# IRON BARS OF FREEDOM

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## **PREFACE**

Bangladesh is probably the only country in the world in whose creation the media in the self-styled Free World, the not-so-free countries, like India and her allies, and the Iron Curtain territories of Russia and Eastern Europe, played a significantly active role. But soon after the establishment of this Indian satellite, when Mujibur Rahman and his cohorts appeared in their true colours, playing havoc with the lives and properties of millions, the same media abruptly, it seemed, lost interest in the plight of Bangladesh. This curious indifference to the subsequent state of a country whose birth pangs had obsessed them is not the least remarkable amongst the many remarkable omens characterising its emergence. Over publicised like a pop-idol or a football star it relapsed into the obscurity whence it had temporarily emerged to tread the boards of the world's stage to the plaudits of the big powers, their governments and their media. Did the novelty wear off the marvellous child or did the miraculous babe prove in fact to be a brutal swaggering adolescent in swaddling clothes whose real character and behaviour would have embarrassed its god-fathers who stood in at its christening? The media ceased to effervesce with enthusiasm and trivia reassumed the headlines.

Reports of massacres, brutalities of diverse sorts, and imprisonment of millions of hopeless people in Bangladesh managed to trickle through by means of private letters and individual travellers' reports and shocked many minds abroad. Early in 1973 one such person, an Oxford don, who, for reasons not difficult to surmise, prefers to remain anonymous, suggested we should write an accurate and detailed account of the tragedy of post-Bangladesh East Pakistan. He went further: he volunteered to co-operate in the preparation and publication of the proposed work.

The idea was tempting not only because of our abiding interest in the affairs of our homeland and the terrible suffering which had befallen its people but because of the fact that we happened to be eye-witnesses to events which came close to destroying the fabric of society as it was known to us. We readily agreed to undertake the task without fully realising its magnitude and the nature of the predicament we were shortly to confront.

The initial planning over, we approached friends and

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acquaintances in Dacca to help us collect the necessary source materials for the proposed study. The replies we received depressed our spirits. The entire country was under the grip of Big Brother and his henchmen. They had either liquidated or put behind bars most of those capable of independent thinking and expression. Of the remaining potential sources of factual information many had gone underground for fear of their lives whilst some had opted to co-operate with the regime in strengthening its hegemony. Those few who had escaped the wrath of Big Brother and were allowed to pursue their profession were under surveillance and could not share their experience and knowledge. Censorship of the media was complete. The Press, Radio, and Television had been turned into vehicles of state propaganda instead of information. Published works had two objectives only: glorification of Big Brother, his courtiers and his Indian allies; and the denigration of Pakistan and of anything having even the remotest relation with her.

Despite attempts made by a small batch of researchers who had agreed to co-operate with us the collecting and sifting of source materials inside Bangladesh remained unsatisfactory. Consequently we were reduced to whatever verified materials could be garnered from various sources which meant that the state of progress in writing was painfully slow, what with the cross-checking which every stage of work involved. By the end of 1973 we had been able to complete only two chapters. The task was made more arduous following the imposition of strict censorship of postal communications from and to Bangladesh at the behest of Mujib himself.

Towards the beginning of 1974 Mujib's authority over Bangladesh started to show signs of cracking up, which frightened him into resorting to even more punitive measures. But the people of Bangladesh had reached the limit of their endurance and the more repressive measures unleashed the more did people become ready to talk about the true state of affairs in the country. This changed situation had the effect of alleviating somewhat the difficulties of our quest for source materials.

Our original intention was to bring the work down to the end of the Mujib regime. But after 14th August, 1975, events in Bangladesh started moving so fast with *coup* following *coup* that we realised the arbitrariness of this procedure, and we thought it better to pause awhile to let things settle down.

Quite fortuitously, this delay has rebounded to our advantage. It enabled us to make the work more exhaustive, authoritative and up-to-date. It also gave us the opportunity to avail ourselves of the suggestions of several distinguished scholars, including one who read every chapter carefully, and many of whose ideas we have been glad to incorporate. He helped us revise and improve the first draft by persuading us to accept changes and drawing attention to points which needed to be given further thought. Our heart-felt thanks are due to all of these friends and researchers and others who have helped us at various stages of the work; all in their different ways have contributed to the book the reader has before him. It is their memorial where they are dead and in the lucky cases who have survived this is their anonymous acknowledgement.

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Matiur Rahman and Naeem Hasan

#### CHAPTER ONE

## Retribution and Lawlessness

The birth of Bangladesh on 16th December, 1971 did not come as the end to an unhappy episode but, unfortunately, as the beginning of a series of more unhappy and poignant human tragedies. Within hours of the surrender of Dacca to the Indian Army the Mukti Bahini¹ unleashed a war of retribution throughout the country. The planned cold-blooded killings that followed resulted in the loss of thousands of lives. The blood-curdling deeds of Genghis Khan and Hulagu were repeated in the riverine lands of East Bengal. The victims were unarmed civilians, Biharis, Bengali Muslims and the vanquished para-military personnel. The world is, perhaps, to some degree only, aware of the killings of Biharis, but it hardly heard about the gruesome slaughter of the Bengali Muslims in the newly-created Bangladesh. Thousands were 'lynched, flogged, flayed, mutilated, cleaved and butchered' simply because they had chosen to stay loyal to their erstwhile state – Pakistan.²

The victims were subjected to cruelties that dwarfed to insignificance the tortures of the Nazi concentration camps. Television viewers the world over witnessed the savage killing of some suspected collaborators by the *Mukti Bahini* immediately after the fall of Dacca. The following description of a gruesome incident that took place in the Dacca Race Course is typical of the retribution that followed the creation of Bangladesh.

'As a frenzied, shouting mob of 5,000 Bengalis screamed encouragement, young *Mukti Bahini* guerrillas methodically tortured four suspected Pakistani quislings. For 30 minutes, the guerrillas battered the bound bodies of the helpless prisoners with kicks and karate blows with their bayonets. Quietly and systematically, they began stabbing their victims over and over

again – all the time carefully avoiding the prisoners' hearts. After more than ten minutes of stabbing, the grisly performance seemed at an end. The soldiers wiped the blood from their bayonets and began to depart. But before they left the scene, a small boy – perhaps a relative of one of the victims – flung himself on the ground next to a prisoner's near lifeless body. In an instant the guerrillas were back, kicking the boy and beating him with their rifle butts. And as he writhed, the child was trampled to death by the surging crowd."

