

SCLS LAW REVIEW

VOLUME 2

NUMBER 2

MAY 2019



ISSN [ONLINE]: 2523-9236

ISSN [PRINT]: 2523-9228



SCLS LAW REVIEW

[Vol. 2 No. 2 (May 2019)]

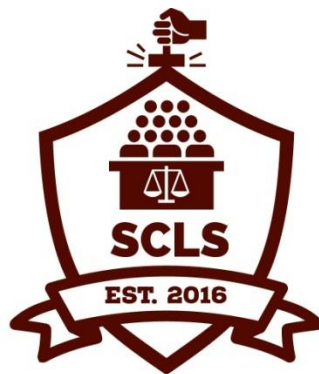
ISSN (Online):2523-9236

ISSN (Print):2523-9228

SCLS LAW REVIEW

Vol. 2 No. 2

May 2019



**SOCIETY FOR CRITICAL LEGAL STUDIES
(SCLS)**

SCLS Law Review, Vol. 2, No.2 (May 2019)

ISSN (Online):2523-9236

ISSN (Print):2523-9228

Chief Patron:

Nirmal Kumar Saha

Associate Professor, Department of Law, University of Chittagong
& Moderator, Society for Critical Legal Studies (SCLS)

Academic Adviser:

M. Jashim Ali Chowdhury

Assistant Professor, Department of Law, University of Chittagong
&
Ambassador, Society for Critical Legal Studies (SCLS)

Advisory Board:

Mohammed Shakawat Sajjat, LL.M., University of Chittagong (Chairperson, SCLS)

Md Jahedul Islam, LL.M., University of Chittagong (General Secretary, SCLS)

Executive Editors

Aqib Tahmid, LL.B.(Hons) LL.M., University of Chittagong

Arafat Ibnul Bashar, LL.B.(Hons) LL.M., University of Chittagong

Shuvashis Sarkar Shuvo, LL.B.(Hons) 4th Year, University of Chittagong

Co-Editors:

Mahjubah, LL.B. (Hons) 4th Year, University of Chittagong

Md. Shohidul Islam, LL.B. (Hons) 4th Year, University of Chittagong

Suparna Roy, LL.B. (Hons) 4th Year, University of Chittagong

Debjuty Dhar, LL.B. (Hons) 2nd Year, University of Chittagong

Cover Photo:

Mr. Justice Khurshid Alam Sarkar (High Court Division of the Supreme Court of Bangladesh) attends the SCLS Principal M Waziullah Bhuiyan Memorial Model Law Commission 2019 as the Chief Guest. 5th April, 2019. Chittagong Collegiate School and College Auditorium.

Published by:

The Society for Critical Legal Studies (SCLS)

Printed By:

Mojaddid Design & Printers

Laila Monjil, 13 N A Chowdhury Road, Anderkilla, Chittagong

Cell:01817774724

Published in June, 2019

[©All rights reserved by the Publisher]

Moderator's Message

I am glad to see SCLS LAW REVIEW 2019 Volume II Issue 2 which is being published by SCLS covering the issues of law, is seeing the light of the day I am thankful to the Contributors ranging from students, teachers to other legal professionals for sharing their wisdom with our readers. SCLS has always encouraged the objective of a research aligned legal education in our law schools. We always motivate research related activities to develop the researching skill among the students. Because, from the core of heart we believe that, the efficiency in research will help them in their academic career along with professional career. The dedication of editorial board makes a journal successful. I must appreciate the members of the Editorial Team who are toiling hard to make this great initiative work and for their hard and soul dedication towards work despite having close schedule of academic classes. I applaud them for their time and hard work. I also thank Mr. Jashim Ali Chowdhury, academic adviser of the journal who has been consistently in touch with the process no matter how far he stays.

I am confident that the Journal will retain the standard that it have achieved in its previous editions and will grab attention of the legal enthusiast mind from different professions and will attain wide readership.

Nirmal Kumar Saha

Associate Professor, University of Chittagong.

Moderator, Society for Critical Legal Studies

Editorial

After four successful illuminations, Society for Critical Legal Studies (SCLS) is going to enlighten the legal enthusiasts with the Volume 2 Issue 2 "SCLS Law Review"- a student modified journal of the volunteers of SCLS. Following initial target of SCLS which is to bring outward changes in the overall legal instruction and knowledge building atmosphere of Bangladesh, SCLS has already displayed its pledge towards this target and sufficient schemes were also initiated to reach it. This volume of Law Review would surely be another advancement of chasing the target. The Editorial team has started their journey with the motto of spreading the whole quench of Research as well as critical legal thinking among all the students of this country. The team worked by keeping the motto in mind. Before starting the main journey, the editorial body has consulted few prominent Law Journals to make this issue of "SCLS Law Review" a balanced & compact version of its previous one. The editorial body bestows deep gratitude to Mr. Nirmal Kumar Saha, the Moderator of SCLS and Associate Professor, Department of Law, University of Chittagong, who have guided the team with logistic support. The team is indebted to Mr. M. Jashim Ali Chowdhury, Assistant Professor, Department of Law, University of Chittagong, who is the Ambassador of SCLS and the Academic Adviser of the SCLS Law Review. We are also indebted to all the authors, who have contributed not only in this issue, but all our previous issues. Their contributions prove that they share the same level of interest and enthusiasm in this journey of research.

This issue of SCLS Law Review is being published only in the online. But the Editorial Board is determined to continue both the online and print version from the next edition.

The Editorial team initiated their journey with a belief "If we desire respect for the law, we must first make the law respectable." Now, that we have moved on to the 2nd Issue of the 2nd Volume the team is determined more than ever to promote the belief. SCLS Law Review would seek to elevate wisdom in every facet of our journey towards critical legal studies. We believe that, wisdom can & it will definitely bring justice.

As editors, we welcome all sorts of comments, suggestions and constructive criticisms.

Table of Contents

Topic	Page
An Introduction to SCLS.....	i
Activities of SCLS (March 2019 to May 2019)	ii
Activities of SCLS Members (March 2019 to May 2019)	iv
<i>Dr. Qazi Zahed Iqbal</i> On the Inner Contradiction in our Constitutional Texts	01
<i>Sabbir Mahamud Chowdhury</i> Online Harassment in Bangladesh	04
<i>Iftekhhar Sahariar</i> A Critical Analysis of Road Transport Act, 2018 In light of <i>Tarek and Catherine Masud Case</i>	10
<i>M Jashim Ali Chowdhury</i> The Parliament of Bangladesh: A Critique	13
<i>Helal Uddin</i> Doctrine of Basic Structure: A tool of Constitutionalism? Or Usurpation of Constitutional Authority?	21
<i>Md. Jahedul Islam</i> Bangladesh Ship Reprocessing Act 2018: A Critical Overview	26
<i>Arafat Ibnul Bashar</i> Marital Rape in Bangladesh: Law and Reality.....	31
<i>Md. Akiful Islam</i> Application of Reformatory Theories in Our Prisons: An Analysis	37
<i>Suparna Roy</i> Death Penalty: Arguments for Termination.....	42