

Move to establish rule of law

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Barrister Rafiqul Haque is an eminent lawyer and when he comments on law and legal aspects he does so with the authority of a lifetime of experiences and knowledge behind him. Recently he said, he worked to release some big politicians charged with corruption by the Emergency Government to establish the rule of law. Doubtless he means well but his comments reflect one particular perspective and other perspectives need to be taken into consideration too. The other perspective is how does one define the rule of law and what constitutes rule of law. Does one consider the EPRs as constituents of 'rule of law' and if not than the legitimacy, of the government which passed these, the courts and the Police which enforced these, all come into question. The many politicians and other persons sent to jails, after the Emergency was declared, were charged with corruption under the EPRs and merely allowing them bails does not by itself establish 'rule of law' or conversely not allowing them bails does not negate the 'rule of law'. Than of course there is the greater question of Justice and of human rights. For almost the last one decade the Nation has witnessed and has been the victim of terrible depredations, exploitation and injustices instituted by many of the politicians, businessmen and others whose human and legal rights Barrister Rafiqul Haque has so keenly and efficiently defended. Might one then raise the question of justice and human rights of the millions of people affected by this regime of loot instituted by the few and ask how and in what way will Barrister Rafiqul Haque's 'rule of law' compensate an entire Nation for this colossal deprivation of just rights to life, liberty and the pursuit of happiness. In balance, therefore, is the right of the many not to be held hostage and mercilessly exploited against the rights of the few to carry out that exploitation and get away with it scot-free. One would have hoped that a person as perspicacious as Barrister Rafiqul Haque would have understood the greater good of an entire people as opposed to mere legal defence of a few of the ruling elites who would otherwise have made their way out of their temporary incarcerations.