The countryside of Bangladesh was the scene of ghastlier incidents where the armed bandits of the Indian Army and their local henchmen let loose a reign of terror. Their adversaries' limbs were cut off, eyes gouged out, faces mutilated, ears and noses cleaved, blood vessels cut open and genital organs severed. In some cases, the dying victims were blown up by explosives. It was not uncommon for long needles to be inserted into the male and female genitals or for these to be burnt by cigarette butts. 'There have been cases where persons tied to heavy stones were thrown into water-closets and rivers.' Again, many victims were roped and kept hanging on long bamboo poles. Then they were flayed with razor blades and sprinkled with powdered spices.

### Torturing the Muslim intellectuals

Maulana Azharus Sobhan, principal of a senior madrasa and a religious savant of eminence, was flogged severely enough to cause bone fractures. 'Three of his students were beheaded in his presence. A garland of the heads of three students was put around his neck and he was kept standing for three consecutive days' before being tortured to death.<sup>4</sup> Maulana Pir Diwan Ali, a prominent religious teacher of Dacca district, was 'shaved of his beard (an act of disgrace), flogged cruelly' enough to cause bone fractures, roped and thrown into the middle of a river.<sup>5</sup> Syed Assadullah Shirazi, a religious leader, writer and poet, and eldest son of the famous poet and Khilafat leader Ismail Hussain Shirazi, was 'trailed to the place of his martyrdom' with a fish hook pierced through his nose.<sup>6</sup>

Maulvi Farid Ahmed, a leading parliamentarian, politician, and writer was 'whipped and his skin was cut by sharp blades and salt was added to his wounds.' He was put to death in the Iqbal Hall premises of Dacca University. His dead body was mutilated and

'desecrated in wild fury." Muhammad Ilyas, a student leader and the president of a student organisation wedded to the ideology of Islam, 'was tied to a rear wheel of a slowly moving motor vehicle and was trailed to Feni from Dagan Bhuiya', ten miles away, where he was whipped by the Indian Army. 'Hot iron rods were used on the moribund body of the student leader. His eyes were gouged out, his ears and nose were cleaved. Finally, he was tortured to death.' And his corpse was displayed at a crossroads at Feni. Jalaluddin, a boy of 14, was buried alive. 'He was forced to dig his own grave, to fix it with the thorns of date trees and finally he was made to lie on this thorny bed of death.' These are but a few instances which typify the dastardly methods used to kill countless people.

The massacre of these Bengali Muslims was more than a retribution, as is clear from the ideological and political complexion of the victims. Broadly speaking, the victims were of three groups: religious savants and leaders, thinkers and writers, and members of the now defunct political parties and organisations dedicated to Islamic ideology. Among the victims there were many of the old-guard of the Muslim League. They all opposed the Awami League brand of nationalism and eventually Indian aggression. They were loyal to their state, devoted to their religion and true to their culture and heritage. These people, part of the Muslim Bengali elite, were annihilated deliberately because Bangladesh could be Indianised only when it was de-Islamised.

Typical of the intolerance and vindictiveness displayed towards intellectuals who did not vocally support the Awami League was the case of Syed Sajjad Husain, Vice-Chancellor of Dacca University. He earned the party's wrath by declaring his opposition to secession in a press statement. The "Free" Bangladesh radio operating in Calcutta sentenced him to death for this offence and three days after the fall of Dacca, on 19th December, a band of armed guerrillas raided his private residence, beat up his protesting wife and daughters, broke into his room, and dragged him away to a Mukti Bahini camp. Here he was stripped of all his clothes except the trousers, beaten black and blue, blindfolded, handcuffed and gagged, and left, tied to a post like an animal, to await execution the following morning. The next day at dawn his executioners took him to a public square, stabbed him in six places, and dealt him a shattering blow on the spine. When he collapsed, bleeding and unconscious, they thought he had died and moved off. He survived miraculously after being rescued by a passer-by who recognised him, but remained almost totally paralysed from the waist down for a month and a half. When after some treatment in hospital he partially regained the ability to move about on crutches, the Government had him removed to the Dacca Central Jail. There he was detained for two years. The former Vice-Chancellor is a permanent paraplegic today with both legs affected and needs a staff to balance himself.

In like manner Hasan Zaman, director of the Pakistan Bureau of National Integration, an outspoken defender of Pakistan's ideology, was seized from his home on the same date as Syed Sajjad Husain and left for dead in the same square, bruised, blind-folded and handcuffed. He too was subsequently detained in jail for two years. For several months after the assault Hasan Zaman could not walk erect because of the tortures he had undergone.

The family of those Bengali Muslim leaders who at the time of secession of East Pakistan happened to be in West Pakistan became the special target of vengeance by the Awami League. They were harassed and persecuted, their houses looted and property seized. What happened to Mahmud Ali's family typifies the vengeance the Awami Leaguers wreaked on such families.

Mahmud Ali is one of the oldest surviving leaders of the All India Muslim League. He played a prominent role in Muslim politics in Bengal and Assam, and in the referendum which decided the fate of Sylhet, his home district. After the creation of Pakistan he started a journal called Nao Belal, launched a youth movement and established a political party – the Ganotantri Dal (Democratic Party) with branches all over Pakistan. Later, the Democratic Party became the National Awami Party. He was elected member of the Pakistan Parliament as well as the East Pakistan Legislative Assembly, and served as Revenue Minister of East Pakistan under Ataur Rahman Khan. His progressive views earned him support in both the wings of Pakistan. But his growing popularity displeased Mujibur Rahman who had him kidnapped in 1969.

During the civil war in 1971 Mahmud Ali led the Pakistan delegation to the General Assembly of the United Nations where he successfully exposed India's expansionist machinations and drew the support of 104 states in favour of Pakistan's territorial integrity. After the break-up of Pakistan he was appointed adviser and later minister to the Government of Pakistan.

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Mahmud Ali's wife and children were in Dacca when the city fell into the hands of the Indian army. They escaped and were chased from place to place by the Awami roughs. In desperation they fled to India and finally made their way to Pakistan. The family endured untold hardship and tribulations in the cause of Pakistan.

