

Editorial

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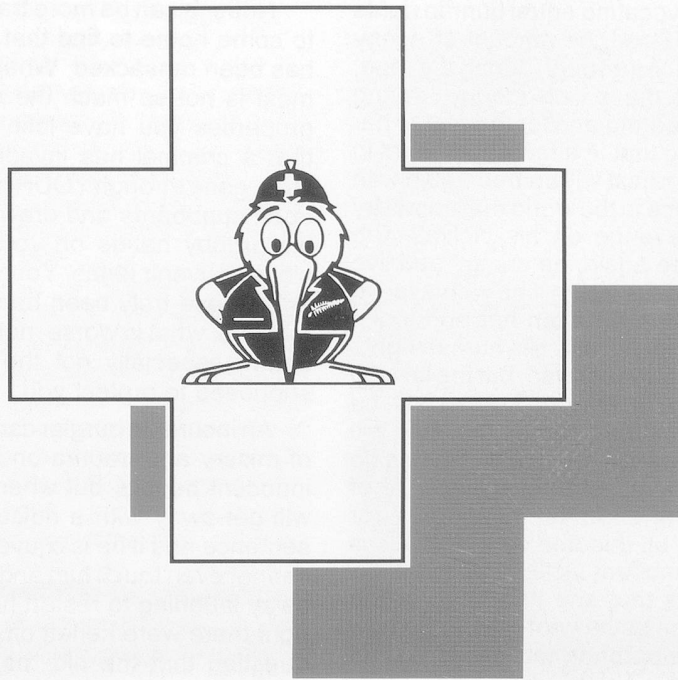
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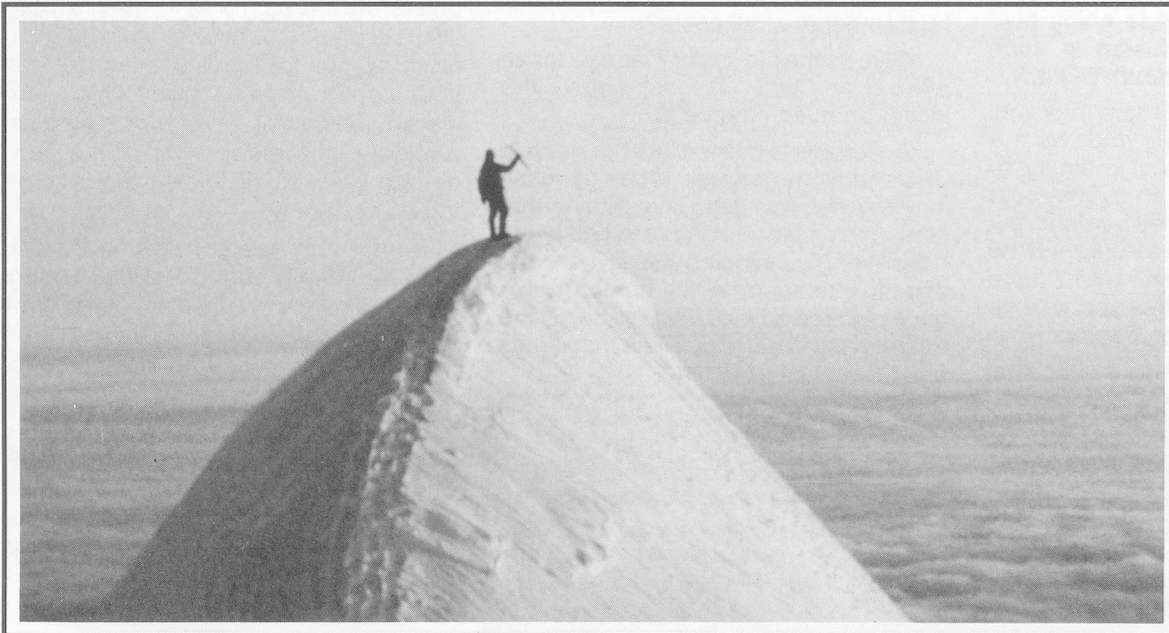
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HELVETIA



EDITORIAL

Apart from governments, law makers and judges, people all over the world are by now quite convinced that there is no justice anymore as far as crimes are concerned.

It seems that our authorities and the justice system are the only ones still trying to deny that we are living in an ever increasing violent society. Modern society, with its fast pace and its ever increasing demands on individuals has a lot to do with the present crime wave that washes over most of the so called developed countries. But above all, there is one piece of legislation that is more responsible than anything else for this crime wave and that is the Human Rights Act (or the 5th Amendment as it is called in the USA).

At the beginning when people started campaigning for human rights, they defended a very important and just cause. The campaigners justly advo-

cated that everybody should be entitled to their human rights. Unfortunately for these well-meaning people, the human rights cause, passed into law in many countries, has gradually shifted away from the law-abiding citizens in favour of the criminal element in our society, so much so that today the criminals can trample underfoot the human rights of innumerable people but, once caught, they expect and, what is worse, obtain every consideration as far as their own human rights are concerned. The motto seems to be today: the criminals' human rights must be protected at all costs and the hell with the human rights of their victims.

