

# Negligence most foul!



SUSHMITA S. PREETHA

**THE SOUND & THE FURY**  
**A**s the logic of capitalism stands, a man stabbing another to death is murder. But a man causing a hundred deaths because he consciously flouted basic safety and building regulations to maximise profits is business as usual. If I set fire to your factory, it's a crime. If I block all the fire exits and staircases in a building housing a thousand workers and lock the doors from outside so you can't leave when there's a fire, and you die, it's, apparently, an accident.

It's been ten years since the Spectrum building collapse that killed 69 and injured 89 workers; and although 45 cases were filed against the factory owners, Shahriar Sayeed Hassan and Abul Hashem Fakir, they were never arrested. Following a writ petition by four human rights organisations, the High Court directed that the cause of the collapse be investigated, but the hearing on that is still pending. In 2006, 57 workers of KTS Textiles burnt to death; each floor as well as the main entrance was locked, the sole staircase was blocked with bales of garments, and there were no emergency exits in the building. Following a writ petition by ASK and BLAST, the HC ordered an inquiry and issued a show-cause notice to the ones responsible to define the cause and to state the preventative measures taken later. No progress thus far has been made, as KTS paid no heed to the writ or the court order.

With such disheartening precedent for justice for industrial deaths, it is a hopeful sign that after three years and relentless pressure from activist

convince the court of the accused's guilt and obtain exemplary punishment remains to be seen, but given the sheer extent of violations by the Tazreen owners and management, we have reasons to be optimistic that a new precedent will be set, and justice served for the untimely deaths at Tazreen.

In Bangladesh, there are not yet any provisions or laws for holding corporations or corporate bodies accountable for their criminal (in)actions. "Corporate manslaughter" - an act of homicide committed by a company or organisation - is not even a recognised concept yet in the country, despite the alarming number of industrial deaths every year in which the owner(s) or corporation can easily be held culpable. While errant owners can be charged under existing criminal laws, they often prove insufficient, as the provisions relating to homicide, hurt and negligence in the Penal Code are mainly based on direct physical act of an individual(s) against another individual(s). As such, legal scholars of the country note, if a person kills



PHOTO: RASHED SHUMON

for the same reasons, year after year, can we continue to call them 'accidents' or do we acknowledge these deaths for what they are - structural killings?

From 2009-2013, at least 3,036 people died at 1,145 workplaces, of whom 247 died in fires, according to a survey by Safety and Rights Society and Bangladesh Legal Aid and Services Trust (BLAST). The number - which is only a conservative estimate anyway - should come as no surprise when we consider the impunity owners enjoy and the meagre compensation they have to pay in case of a worker's death.

Where's the incentive, really, in raising costs to ensure safe workplaces for workers?

Twenty-five years have passed since the fire at Saraka garments in Mirpur, where 32 workers died in a stampede, when they panicked upon finding the main gate locked from outside following a fire. 'Justice for Saraka' never made it as a rallying cry, or even if it did, it drowned amidst the many lofty promises of liberalisation and the free market of the 90s. We set a precedent of locking factory gates and trapping workers, but not of holding management accountable. Since then, in the handful of instances where some form of legal action was initiated, the cases have been stalled, it seems, for an indefinite period and for inexplicable reasons.

**It is a hopeful sign that after three years and relentless pressure from activist groups, a Dhaka court has framed charges against 13 people, including the two owners of Tazreen, Delwar Hossain and Mahmuda Akhtar, for the death of at least 112 workers.**

groups, a Dhaka court has framed charges against 13 people, including the two owners of Tazreen, Delwar Hossain and Mahmuda Akhtar, for the death of at least 112 workers. The accused were charged with murder under Section 302 of the Penal Code, culpable homicide not amounting to murder under Section 304, causing death by negligence under Section 304A, and voluntarily causing hurt under Section 323. Whether or not the prosecution will be able to

multiple people through his culpable action but does not engage in direct physical overt act, he may in fact be acquitted or, at any rate, face minimum punishment.