Mahmud Ali's houses in Dacca were taken over by the Awami Leaguers. His property was looted and collections destroyed. His ancestral house at Alimabag at Sunamganj was also looted and later taken possession of. To this day his houses including those of his cousins are in Government's hands.

## Massacre and persecution of non-Bengalis

Humanity and human rights were the first casualty in Bangladesh. If thousands perished, millions alive were groaning under the tyranny and persecution of the Awami League regime. Those non-Bengalis who survived the holocaust were turned into aliens, deprived of their belongings, possessions, jobs and safety. The miserable plight in which they struggled to exist evoked the following appeal from Abul Fazal, Vice-Chancellor of Chittagong University and a scholar of repute. . . . 'they are utterly helpless and dispossessed. Most of them are women and children. They have no means of livelihood, no occupations, or anything to cling to. They cannot envisage a future. This is a queer but pathetic problem. Theirs is a human problem. When some of them are found in bad health, wearing tattered garments, hungry and helpless, begging alms with tearful eyes in streets and market places, this morbid scene appears to me as a great insult to humanity. Any sensitive person cannot stand such a sight.'10

In the Chittagong Hill Tracts there are three hundred thousand tribal people – Buddhists, the Chakmas (who are mainly Buddhists, as well as Christians and animists) and the Maghs (mainly aboriginals). They too were virtually aliens in the state of Bangladesh. They did not support the Awami League and were now paying for it. A reign of terror and persecution engulfed the area immediately after the very inception of Bangladesh.<sup>11</sup>

## Vengeance on political opponents

Thousands of Bengalis were thrown into prison as 'collaborators'. They were people alleged to have supported the Pakistan

Government and army after the unofficial and unilateral proclamation of independence by some secessionist elements on 26th March, 1971. According to a preliminary estimate issued by the Bangladesh Government the number of such prisoners up to November 1972 was 50,000. But the unofficial estimate was three times that number. A large number of the so-called collaborators sought by the authorities in Bangladesh had gone underground. The number of such people was estimated to be 60,000. Their property was confiscated without any trial or any formality of established legal procedure. The plight of their dependants was not difficult to imagine. They were in their own land, but made to feel like aliens and outcasts.

It was alleged that the term 'collaborator' had been coined to permit victimisation of political opponents, and that the campaign against the collaborators was increasingly directed towards political adversaries, academics, professionals, or anyone who for the vaguest of reasons became persona non grata with the Awami League. This included thousands of people who had committed no crime other than doing their duty under the Government of Pakistan during the martial law regime of Yahya Khan; people who did not meddle in politics and thus did not openly and zealously support the Bangladesh movement; people who were courageous intellectuals, journalists and politicians, including some Awami League supporters who differed or who criticised, though objectively, sincerely and moderately, the excesses committed by the Awami League Government.<sup>14</sup>

Not content with persecuting its citizens within its own borders the Awami League Government went to the extent of cancelling the citizenship of a large number of Bengalis staying abroad, on the ludicrous pretext that 'these persons have been staying abroad since before the liberation of Bangladesh, and by their conduct cannot be deemed to be citizens of Bangladesh, and that they have continued to be citizens of Pakistan." The lists so released comprised lawyers, academics, religious leaders and politicians some of whom held high positions in the British Indian Province of Bengal. The citizenship of many Bengali officials of the former Pakistan and East Pakistan Governments were also cancelled on alleged grounds of 'anti-state' activities but without any formal charges or trial. In several instances individual officers were merely informed of the ex-parte decision of the Government rendering them stateless.

Out of the thousands of collaborators dumped in jails, no more than a few hundred were actually prosecuted in any court. Since established law did not suffice to prosecute the alleged collaborators, the Bangladesh Government promulgated a special ordinance called the 'Bangladesh Collaborators Order'. It was enacted in Dacca on 24th January, 1972, by then President of the People's Republic of Bangladesh, Abu Sayeed Choudhury, on the advice of the Prime Minister Mujibur Rahman, who also instituted special tribunals to ensure its application.

The ordinance epitomised the fascist character of the regime. It was contrary to all canons of justice and in flagrant violation of the Human Rights Charter of the United Nations. The Ordinance was directed against persons who had, in its own terms, been 'collaborators of the Pakistan Armed Forces which had illegally occupied Bangladesh by brute force, and had aided and abetted the Pakistan Armed Forces of occupation in committing atrocities against men, women, and children, and against the person, property, and honour of the civilian population of Bangladesh'. In plain words, the ordinance purported to victimise those who had supported Pakistan and its ideology during the Bangladesh movement.

The act contained a clause whereby 'any police officer or any person empowered by the Government in that behalf, may, without a warrant, arrest any person who may reasonably be suspected of having been a collaborator'. The ordinance provided for punishment and death. The severity of the Bangladesh Collaborators Order surpassed even the notorious 'Suspects Decree' of the Terror (of French Revolution) and Regulation 18B in wartime Britain whereby people were imprisoned indefinitely without trial 'on suspicion'.

The Ordinance was subsequently given retrospective effect, purporting to punish people for certain acts which did not constitute an offence at the time they were committed, thus violating the fundamental principle of *Nulla pene sine lege*. Further, amendments were introduced providing for a minimum punishment of three years' imprisonment. All this made it increasingly clear that the act was directed at silencing all form of political opposition whether this had been voiced before or after secession.

The first victims prosecuted under this black law was an ordinary Razakar of Kushtia district. He was sentenced to death for 'imaginary and unproved crimes' by a Hindu judge. 'The once prestigeous judiciary has now been reduced to the status of a rubber

stamp to accord legitimacy to the whims of the administrators."17

Among the most prominent collaborators detained were A. M. Malik, former Governor of East Pakistan, and six of his cabinet ministers. They were later sentenced to life imprisonment by special tribunals set up under the 'Bangladesh Collaborators Order'. At the request of Malik's wife, the London Society for Defence of Human Rights engaged Sir Dingle Foot, QC, as senior defence counsel, for Malik. Sir Dingle Foot was denied entry into Bangladesh at Dacca airport on 17th November, 1972. It may be recalled that Mujibur Rahman himself had been granted the right to be defended by a British barrister, Thomas Williams, when he was tried for alleged conspiracy with India – known as the Agartala Conspiracy Case – in 1968. At the time Mujibur Rahman had denied that he had been in collusion with the Indian Government, but in 1972 he acknowledged that he in fact had been, and even took pride in the fact.

