

The lawyers who stood by the students in their time of need



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ILLUSTRATION:
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There can now be little doubt in saying that the past few weeks will go down as an extraordinary moment in the history of our nation – for better or for worse. What started out with peaceful protests surrounding the quota reform have morphed into something that may have very few parallels, be it in the number of people arrested and injured or that of bodies buried.

Students, however, will take heart in knowing that they are not alone. The common people – from rickshaw-pullers and university professors to artists and medical professionals – have come out in support of those who might as well be their own children or younger siblings.

In the midst of this, a particularly inspiring portrait of solidarity has been painted by many lawyers, who, in various capacities, have set the standard in these trying times. Their reasons for coming to the aid of students, the ways in which they have helped them, and their own views and experiences will be examined in this piece.

Barrister Aneek R. Haque of the Supreme Court of Bangladesh, who was engaged in the High Court writ petition filed by Advocates Manzur Al Matin and Ainun Nahar Siddiq against the police opening fire on student protestors and the detention of the six coordinators of the Anti-discrimination Students' Movement, states why he and his colleagues have taken such a significant step.

He says, "We are not helping the students in the hope of getting paid or anything like that. We are doing it because we owe a duty to our own conscience."

He goes further to delineate the legal aspect of the issues and their own position. "We observed that Bangladeshi law does not allow anyone to be detained in custody without lawful authority, and in this case, no legal procedure had been followed. They were simply taken from the hospital and other

places. The constitution says that no one can be detained unlawfully. Even if they had been arrested under any provision of the law, the police would have been bound to produce them in court within 24 hours of the arrest. Then, an application could have been made to either take them on remand or keep them in jail. The law is very clear on this. But none of this was done."

Haque goes on to add, "On the other hand, we also observed that even by official reports, hundreds have died in these protests. Among the dead, there have been many innocent children, students, and pedestrians. The police are going to fire on innocent civilians, which may cause even more deaths. We cannot allow that to happen. Our point is that the police have so many ways to disperse a crowd. The procedures are clearly stated in the Police Regulations, Bengal (PRB) and in other laws, but they are not adhering to those."

But even much earlier than this landmark petition to the High Court, as the Quota Reform Movement began to escalate, various lawyers and legal organisations throughout the nation took it upon themselves to support, free of charge, students who were being taken into custody or arrested. Advocate Al Mamun Rasel of the Supreme Court of Bangladesh is one of them. He cites his own participation in the Quota Reform Movement of 2013 as a reason for his support of students today. He states, "As a university student, I supported the movement because I found it to be a just cause. How can a country progress if talented people are not given opportunities? Thus, this time around, I felt that if, as a lawyer, I could offer my services free of charge and give legal support to students who do not have the means, they would be able to carry on their righteous demands for reform. My team and I have only made this facility available for the general students who are being harassed with false cases, and not anyone with political affiliations."