

WITHOUT THE RULE OF LAW, nothing else will work



JYOTIRMOY BARUA

Advocate, Bangladesh Supreme Court

The mass uprising that toppled Bangladesh's authoritarian regime ushered in a profound moment of new hope. However, the path to a restored democracy has proven far more arduous than anticipated. The interim government, which took charge on August 5, 2024, quickly eroded public trust through its frustrating failure to meet core objectives. Its performance was defined by an inability to ensure economic stability or maintain law and order—basic expectations for any caretaker administration. Notably, its strategy of appointing advisers with strong economic backgrounds yielded no positive results, highlighting a deeper crisis of governance rather than one of mere technical expertise.

Amid these failures, a performative drive to claim achievements took hold. The Adviser to the Law Ministry, for instance, maintained a high-pitched rhetoric of progress. Yet beneath this impressive edifice, a foundational tremor persists: the continued weakening of the rule of law and judicial independence. This erosion strikes at the very bedrock upon which sustainable prosperity and genuine democracy are built. Consequently, for the upcoming government,



VISUAL: ANWAR SOHEL

KEY POINTS

1. Restore judicial independence through transparent appointments and public scrutiny.
2. End impunity by ensuring equal application of law, regardless of political identity.
3. Dismantle mob justice and enforce lawful, evidence-based prosecution.
4. Tackle corruption by empowering independent courts and prosecutors.
5. Restrain executive power and repeal laws that undermine fundamental freedoms.

regardless of its political composition, addressing this crisis cannot be treated as a peripheral legal issue. It must be the central, unifying priority. This is not merely a moral imperative but an existential necessity for the nation's future.

The narrative of Bangladesh's recent decades is often, and rightly, framed as one of remarkable economic growth and poverty reduction. However, this narrative is increasingly shadowed by a parallel story of institutional erosion.

The symptoms are visible to all: the blurring of lines between the executive and the judiciary; the use of legal instruments for political convenience; the slow pace of justice that denudes it of its meaning; and a culture of impunity that, for the powerful, renders the law a suggestion rather than a mandate. The most acute manifestation of this crisis is the compromised perception of judicial independence. The judiciary is not merely a dispute-resolution mechanism; it is the guardian of

the Constitution, the protector of fundamental rights, and the ultimate arbiter that ensures all power, including state power, is exercised within legal bounds. When public confidence in this institution wavers, the social contract frays. Concerns over appointments, transfers, and the perceived influence of the executive branch have produced a chilling effect. The justice system, overburdened and frequently undermined, struggles to serve as the people's shield.

The mass uprising promised a return to order under expert, impartial legal authority. Instead, it produced a dangerous transmutation: the implementation of law was replaced by a sanctioned mob culture. Organised acts of retribution and crime were often euphemistically labelled as "mob attacks", a terminology that served to obscure their orchestrated nature and evade formal accountability.

SEE PAGE 18

RANCON
MOTORS

Mercedes-Maybach EQS680



Starting from
***2.99 Cr**

09617 703 704

www.mercedes-benz.com.bd

facebook.com/Mercedes.Benz.bd