To deny the accused a lawyer of his own choice 'is illegal, immoral and unprecedented in our times' wrote the chairman and secretary of the publicity committee of the Society for Defence of Human Rights. They also observed that these 'trials which do not give due chance to the accused to defend themselves effectively must be stopped and universally condemned. The local lawyers were under constant threat of harassment. The entire process of charging, arresting, and trying persons under the 'Collaborators Order' is guided by mala fide intention to oppress political opponents.'19

Robert McLennan, barrister and Labour MP, himself a partisan of Bangladesh, who was present as an observer at the trial of some of the alleged collaborators, wrote: '... the trials are a tragic misdirection of national effort. Most of those accused of collaboration were prominent in the life of the country before independence, in trade, education, industry, and Government. Their talents need to be harnessed to the service of the new state'. He saw 'a Government decision to call a halt to the Collaborators' trials as a prerequisite step in the task of national reconciliation.'20 In an interview with Roger Mackay in the BBC World Service broadcast, McLennan said that the trials of the alleged collaborators were being conducted in a very summary fashion. The local lawyers who represented the accused were inhibited in the conduct of the defence by the difficulty of putting what in a sense was the essential question: 'when did Bangladesh become a state? At what point did the people owe loyalty to the self-proclaimed Bangladesh Government?"21

When a parallel was drawn with trials of Nazi war criminals at Nuremberg after the Second World War, McLennan observed: 'A clear distinction is to be drawn between the war crimes trials, which have not yet started, and the trials of the so-called collaborators, which have started. The collaborators are not being charged with having committed atrocities themselves, but rather having connived at, or having made possible some of the actions of the Pakistan army'. Moreover, 'the war crimes tribunals after the last world war were held by international tribunals and they invoked international law. The trial of collaborators are conducted by domestic tribunals and are applying a law passed by the Government of Bangladesh after the event. They are in effect retrospectively rendering criminal certain actions. This seems to be a highly dangerous thing for any government to do."22

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The charges against Malik were that, during his governorship, he held public meetings asking the people to co-operate with the Pakistan Armed Forces and exhorting them to preserve the solidarity and integrity of Pakistan. Malik pleaded not guilty and said that he accepted the responsibility of his decision in order to restore peace and normalcy. Despite the defence counsel's contention that there was no evidence that the accused had committed any crime according to international law, the tribunal found Malik guilty of 'waging war against Bangladesh and helping the occupation forces of Pakistan'.23

Mujibur Rahman himself quite openly, far from endorsing or initiating the so-called unilateral declaration of independence of Bangladesh on 26th March, 1972, had, solemnly and unequivocally, affirmed loyalty to the integrity of Pakistan, until the day of his release from jail in West Pakistan on 23rd December, 1971.24 Mujib might have claimed that his declaration of allegiance to Pakistan given after the fall of Dacca, was made under duress. Could the alleged collaborators summarily tried by his Government enter precisely the same plea in their defence? Or could there be two standards of justice, one for Mujib and his supporters, and another for his political opponents?

The tribunals set up for the trials of alleged collaborators not only denied the accused the right of self-defence, they operated beyond the normal procedure of trials. In a letter addressed to the Society for Defence of Human Rights, one S. A. Chowdhury of Dacca wrote: 'Most of the detained persons are in jail without having been

charged. Besides, whenever a police report was found to be favourable to the case of any alleged collaborator, it was not produced before the court. Instructions have been given to the officers concerned not to produce any report which may prove the alleged collaborator innocent. Such tampering with the process of justice is rare in contemporary societies.' In desperation the writer concluded his letter with an appeal to the British people: 'The moral support of Britain greatly helped the liberation movement in Bangladesh as such. In the same manner we, the deprived people of Bangladesh, who are denied the minimum human rights, expect that the great people of Great Britain will come forward to rescue us from the tyranny of the present Awami League administration. We are not anti-state elements, we are law-abiding citizens of this part of the world. Our only fault is that we obeyed the laws of the state executed by the then government.'25

### The reign of terror

Denial of human rights in Bangladesh was on the widest scale, indeed unprecedented, but the international news media seemed to be oblivious of the fact that no voice was heard or perhaps even so raised in protest anywhere in the free world. 'When excesses were committed by the Pakistan army after 25th March, 1971 in East Pakistan,' wrote the author of The Tale That Was Never Told, 'world publicity media reacted sharply, and in many cases exaggeratedly, to mobilise opinion against the violation of human rights. But today, when human rights are more grossly violated and people are groaning under fear and starvation and when this unknown and unheard-of mockery of justice is perpetrated in the name of justice, when human beings are slaughtered in a manner which indicates that they are considered cheaper than animals, those active and exaggerated voices, unnecessarily loud then, are mysteriously silent. When East Pakistan bled, champions of humanity shouted at the top of their voice, but today, when so-called Bangladesh is bleeding more grievously, those voices are conspicuously silent.'26

In Bangladesh itself, however, the reign of terror created by the Awami League government evoked protests from all the saner sections in society. Several lawyers in Bangladesh were concerned at 'the sweeping nature' and the abuse of the Collaborators Ordinance. Ataur Rahman Khan, a former Awami League Chief Minister of

East Pakistan, in whose cabinet Mujibur Rahman once held a minor portfolio, said in defence of the alleged collaborators: 'These people did not know that they were violating any law. In fact, such a law was not there, I reminded the judge that he too had been doing work during the period which is called occupation period.'<sup>27</sup>

Abul Mansur Ahmad, one of the founders of the Awami League, and an ex-Awami League central minister wrote: 'The fact that a man worked for the integrity of Pakistan does not make him a criminal. Opposition to independence until it was achieved was a matter of political difference. It cannot be construed as anti-state.' If, he thought, the amount of time, money and energy devoted by the Government and students and youth towards the search for collaborators were diverted to other activities, then most of the problems of the country concerning the rise in prices, law and order, would have been solved.<sup>28</sup>

