



HUMAN RIGHTS: NEED OF HUMANE MINDSET

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I felt illuminated while sitting in front of the Hon'ble President of the People's Republic of Bangladesh Mr. Md. Abdul Hamid, and was eagerly listening to what the President was saying, least from a concern not to miss even a single word of what he was uttering to his audience, who were his invitees to the dinner arranged at a grandeur hall of Bongo Bhubon (President's Place). His Excellency (HE) was then addressing the learned District and Sessions Judges, and other officials of equal rank, who were also invited along with the Hon'ble Judges of both the Divisions of Supreme Court of Bangladesh, in a dinner on 03.12.2017. While the Hon'ble President was progressing with his charming eloquence, capturing the fullest attention of all present there, HE had smilingly passed aside a written script and seemed to have felt better comfort with all that HE had to speak from his heart, and all that HE wanted to share with the audience.

I have gathered cues from the Hon'ble President's speech in organizing my scattered thoughts for preparing a brief writing for the journal of the Human Rights & Peace for Bangladesh (H.R.P.B.), since they have requested.

Hon'ble President would, at the outset, share his experience that, problem of any kind should not arise (in performing one's function) if one takes his position as an *entrustment*, in other words, as a collection of bounden duties required to be discharged from his position, instead of looking at it as *power*. HE has even expressed his *modesty* that, he was an ordinary man and after expiry of his tenure he would become an ordinary man, thereby signifying his own belief in what he has said.

HE then continued in a very affectionate, but firm, tone that, it is the '*taqdir*' (predestination) and one's competency that takes him to a higher rank or status and it was what he also believed in respect of his own.

Allah, in His own words, says in Verse No. 165 of Sura No. 6 (Al An'am) that, "*He is who appointed you vicegerents upon the earth and has exalted some of you or others in rank so that He may try you in what He has bestowed upon you*". A *tafsir* (exposition) on this verse, found in the Tahfimal Quran, published by the Islamic Foundation, U.K. reads as follows: "This statement embodies three important truths : First, that human beings as such are vicegerents of God on earth, so that God has *entrusted* them with many things and endowed them with power to use them. Second, the God Himself who

has created differences of rank among His vicegerents. The trust placed in some is more than that of others. Some men have been granted control of more resource than others. Some are more gifted in respect of their abilities. Likewise, some human being have been placed under trust of others. Third, all this is indeed designed to *test* man. The entire life of man is, in fact, a vast examination wherein man is being *tested* about the *trust* he has received from God: how sensitive he is to that *trust*, to what extent he lives up to it, and to what extent he proves to be competent with it”.

Therefore, if the persons holding any constitutional or statutory position or a social rank higher than that of other do understand and acknowledge that the position held by them or the glory or the wealth given to them is an *entrustment* from Allah, to *test* those people in power and position, then the duty to honour human rights and dignity are in the safe hands. With this should be added the admonition as Allah has said (in verse 164 of Sura An’an”) that “*Every one will bear the consequence of what he does, and no one shall bear the burden of another.*”

Next, the Hon’ble President has mentioned, out of his *sobriety*, that he could not send invitation cards to his guests, nor he could invite all the judges of the subordinate judiciary for want of adequate time and space that would be required to arrange such a program within a very short period of time and, moreso, when such a program was being hosted as the first one of its kind. When the dinner was served, after his speech, the Hon’ble President was moving from table to table for paying a very warm personal attention to each guest.

President’s *humility* was much more prominent at all time. Looking at verse No. 45 of Sura Bakarah, one can find how Allah desires His servants to be *humble*. “Seek help (of Allah) in patience and prayer, and *this indeed is difficult except for the humble*” (as translated in “The Quran Study,” Seyyed Hossain Nasr, Editor-in-Chief. Harper Collins Publishers, New York).

If an individual in *position* and *power* is humble, then he cannot be disrespectful towards human rights and dignity.

The Hon’ble President has also shown a sense of equal treatment, to all.