It is absolutely astounding that in most civilised countries neither governments, law makers, justice departments nor judges have realised yet that their respective Human Rights Acts only work for the benefit of the criminals and do absolutely nothing for the victims.

As you will see in our next Editorial (next Helvetia issue), in the eyes of the Human Rights Act, it is almost a crime to be an honest, law-abiding citizen. If you were a crook, the act would treat you far better and with infinitely more consideration.

A criminal can rob dozens or even hundreds of people of all or of part of their human rights and the justice system does not give a damn about it. But let the police make one slip up, one little mistake either during the arrest, or during the investigation or the trial of the criminal, and his defence lawyer will cry foul play and demand the immediate release of his client. Many a hardened criminal has been set free on just such a tiny technicality and all this simply so that the perpetrator's human rights are not being infringed. That the victims' human rights have totally been violated in the process does not even rate a mention.

Your Editor has come up with a solution which would soon put a stop to this incredibly unfair situation. Let us add one single 128extra paragraph to the Human Rights Act to read like this:

"ANY PERSON WHO COMMITS A CRIME AGAINST ANOTHER PERSON MUST FORFEIT ALL HIS OR HER OWN HUMAN RIGHTS UNTIL THE HUMAN RIGHTS OF THE VICTIM(S) HAVE BEEN FULLY RESTORED".

If the victims' rights cannot be restored in full, such as in cases of permanent mental or physical disabilities, the criminals should not be released from prison anymore either. Why should criminals be allowed to enjoy life again to the fullest after only a few years in prison whilst the victims' quality of life has been dramatically and permanently impaired?

In cases of murder, all the victim's human rights are snuffed out irreversibly. There is absolutely nothing left of the victim's human rights. So why should the criminal be allowed to enjoy his? The only logical conclusion in such cases is of course the death penalty.

Now some of you readers may well think that this is barbaric, that we are returning to the old laws of antiquity, to the rules of "an eye for an eye, a tooth for a tooth". Sure it may be barbaric, but at least in the old days, laws only hurt the criminals. Our present system is far more barbaric since it punishes the victims more than it does the perpetrators.

Take the case of a rape victim. Has

anyone advocating equal human rights ever considered the amount of agony the victim goes through during the rape, throughout the police inquiry, during the court hearing and for the rest of her life knowing that in a few short years in prison, the rapist will be free again with every chance in the world that he will try to exact revenge on his victim? The rapist is free again, he can go and live next door to his victim if he wants to, he can taunt her, threaten her and make her life a total misery. His human rights have been fully restored, but the law will do nothing to restore hers. Until he commits another crime, the law will protect the rapist. But the victim has no protection at all, she must live a life of anxiety, fear and often of sheer terror and yet in all this she was and still is only the innocent victim who's misfortune it was that she had been at the wrong place at the wrong time. So how much more barbaric can the law be that keeps on punishing the victims in order to uphold the sanctity of the criminals' human rights at all costs?

Give us the old laws of "an eye for an eye" at any time, at least it gave the victim an even chance.

According to police statistics, in New Zealand alone, a house is being broken in every five minutes. This means that someone's human rights are being violated every five minutes year in, year out, and no protagonists for human rights have ever raised their voices against the robbers and in defence of the thousands and thousands of victims.

Nothing can be more traumatic than to come home to find that your house has been ransacked. What affects you most is not so much the value of the properties you have lost but the fact that a criminal has invaded your privacy, gone through YOUR home, ripped open cupboards and drawers and laid his grubby hands on your most precious souvenir items. Your own human rights have truly been trampled under foot and, what is worse, nobody gives a damn, especially not the law that is supposed to protect you.

An incurable burglar can inflict years of misery and trauma on hundreds of innocent people, but when caught, he will get away with a ridiculously short sentence and if he is a juvenile, the law cannot even touch him and he can walk away laughing to restart his burglaries right there where he left off. There is no question that the old "barbaric" Arab system which chops off the hand of inveterate thieves has a lot in its favour. Without a hand or two, it would be a bit more difficult for these thieves to steal your car or to walk away with your stereo equipment. And it would also be a mighty big deterrent for all the new generation of young thieves that is coming up right now.

Crime only exists because it pays off. If the Human Rights Act was at long last used correctly and in favour of law-abiding people and the criminals realised that eventually they are going to suffer far more than their victims, crime would soon loose a lot of its attraction. When will our authorities at last realise that?

(Look out for your next Helvetia issue where we will analyse a typical case).

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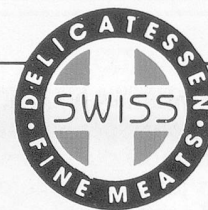
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