Indeed, a most scathing criticism of the Awami League regime came from Abul Mansur Ahmad, who observed: 'They have been committing mistake after mistake. Most of their activities are undemocratic. Through their bad deeds they have been destroying the declared principles of the Awami League and its twenty years of traditions and image. Within six months after taking over the administration, the present government has abandoned almost all those principles of the Awami League which made it a popular party. Hundreds of thousands of Awami League workers who had been proud of their loyalty towards the objectives, programmes, and leadership of their party, now hang their heads in shame at the failure of their present leaders. The masses who had looked up to the Awami League for the realisation of their freedom and progress, are now turning their faces from the Awami League. The Jatiya Shramik League, the labour branch of the Awami League has been publicly demanding the resignation of the Awami League cabinet. This cannot be pooh poohed as a conspiracy by the enemy of the people, or by the collaborators.' He went on: 'The Awami League has been violating its twenty year old traditions by prosecuting the people without trial, forming new high courts in place of old ones, confiscating the powers of courts, banning political parties, creating political offences and giving them retrospective effect, depriving politically prosecuted persons of their voting rights, amending laws to punish political rivals, banning strikes - the fundamental right of workers.' Such, concluded Abul Mansur Ahmed, were 'some of the heinous deeds of the present government. Such actions are unparalleled in the history of the civilised world. Even dictators have not committed such atrocious deeds.<sup>28</sup>

While justice was being trampled on in the tribunals, thousands of alleged collaborators were languishing in Bangladesh prisons without trial. Against most of the detainees no suit had been filed, nor any definite chargesheet prepared. In many cases police investigations were not completed, even though the term of six months' detention without trial as provided in the law had expired months ago.<sup>30</sup>

To cite one instance only: Faizur Rahman, editor of the weeklies *Mukhapatra* and *Spokesman* (both papers were banned, their presses and other assets confiscated) had been detained without trial for well over one and a half years. His father died while he was in prison and the Government intentionally delayed granting him parole for him to see his father's dead body. When, at last he was put on parole, it was too late. His mother was on her death-bed. His wife, utterly distressed, appealed to the Government to release him at once and unconditionally, failing which to bring him to trial without further delay.<sup>31</sup> Her appeal was ignored and Faizur Rahman continued to languish behind bars.<sup>32</sup>

A large number of those who dared to disagree with the regime and chose to remain underground were believed to be concentrated in the Chittagong Hill Tracts, near the Burmese border. Escape to Burma seemed to have become the only hope for most of them. Several hundred of the dissenters made it to Nepal (which is separated from Bangladesh by only 30 miles of Indian territory) and thence proceeded to other parts of the world, including Britain. Not all were so fortunate. In one case, a Bengali who still considered himself East Pakistani, reached Burma, where he contacted the Pakistan embassy, but was refused a Pakistani passport. In another case, a Bengali journalist who left Pakistan for Britain was refused a Bangladeshi passport by the Bangladesh embassy in London, although he was a supporter of Bangladesh.

Overcrowding in Bangladesh jails was inhuman and frightening. The maximum capacity of jails in Bangladesh cannot be more than twenty thousand. The Awami League regime imprisoned more than three times that number. This apart, the prisoners were denied the barest necessities of life. Often they got suffocated and died in sub-human conditions.

The following letter smuggled out of jail in April, 1973, vividly portrayed the degradation of humanity in Bangladesh: 'Inside this jail, there are about three thousand human animals romping about where the standard accommodation is for one thousand and fifty only. So you can appreciate the price of space, living space, here in our animal farm. We are all biped animals, treated and fed like them, and here there are about a hundred in one room, really large enough for thirty only. A good number are principals, professors of colleges and universities, advocates, local leaders. Not a bad joke indeed, quite sadistic in approach: all herded in and clamped down as collaborators with the "occupation army". There are over a lakh (hundred thousand) in jails and camps by now, besides the thousands killed, maimed, robbed, looted and burnt. Extortion is the national pastime and profession, famine is at the door, armed brigands raid the countryside freely, the economy is totally shattered, transport disrupted. It is all beyond one's imagination, a total transformation, or should I call it a new experience, a new realisation?

"To our shock, surprise and dismay, the foreign Press do not care to know, or to probe this staggering human tragedy. They were so actively vocal earlier, why don't they demand a White Paper? Why are the democracies silent over such human degradation? Could you tell the BBC and the free Press they are disgracing and damaging their reputation by this callous and inhuman attitude. How is it that they do not realise this is now a police state? Imagine me here, and why? What fault, what crime? Simply because I was honest, upright, conscientious and outspoken? Simply because I could not, did not, fall in line with them?"

The writer of the above letter is one of the foremost intellectuals in Bangladesh. His sufferings represented only one instance of the tragedy of thousands of Bengalis who languished in similar conditions in Bangladesh jails.

From time to time instances of cruel treatment to political prisoners by the jail authorities were brought to the notice of the Government, but to no effect. Ramizuddin Ahmad, a senior politician and one-time Cabinet Minister in the Government of Pakistan, and Abdul Ghani Munshi, a former Awami League member in the East Pakistan Legislative Assembly, were ill-treated in the Comilla Central Jail. It was also alleged that the repression caused by the governor of the Comilla jail brought several prisoners to the point of death. Even frequent hunger strikes by the prisoners

of the Comilla jail to protest against tortures failed to produce any result.<sup>36</sup>

That the Government deliberately aggravated the sufferings of the prisoners was manifest from the memorandum which the detainees in the Dacca Central Jail submitted to Prime Minister Mujibur Rahman. The memorandum stated: 'The age-old conventional practice of sending prisoners under trial and convicts for treatment of complicated ailments for which no facilities exist in jail hospitals, has been recently discontinued under purported Government order, to the great prejudice and detriment of patients.' 'Recreation facilities including provision of indoor games and morning and evening strolls, particularly for old and chronic patients, have been stopped. Weekly interviews for division prisoners have been abruptly stopped. Prisoners' interviews with their lawyers have been discontinued. Special interviews by permission of the Home Office have since been discontinued.'

The memorandum went on to say that the food supplied to the prisoners was generally 'unfit for human consumption'. The resultant malnutrition was proving fatal in the event of sickness. Prison hospitals lacked qualified doctors and modern equipment, and prescribed medicines were often not in stock. Several prisoners died without treatment, in different prisons. The memorialists expressed 'a deep sense of anxiety and alarm' at the premature death of Fazlul Quader Chowdhury 'in a solitary cell, without any attendant, in a state of abject helplessness' in the Dacca Central Jail.

