) The Provincial Assemblies elected in accordance with this Order shall be the first Legislatures of the respective Provinces for the full term.

24. Time for framing the Constitution. —

The National Assembly shall frame the Constitution in the form of a Bill to be called the Constitution Bill within a period of one hundred and twenty days from the date of its first meeting and on its failure to do so shall stand dissolved.

25. Authentication of the Constitution. —

The Constitution Bill, as passed by the National Assembly, shall be presented to the President for authentication. The National Assembly shall stand dissolved in the event that authentication is refused.

26. Purpose for which Assembly may meet. –

- (1) Save as provided in this Order for the purpose of framing a Constitution for Pakistan, the National Assembly shall not meet in that capacity, until the Constitution Bill passed by that Assembly and authenticated by the President, has come into force.
- (2) A Provincial Assembly shall not be summoned to meet until after the Constitution Bill passed by the National Assembly has been authenticated by the President, and has come into force.

27. Interpretation and amendment of Order etc. –

- (1) Any question or doubt as to the interpretation of any provision of this Order shall be resolved by a decision of the President, and such decision shall be final and not liable to be questioned in any Court,
- (2) The President and not the National Assembly shall have the power to make any amendment in this Order.

SCHEDULE I		
[Article 4 (2)]		
NATIONAL ASSEMBLY OF PAKISTAN		
	General	Women
East Pakistan	162	7
The Punjab	82	3
Sindh	27	1
Baluchistan	4	1
The North-West Frontier Province	18	1
Centrally Administered Areas	7	
TOTAL....	300	13

SCHEDULE II		
[Article 5 (1)]		
PROVINCIAL ASSEMBLIES		
	General	Women
East Pakistan	300	10
The Punjab	180	6
Sindh	60	2
Baluchistan	20	4
The North-West Frontier Province	40	2
TOTAL....	600	24

APPENDIX III

THE TEXT OF THE BROADCAST TO THE NATION, BY PRESIDENT GENERAL A.M. YAHYA KHAN ON 26TH MARCH, 1971

MY DEAR COUNTRYMEN,

Assalam-o-Alaikam,

On the 6th of this month I announced the 25th of March as the new date for the inaugural session of the National Assembly hoping that conditions would permit the holding of the session on the appointed date. Events have, however, not justified that hope. The nation continued to face a grave crisis.

In East Pakistan a non-co-operation and disobedience movement was launched by the Awami League and matters took a very serious turn. Events were moving very fast and it became absolutely imperative that the situation was brought under control as soon as possible. With this aim in view, I had a series of discussions with political leaders in West Pakistan and subsequently on the 15th of March I went to Dacca.

As you are aware I had a number of meetings with Sheikh Mujibur Rahman in order to resolve the political impasse. Having consulted West Pakistani leaders it was necessary for me to do the same over there so that areas of agreement could be identified and an amicable settlement arrived at.

As has been reported in the Press and other news media from time to time, my talks with Sheikh Mujibur Rahman showed some progress. Having reached a certain stage in my negotiations with Sheikh Mujibur Rahman I considered it necessary to have another round of talks with West Pakistani leaders in Dacca.

Mr. Z. A. Bhutto reached there on 21st March and I had a number of meetings with him.

As you aware, the leader of the Awami League asked for the withdrawal of Martial Law and transfer of power prior to the meeting of the National Assembly. In our discussions he proposed that this interim period could be covered by a proclamation by me whereby Martial Law would be withdrawn, Provincial Governments set up and the National Assembly would, *ab initio*, sit in two committees—one composed of members from East Pakistan and the other composed of members from West Pakistan.

Despite some serious flaws in the scheme in its legal as well as other aspects, I was prepared to agree in principle to this plan in the interest of peaceful transfer of power but on one condition. The condition which I clearly explained to Sheikh Mujibur Rahman was that I must first have unequivocal agreement of all political leaders to the scheme.