HE has next referred to the isolated life lived by a judge and seemed to have inferred that, might be it was to avoid any kind of interference or influence to be made with or upon the judges in the discharge of their duties. The Hon,ble President could not recollect, while proceeding with his speech, any occasion to have ever influenced any judge or to have ever made any recommendation to any judge, since HE was elected as a Member of Parliament (National Assembly) in 1970, till his assuming the present position. Therefore, HE would like to see that the judges do not remain so much isolated. HE has appreciated the event of organizing a National Judicial Conference

each year, as a platform for socialization and exchanges of diverse opinions and also hoped that the tradition and the charm of the President's dinner would continue in the years ahead. The Hon'ble President has glorified all the three of such conferences, so far held till now, by his kind presence and the valuable speeches delivered at each occasion. HE's appreciation and expectation thus had a breeding ground.

Hon'ble President has not only felt the deprivation inherent in an isolated life of a judge, but, most importantly, he has emphasized that the personal independence of a judge should be maintained, thereby not expecting the judges to be influenced by anybody and also expecting nobody to influence the judges in discharging their duties. Indeed, such independence assures respect for human rights and dignity.

By adopting this approach to the human rights issue, I have placed it as a theme before the considerate readers to look at this from a different plane alongside the usual line of approach made with reference to Fundamental Rights or Bill of Rights, Universal Declaration of Human Rights and the HRA.

I have got the significance of making an approach this way in the situation already accounted for and because of the incident of a poor boy having died, in September, 2017, inside a sewerage line, in Mirpur area, when he was asked to clean it, for the cost of his life fixed at Tk. 500.00 (five hundred) only, by a garments factory (named Jitu Garments or like). Then because of a minor orphan student Tawhidul Islam, of Pubail Rahmania Etimkhana, was brutally tortured by a Madrasa Teacher named Amzad Hossain (45). This incident took place on 01.09.2017, when the child was refusing to stay in Madrasa student shade, away from his parent. Child's mother lodged a complaint with Joydevpur Police. The video of this inhuman torture scene got viral. The child's helpless cry for hours could not melt the iron heart of that apparently human being. Then again because of a helpless, a poor, pregnant woman deserted by her husband, had to deliver a child on 19.10.2017, at the open space in front of Azimpur Maternity Clinic, since she had failed to get any place or attention in Azimpur Maternity Clinic or, before that, when she was taken to Dhaka Medical College Hospital or to Solimullah Medical College. The new born died, as if to be taken into the womb of its holy motherland. As described in the online version of the "Jugantor" (on 19.10.2017), "জীবিতের মৃত্যু @b-L @hl q-aC fĚph @hceju l;Øa;il Jfl h-p f-se f;li£ez @pM;eC p;¹je fĚph L-le çaçez fĚb-j es;Qs; LI-mJ çLRær-ZI j-dĚC ehS;jaL çe-Ù'S q-u f-sz" Her howling caused by serious labour pain, her cry to see the heavenly face of a new born as its mother and her helpless stare at that unknown surroundings could not shake the mind of those in the clinic or hospitals whose mother had once gave birth of them in a similar

pain and anxiety. To these mighty hospital or clinic staffs, all these sufferings, dignity and the life of a child in the mother's womb were also less worthy than Tk. 1,500.00 (fifteen hundred) that the hospitals or the clinic had asked her to pay, which she could not afford to. (source: breaking news 24.Com).

So was the fate of her's and the fate of the new born and of human rights and human dignity.

I also wonder if the tiny cold body of that new born had its final place of rest in any graveyard of its place of birth?

Do we know that human rights and dignity survive his/her death. Any news? Any follow up? If no, why these incidents then should not take place, next, in thousands and in millions?

Therefore, it is the *humane mindset* (as has been noticed in the speech of the Hon'ble President) that is needed first and foremost to uphold the human rights senses and dignity anywhere and to ensure dignity of each individual human being, whether new born, alive or dead.