The story of Chowdhury's death is heart-breaking. One of the valiant freedom fighters in pre-independence Bengal, ex-Speaker of the Pakistan National Assembly, some time acting President of Pakistan, and President of the Convention Muslim League, Chowdhury was brought to the Dacca Cantonment by the Commander of the Indian Army operating in the Chittagong sector. He was then put into the Dacca Central Jail. Solitary confinement soon resulted in degeneration of his health. He was suffering from high blood pressure and from gout. The city civil surgeon, who visited the prison twice a week, was gravely concerned at the deteriorating condition of Chowdhury's health. He sent four consecutive reports through the jail authorities to the Government emphasising the immediate need of removing him to an outside hospital for treatment. No action followed however, and Chowdhury's condition was allowed to deteriorate. Eventually the

prison authorities were perturbed. On their own initiative a medical board examined Chowdhury, and recommended removal to an outside hospital at once. Even the board's report produced no result.

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A second board, again on the initiative of the prison authorities, examined Chowdhury shortly afterwards, and in view of the gravity of the case strongly recommended the immediate transfer of Chowdhury to an outside hospital. Prime Minister Mujibur Rahman himself pointed out that there was no provision for treatment of persons detained under the Collaborators' Order and President's Order No. 50 in any outside hospital.

At half past six in the afternoon of 18th May, Chowdhury's cell was, as usual, locked. Half an hour later he was groaning in pain. Khawaja Khairuddin, President, East Pakistan Council Muslim League, who was in the adjacent cell, could hear the heart-rending cries but could do nothing. He frantically appealed to the lone guard outside to open the cell and attend upon Chowdhury. The guard ran to and fro for a few minutes, but could not find the keys. Chowdhury was writhing and rolling in bed with agonising pain and at one time fell on to the floor still groaning. Blood gushed from his mouth. At about a quarter to eight suddenly there was stillness in the cell. Chowdhury's agony had ended. Some time later, a prison doctor appeared. He had Chowdhury removed to the jail hospital, and to hide the fact that he had died in his cell without medical attention, his dead body was given a number of injections. Finally, at about ten in the evening they declared him dead. The following morning when relatives were allowed to see his body it had turned blue.38

Syed Muhammad Afzal, a long time colleague of A. K. Fazlul Haq, a most renowned leader of Bengal, and himself an ex-Minister, died without treatment in Patuakhali Jail. Azizur Rahman, a prominent advocate, also died in similar conditions in Comilla Iail. Amjad Ali, an ex-Minister in the Government of Pakistan, was butchered in a street of Sylhet. With thousands killed and thousands in prison, the Awami League's political vendetta still continued undiminished. A reign of terror swept the land, and millions of people lived in constant fear and suspense.

#### Lawlessness

There was no law and order in the country. The regime's war of

political retribution had plunged Bangladesh into utter lawlessness. Each day's quota of news consisted of murder, robbery, theft, arson, attacks on police stations and outposts, and other criminal, anti-government and anti-social activities. There was no security of life or property. For instance a glance at the inside pages of The Bangladesh Observer, Dacca, of 19th January, 1973 revealed the following:

- A 15-year-old student was found murdered in a village ditch. His body was covered with innumerable cuts and other knife marks.
- Taka 2,582 were stolen from a bank cashier at Postgola.
- Properties worth Taka 4,000 including cash and gold ornaments, were looted when an armed gang raided a house in Chandpur.
- In a similar incident involving Taka 5,000 one person was killed in a village near Mirpur.
- Four armed men raided a house in Patla Khan Lane and opened fire upon the inmates of the house, resulting in injuries to two.
- Huge quantities of arms and ammunitions were recovered from 'anti-socials' captured by the Rakkhi Bahini<sup>39</sup> in Pabna.
- The youngest son of a well-known religious leader was shot dead near a local cinema in Pabna.
- An angry mob beat five robbers to death in a village under Mohammadpur police station. The mob recovered two .303 rifles from the dacoits (armed gang-robbers).

Perplexed with the extent of the lawlessness, the Minister of Information urged people to form defence parties in villages to root out miscreants and others who were disturbing the peace of the society. Almost a year later and after the formation of many 'defence parties', one found the situation no less disturbing; but the following incidents that occurred on the eve of the National Day celebrations (16th December, 1973) perhaps showed a growth of overt political hostility to the regime.

- The police stations of Manikgani and Louhajang in Dacca were attacked by a large number of miscreants with automatic weapons. Police and Rakkhi Bahini dispelled the attacks.
- A fire bomb was thrown at the Soviet Cultural Centre, Dacca. minutes after Tajuddin Ahmad, Finance Minister, left the building.
- Fire bombs were thrown at the Indian Airlines office and at the office of Bengali daily Banglar Bani.
- Kamal, eldest son of the Prime Minister, together with his five companions, was injured in a gun fight with police after a car chase

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through the streets of Dacca.40

In Dacca, the capital itself, most streets looked deserted soon after sunset. No thoroughfare was safe after dark, and anything could happen from a frivolous hold-up to a gruesome murder. Even populous quarters like the Motijheel commercial area, Nawabpur and Sadarghat were no exception.<sup>41</sup> After dusk 'a chill visibly settles over the city and people shuffle off home, for it is then that the bandits and political para-military groups begin their night's work. There are police in strength stationed at every cross-roads but when a shot is fired they quickly scuffle off to the nearest high building and fortify themselves there.'<sup>42</sup> The situation in other cities, big and small, was the same, perhaps even worse.

In the countryside, the scene was horrific: there was no semblance of law and order. Robbery was rampant in all rural areas. The north-western districts of Rajshahi, Pabna and Dinajpur were the most affected. The feeling of insecurity in villages was so great that a large number of people migrated to towns. According to a columnist of *The Times of India*, one village in the Pabna district had been entirely evacuated.<sup>43</sup>

A letter addressed to the editor of a Dacca daily depicted the situation in some rural areas thus: 'Kaloma, Dhaida and Louhajang are only 20 miles from Dacca. But if somebody happened to come to these places, he will hear long continuous shouts from 8pm to 4am exhorting the people to "beware", to be "careful". Presently, there would rise fearful female cries: "Save me!" "Help me!" and then gun shots. An ominous quiet would ultimately make the enveloping gloom gloomier. The morning will dawn with the news that so and so has been killed, such and such places looted, and such and such girls abducted . . . So is life in the independent and sovereign state of Bangladesh."