I thereupon discussed the proposal with other political leaders. I found them unanimously of the view that the proposed proclamation by me would have no legal sanction. It will neither have the cover of Martial Law nor could it claim to be based on the will of the people. Thus a vacuum would be created and chaotic conditions will ensue. They also considered that splitting of the National Assembly into two parts through a proclamation would encourage divisive tendencies that may exist. They, therefore, expressed the opinion that if it is intended to lift Martial Law and transfer power in the interim period, the National Assembly should meet, pass an appropriate interim Constitution Bill and present it for my assent. I entirely agreed with their view and requested them to tell Sheikh Mujibur Rahman to take a reasonable attitude on this issue.

I told the leaders to explain their views to him that a scheme whereby, on the one hand, you extinguish all source of power namely Martial Law and on the other fail to re place it by the will of the people through a proper session of the National Assembly, will merely result in chaos. They agreed to meet Sheikh Mujibur Rahman, explain the position and try to obtain his agreement to the interim arrangement for transfer of power to emanate from the National Assembly.

The political leaders were also very much perturbed over Sheikh Mujib's idea of dividing the National Assembly into two parts right from the start. Such a move, they felt, would be totally against the interest of Pakistan's integrity.

The Chairman of the Pakistan People's Party, during the meeting between myself, Sheikh Mujibur Rahman and him, had also expressed similar views to Mujib.

On the evening of the 23rd of March the political leaders, who had gone to talk to Mujib on this issue, called on me and informed me that he was not agreeable to any changes in his scheme. All he really wanted was for me to make a proclamation, whereby I should withdraw Martial Law and transfer power.

Sheikh Mujibur Rahman's action of starting his non cooperation movement is an act of treason. He and his Party have defied the lawful authority for over three weeks. They have insulted Pakistan's flag and defiled the photograph of the Father of the Nation. They have tried to run a parallel government. They have created turmoil, terror and in security.

A number of murders have been committed in the name of the movement. Millions of Our Bengali brethren and those who have settled in East Pakistan are living in a state of panic, and a very large number had to leave that Wing out of fear for their lives.

The Armed Forces, located in East Pakistan; have been subjected to taunts and insults of all kinds. I wish to compliment them on the tremendous restraint that they have shown in the face of grave provocation. Their sense of discipline is indeed praiseworthy. I am proud of them.

I should have taken action against Sheikh Mujibur Rahman and his collaborators weeks ago but I had to try my utmost to handle the situation in such a manner as not to jeopardize my plan of peaceful transfer of power. In my keenness to achieve this aim I kept on tolerating one illegal act after another, and at the same time I explored every possible avenue for arriving at some reasonable solution. I have already mentioned the efforts made by me and by various political leaders in getting Sheikh Mujibur Rahman to see reason.

We have left no stone unturned. But he has failed to respond in any constructive manner; on the other hand, he and his followers kept on flouting the authority of the Government even during my presence in Dacca. The proclamation that he proposed was nothing but a trap. He knew that it would not have been worth the paper it was written on and in the vacuum created by the lifting of Martial Law he could have done anything with impunity. His obstinacy, obduracy and absolute refusal to talk sense can lead to but one conclusion – the man and, his Party are enemies of Pakistan and they want East Pakistan to break away completely from the country. He has attacked the solidarity and integrity of this country this crime will not go unpunished.

We will not allow some power hungry and unpatriotic people to destroy this country and play with the destiny of 120 million people.

In my address to the Nation of 6th March I had told you that it is the duty of Pakistan Armed Forces to ensure the integrity, solidarity, and security of Pakistan. I have ordered them to do their duty and fully restore the authority of the Government.

In view of the grave situation that exists in the country today I have decided to ban all political activities throughout the country. As for the Awami League, it is completely banned as a political party. I have also decided to impose complete press censorship. Martial Law Regulations will very shortly be issued in pursuance of these decisions.

In the end let me assure you that my main aim remains the same, namely, transfer of power to the elected representatives of the people. As soon as situation permits I will take fresh steps towards the achievement of this objective.

It is my hope that the law and order situation will soon return to normal in East Pakistan and we can again move forward towards our cherished goal.

I appeal to my countrymen to appreciate the gravity of the situation for which the blame rests entirely on the anti-Pakistan and secessionist elements, and to act as reasonable citizens of the country because therein lies the security and salvation of Pakistan.

God be with you. God bless you.

PAKISTAN PAINDABAD

THE END