

‘Learn as if You Were to Live Forever’

Justice Mahmudul Hoque*

“BismillahirRahmanirRahim”

Today’s guest of honour. Professor, Md. Sekandar Khan, Hon’ble V.C. East Delta University.

The Ambassador, the Society for Critical Legal Studies,

The Moderator, the Society for Critical Legal Studies,

The judges of the SCLS Law Olympiad 2017, participants

Ladies and Gentlemen, AssalamuAlaikum,

It is indeed an honor and privilege to address the SCLS Law Olympiad 2017 as the Chief Guest. I am particularly gratified by my association thus forged with the SCLS which is a Study Circle of the students of my Alma Mater i.e., Department of Law, University of Chittagong.

I am glad to know that this is for the first time the SCLS has organized the Law Olympiad 2017 not only for the students of University of Chittagong but also for 15 universities from the different corner of Bangladesh. I must say this is a great opportunity for the participants of the SCLS Olympiad 2017 to enrich them through research, knowledge regarding laws, criticizing laws, playing a role as a policymaker, defending laws and by co-operation, which are the purposes of SCLS Law Olympiad 2017.

As part of Judiciary, we deal with issues of violation of human rights law, environmental laws and development law frequently. The word ‘development’ includes all human rights and the development always is subject to good governance and here is a challenge that lies for the development.

I firmly believe that this is the prime moment to organize this type of event and the theme of the Law Olympiad 2017 “Protect Human Rights, Promote Humanity” is really pragmatic for the development of promoting Human Rights law. ‘Human Rights’ is the Buzz word in the contemporary of International Development Law discourse.

The overwhelming majority of victims of the violation of human rights around the world including Bangladesh share two characteristics Deprivation, and discrimination – whether it is based on race or ethnicity, gender, beliefs, sexual orientation, caste or class. From hunger to massacres, sexual violence, human rights violations are rooted in these hidden, and sometimes not so hidden, factors. They are not spontaneously generated. Most violations of human rights result from policy choices, which limit freedom and participation and create obstacles to the fair sharing of resources and opportunities. But here we are in 2017, watching ‘never again’ turn into ‘again and again,’ and watching that wonderful

*Mr Justice Mhamudul Hoque is an Honorable Judge at the High Court Division of the Supreme Court of Bangladesh. This paper is the Speech of the writer as the Chief Guest in the first ever Law Olympiad of Bangladesh organised by the Society for Critical Legal Studies (SCLS), Chittagong at the East Delta University, Chittagong (August 29-30, 2017).

democratic consensus getting fragmented, shattered by narcissistic populism, an unhealthy tolerance for intolerance, a cavalier indifference to equality. Respect for the human rights of all, justice, education, equality – these are the strongly interlocking elements that will build fair, confident and resilient societies; true development; and a permanent peace.

The Constitution of Bangladesh is the main source of human rights on the legal verdict but international human rights instruments and its jurisprudence also play an important role in our decision making. It ensures the full freedom and particular space for all human being. Such as, Article 27 ensure equality before law without any discrimination, Article 28 provide all rights without discriminating as race, sex, culture, religion etc. Part III discusses about the fundamental rights and freedom for all human being such as freedom of movement, freedom of association, freedom of assembly, freedom of property, freedom of religion, free choice of employment and basic fundamental needs. Not providing enough security in the workplace for the labor, bureaucracy, etc. are the example of some issues where violations of human rights are a typical incident. However, new factors like inefficient cybersecurity, rising of terrorist groups etc. of violating human rights are emerging rapidly. It is the profound duty of legal professionals to help the people of our country to protect their human rights, which is essential to uphold rule of law in our country. I believe participants of this Olympiad will try to find out the faults of the system for causing a violation of human rights in our country and try to find out how to overcome those faults in the course of the competition.

As a part of the judiciary, we are daily scratching our heads for new innovations of ensuring justice to the mass people of the country. As Dr. Martin Luther King, Jr. once said ‘Law and order exist for the purpose of establishing justice and when they fail in this purpose they become the dangerously structured dams that block the flow of social progress’.

You are the future lawyers, Judges, teachers, administrators, bureaucrat etc. etc. A lawyer has obligations towards society as well as courts. As you are going to enter into the legal profession it’s your sacred duty to ensure that the rule of law is maintained and preserved. Democracy is our heart and soul which can only be practiced properly in our country if the rule of law can be guaranteed. We have resolved to secure justice in particular, social, economic and political; liberty and equality to all the citizens of the country. These are inalienable facets of our Constitution. The legal profession has to take the lead by learning lessons from great freedom fighters, Constitution makers, Parliamentarians and others belonging to the legal profession, who have built the nation and its institutions brick by brick. All their efforts and sacrifices will go waste if the legal profession does not take the lead which, I am sure, it will as in the past. The essential factor here is the genuine efforts which must never go wasted. The crucial issue is of wholehearted devotion and commitment.

When I see the activities of SCLS I see the bright future of the legal profession of our country. There is no better way of providing a hands-on legal skills’ training for students than through such engagements. The majority of us only got legal theories learned in the lecture room. We were only met with practical situations after the completion of our graduation. It is here that we learned that there was a big division between the theory and the reality out there. I, therefore, applaud the courage of SCLS for taking initiative to arrange this Olympiad to enable the young learners an opportunity to glimpse into reality

even while still studying in the universities and enlighten them about the ethics, values and duties of a lawyer to become involved in social justice issue of their society, which is needless to say a welcoming initiative.

Notwithstanding I must underscore the efforts taken by SCLS and Department of Law, University of Chittagong to cement the relationship between academia and the bench. Life is a learning process. We are all and will remain the students of law. Henry S. Haskins once said, 'The man who is too old to learn was probably always too old to learn' / Mahatma Gandhi once said 'Learn as if you were to live forever'. We at the bench most of the time interface with the law 'as was and is' on the status books..., while you at the law school interface with the world as it evolves. We have a lot to learn from you, but we cannot be readmitted for LLB again. So, through such an engagement we too are exposed to social justice and the global developments that we may not meet easily while at the bench, I must, therefore, thank the organizers of the Olympiad who have devoted their time and expertise on such a short notice and amidst their tight schedule to contribute to growth in the academic field.

A purpose driven life should be the bedrock of your day to day behavior and this entails three critical ingredients – hard work, self-improvement, and integrity. These three attributes will enable you to stay ahead of the competition, which is in the form of getting employed and then rising faster than your peers at once at the workplace.

Lastly, let me thank all the team members of SCLS to organize this Law Olympiad. It is my expectation from the SCLS and the Department of Law, the University of Chittagong that they will arrange this type of competition more and more and share their experience and knowledge with other universities. And, I believe that will help to develop the legal education with the great span of time.

I wish the young law students a great competition. May all teams win, for that is what social justice is about.

Best wishes to all.