'The rural areas,' wrote the editor of a Dacca weekly, 'present a picture of horrifying insecurity. From all over the countryside reports come in of runaway criminality and lawlessness, large numbers of rural people are flocking to the nearest townships for security of life and property. In Barisal town all the hotels and boarding homes have been turned into temporary habitats (sic) by the well-to-do from the countryside. And this is largely true of other districts also, particularly the northern districts of Bangladesh.'45 Travelling was not safe. Boats and launches, the main transport in riverine East Bengal, 'are being continually attacked by robbers and

the passengers killed or relieved of all their belongings.'46 According to reliable reports during 1973 as many as 100 launch *dacoities* were committed in one sector of one river (i.e. Padma) alone.

The inadequacy of the law enforcing agencies forced the people in many areas to devise their own methods of protection. Where anti-social elements were active, people generally left their homes and spent the night in jungle hideouts. Subsequent developments 'made the situation even more insecure for the villagers. There have been a series of raids on police stations and looting of arms and ammunition; the police repeatedly failed to put up an effective resistance.'

One report noted that authorities at most police stations in Bangladesh 'impose curfew after dusk' in their respective areas, making it impossible for the public to seek police help at night. The same report contended that the districts of Barisal, Faridpur, Jessore, Patuakhali, Dinajpur, Pabna, Rajshahi, Kushtia and Comilla, *i.e.*, nine out of nineteen districts in Bangladesh were most seriously affected by the breakdown of law and order.<sup>47</sup> The Government for its part reacted to the danger of looting of police stations, and the possibility of arms falling into the hands of anti-social elements, by winding up police outposts in serveral areas, thus leaving people at the mercy of lawless forces.<sup>48</sup>

Even the Government-managed daily Dainik Bangla admitted: 'News of death pours in every day. Numerous unidentified dead bodies are found here and there. The miscreants have let loose a reign of terror in different places. In most rural areas, the villagers have sleepless nights. The paucity of police personnel has rendered the rural population helpless.'49 The platform of the Rajshahi Railway Station, according to another Dacca daily, was turned into a temporary refugee camp as a result of the huge inrush of people from rural areas.<sup>50</sup> The same paper, articulating the people's anguish cried out: 'Today the people of Bangladesh yearn for peace.'<sup>51</sup> The whole country today 'is in the grip of violence and terrorism and the sense of alarm is worse than in 1971'.<sup>52</sup>

The lawlessness during the first thirty months of Bangladesh took a heavy toll of human life. The Minister for Home Affairs had to admit in Parliament that there had been nearly 6,000 murders in the first 18 months after the creation of Bangladesh. <sup>58</sup> He also admitted that during the same period 377 women were kidnapped and 290 women 'dishonoured'. The total number of victims of violence was

later officially admitted to be over 10,000.<sup>54</sup> The opposition sources, however, claimed that the actual number of deaths by about the time of the deployment of the army on 25th April, 1974 was over 100,000. Murder became such a common phenomenon that many people thought it was 'no use reporting it to the police stations'. Even before the deployment of the army a columnist in the Ganakantha observed: 'The number of murders in Bangladesh during the post-independence days is not in any way less than during the liberation war.'<sup>55</sup>

Like the number of murders it is not possible to give any approximate figure for robberies committed since the creation of Bangladesh. A former guerrilla whose father was ruthlessly assaulted and whose niece was bayoneted to death by bandits, lamented that 'we have fallen into [the hands] of cannibals a thousand times more sadistic than the Yahya hordes.' While commenting on this statement a Dacca weekly observed: 'Go to any village . . . and you will hear the same conclusions repeated over and over again until you can't any more take these without going mad . . .' Dacoity was reported to be the biggest industry of Bangladesh. 'Ask Mr Ukil (the Home Minister), the figure for dacoities committed in the last two years. Multiply, to be on the conservative side, by twenty to arrive at a more likely true figure.'56

A senior police officer admitted to a foreign correspondent that the number of robberies was even higher in the first eight months of 1973 (nearly 7,000) than in the same period of 1972 (about 5,400).<sup>57</sup> Another foreign correspondent observed that the bandits 'have attacked a remarkably high percentage of Bangladesh's 65,000 villages and 5,000 police posts'.<sup>58</sup> According to another visitor, 'Every day the hospitals are flooded with the mutilated or bullet-ridden bodies of the victims of the attacks of bandits or of the running stengun battles that rage day and night.'<sup>59</sup>

#### The country a slaughter house

Whatever might be the statistics, the fact was that political murders, personal vendetta, robberies, and all types of crimes of violence were daily events in Bangladesh. Many of these crimes were of great brutality. The bandits would raid a house, kill the inmates, dishonour women, loot at will and kidnap young girls. Even the Dacca University campus was the scene of some dreadful killings. In

a students' hostel, a teenage boy was beaten senseless, tortured with burning cigarettes and at last murdered. In another incident on 5th April, 1974 seven students were machine-gunned to death inside the University premises – the result of a feud between the two main front organisations of the Awami League – the Bangladesh Students' League and the Awami Youth League.

"The whole of Bangladesh', to quote Desh Bangla, has turned into 'a slaughter house'. 'Man is killing man, who is killing? Why is he killing? – there are no answers to these questions." The Bengalis, as Agami Bangla put it, had lost their direction, their sense of purpose. 62

The tragedy was that the anarchy which bred and fostered these crimes was, to a large extent, the deliberate creation of the Awami League and its Government. The main instrument in this was the Indian sponsored and equipped Rakkhi Bahini, with a substantial Hindu composition, which was said to be under the personal command of Mujibur Rahman himself. Tolerance in politics was not in the grain of the Awami League and its leadership. Under cover of hunting down 'anti-state' elements, the Government itself unleashed 'a reign of terror' in the rural areas of Bangladesh. The Rakkhi Bahini and also the armed forces, wherever necessary, encircled entire areas and undertook combing operations. As a result of these operations, countless people were physically liquidated, mutilated, wounded and arrested. Their houses were destroyed and their families tortured indiscriminately and murdered. 63 Foreign correspondents, sympathetic to Bangladesh, also attributed aggravation of the law and order situation to 'the political activities of the Rakkhi Bahini who are ostensibly on the side of law and order but some times act like bandits themselves'.64

There were other *Bahinis* (militias) of the Awami League contributing to the prevailing lawlessness: the *Lal Bahini* (red guards) mobilised the workers in the industrial sector, while the *Juba* (youth) League worked with the *Mujib Bahini* (Mujib guards)<sup>65</sup> and were active among students and professional groups. The industrial areas of Bangladesh in Khulna, Chittagong, Dacca and other districts had already experienced 'the terror unleashed by the '*Lal Bahini*'.'<sup>66</sup> If the bandits of these *Bahinis* were caught plundering villages, they were allowed to go free by the local police, otherwise pressure was brought against them by patrons of the Awami League.<sup>67</sup>

Critics of the Awami League regime claimed that the 'reign of terror' unleashed by the Government was diverting people's

attention from their miserable plight, as well as liquidating political opponents of the Awami League. The Awami League had promised people a Sonar Bangla (Golden Bengal). Instead, the people lacked food and suffered soaring prices, lawlessness and disorder. The euphoria of 'liberation' had gone – and there remained 'the dull deadening depression of daily failure and suffering'. The atmosphere was charged with hate, fear, suspicion, anarchy and death. Under such conditions it was no surprise that the ordinary law-abiding man-in-the-street was thoroughly disillusioned and discontented with the regime.

The scapegoats were what the Government described as 'anti-state' elements. Understandably enough, the Government laid the blame for the prevailing lawlessness on the activities of these elements. Who were they? Razakars? Al-Badars? Sino-US or Pakistani agents? For some time the Government wanted everyone to believe that they were Muslim Bangla conspirators or supporters of Maulana Bhashani or armed activists of the Jatiya Samajtantrik Dal (National Socialist Party). Later on the Government said they were Naxalites (Maoist political extremists).69 In the eyes of the Government, and for that matter of the Awami League, those who opposed the regime and its policy were 'anti-state' elements. Attempts at the political character assassination of their opponents were made by the Government-controlled Press by its condemnation of them as 'sex-perverts' and depraved characters.70 Most of them were also the victims of the mopping-up operations launched by the various official Bahinis in different parts of the country.

The Government's mopping-up operations did not always go their own way, for murders beget murders. Hundreds of Awami Leaguers were also killed in counter attacks. The operation in the Sunderbans areas was reported to have met with discomfiture. After this campaign, noted *Desh Bangla*, 'the country already lies prostrate. Further deterioration means civil war.'<sup>71</sup>

Many foreign observers noticed the political undertones of the situation. Anarchy seemed to be the reality of Bangladesh – still 'an unfounded state', as the *Bangkok Post* put it.<sup>72</sup> It was 'a new kind of generalised collapse of law and order, a sort of Viet Cong uprising, without the ideology or organisation'.<sup>73</sup> There was 'a whole complex of little insurgencies – Marxist, Maoist, Muslim, pro-Pakistan, and others of every possible political coloration, plus a

great many terrorists simply bent on acquisition of wealth'.74

Of the above groups, the protagonists of 'Muslim Bangla' could not be dismissed as 'conspirators'. According to Abdul Hamid Khan Bhashani, they were the 'main rivals' of the Mujib Government. The failures of the Awami League Government popularised the movement, particularly among the villagers. 75 The supporters of the movement openly shouted Muslim Bangla Zindabad (Long Live Muslim Bengal).76 Even the Hindustan Times (Delhi) observed that the Muslim Bangla was a recognised underground movement. It is no longer the convenient umbrella for sheltering the outlawed Jamaat, Muslim League and other communal elements who failed to reconcile themselves to an independent, secular Bangladesh. An increasing number of people disillusioned with what they consider the bitter fruits of independence, are finding themselves attracted to "Muslim Bangla's sentiments" '.77 According to a Calcutta daily, Mujib approached the Indian authorities for help to protect his borders against the activities of 'Muslim Bangla' adherents. And the appeal was so urgent and alarming that India's Home Minister and other officers rushed to West Bengal to make an extensive tour of the border areas.78

It was also alleged that a 'pro-Pakistani group' seeking to rally Bengalis against Mujib's alliance with India had become increasingly active. For Its aim was to set up a Muslim state, and it echoed sentiments that had often been voiced both by Prime Minister Bhutto of Pakistan and by Maulana Bhashani. This group was reported to be building up an armed force with the Razakars, locally recruited civilian volunteers. So they were considered to be a special target of annihilation.

The so-called 'anti-state' elements apart, there were other elements contributing to the prevailing lawlessness. They committed robberies and perpetrated all sorts of social crimes.<sup>80</sup> Evidence gathered by a foreign correspondent showed that they were 'educated, unemployed local youths, alienated from the Government'.<sup>81</sup> A most depressing aspect of the situation was the fact that the younger generation of the country, in general, had fallen into utter degradation. They had no respect for law and social or moral values. The students and the youths were said to be involved in all manner of heinous crimes: rapings, lootings, kidnappings and murders. 'Today a married woman fears to walk along the street with her husband. The young Bangla seems to be running amock'.<sup>82</sup>

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The 'same revolutionary forces which are a proud asset for any nation and people have proved to be a curse of God for us,' lamented the editor of a Dacca daily. 'The country is facing a calamitous situation because of them (the revolutionary forces). Today, the tyrannies of Hulagu and Ghengis Khan pale into insignificance before the actions of the same people, who until yesterday were motivated by the spirit and determination to liberate their country. The same youths who had taken up arms in defence of the honour of their sisters and mothers are themselves ravishing them in broad daylight. Today, they are the uncrowned kings - they loot and kill at will.'83

Political violence and social crimes may not be an unusual phenomenon in a country born out of civil war. But what some of the young Bangladeshis were doing was utterly degrading to manhood, sheer savagery. Economic crisis, political violence, social crimes - these were symptoms, not the disease. Few inside Bangladesh had the courage to speak the truth - to say what was inherently wrong. The editor of the above noted daily at least focused on the real problem when he wrote: 'In the name of revolution, we have foresaken our ideals and our goals. What is worse, we have not yet chosen any other ideology for ourselves.' Again, 'we have forsaken Iqbal',84 'Rabindra Nath85 is not acceptable to us'. 'Where do we stand today? Where do we go from here? What is our ideology? What is our goal?'

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