In the UK, the Corporate Manslaughter and Corporate Homicide Act 2007, states that corporate manslaughter is committed if "the way in which an organisation's activities are managed or organised causes a person's death; and amounts to a gross breach of a relevant duty of care owed by the organisation to the deceased". A similar legal framework for holding corporations accountable, particularly the inclusion of corporate manslaughter as a recognisable crime, can change the way owners and management act in this country.

The state has long sheltered the factory owners from any serious repercussions for their gross violations of existing laws and basic human rights, but it must remember that the pursuit of justice and protection of human lives can never be secondary to economic growth. For how long, seduced by the lure of export earnings, will we turn a blind eye towards the culpability of those who know fully well that, in violating safety codes, they are all but endangering the lives of the workers?

## POLITICS IN OUR CAMPUSES

# When enough is ENOUGH

ZIAUDDIN CHOUDHURY  
*"Politics is the art of looking for trouble, finding it everywhere, diagnosing it incorrectly and applying the wrong remedies."*

- Groucho Marx

**S**TUDENTS and politics have been inseparable in our country for generations. From the Language Movement of 1952 to the uprisings of the 1960s, students have provided the momentum and sometimes the early calls for political changes, that would ultimately lead to the liberation of the country. Association of students in the momentous and history making events in some ways make them pioneers of political movements. Some of the great political names of the country, including Bangabandhu Sheikh Mujibur Rahman, made their mark as leaders in national causes when they were students in college and university. Those who did not join politics later served their nation from other walks of life as lawyers, doctors, professors, and other noble professions. They served a cause and moved on. They did not remain in public light as professional agitators or professional student leaders.

Birth of professional student leaders or agitators did not happen overnight. It happened from the time political parties began using students as proxies for their own political motives. In the 60s, student organisations in campuses would be identified with one or the other major political parties of the time for their perceived leaning to the ideology of a political party. But a direct entente or intervention by a political party in student affairs was not common. The intervention started when the Ayub-Monem political alliance tried to take control of student politics and planted their henchmen in university campuses to propagate their political philosophy and goals. Although the majority of the students did not fall for this bait, a good number would work as mercenary student leaders and sow the seeds of pernicious student politics that would later lead to armed conflict among students.

The great movement of the late 60s was able to unite the students for a national cause irrespective of

party affiliation; but the system of entente between political parties and patronage of student groups by the ruling party, which the Ayub-Monem political alliance had introduced in the country, would never go away. Gradually, the much halooed student movement of the 50s and 60s would give way to a more vicious and partisan brand of student politics that would not only tarnish the names of students but also the institutions they belonged to. Students would openly fight for one or the other political party, often the ruling party as the latter carried greater strength in the campus and promised more benefits. The leaders of these student bodies became power brokers and the top leaders of the parties they were affiliated with hobnobbed with them for political support. Control of campuses by a political party was a much sought after goal, and these student leaders were pawns.

If the nexus of the political parties with the student bodies had stopped simply at garnering support of the students in political gatherings, it would have spared the country further aggravation and woe in college or education campuses. Unfortunately, student bodies and their leaders have also become brokers for career advancement of some of the teachers in the educational institutions. This would happen when, like the student organisations, teachers would also affiliate themselves with political parties of their choice and, ipso facto, unite themselves with a student body with similar political affiliation.

In the 60s, academic institutions were closed by authorities, and students were asked to leave residence halls because of political unrest. They were hardly ever closed because of fighting among students or riots on campus. Even in the heydays of muscle wielding goons of the ruling party during the Ayub-Monem alliance, teachers did not become prey to their stray attacks (except for one solitary incident where a noted Professor of Economics was assaulted by a rogue student. The student was rusticated by the VC). The teachers also did not feel the need or pressure to affiliate themselves with a political party, either for self-advancement or protection.

The downhill descent of student

politics did not happen in a vacuum. It happened with the connivance of political parties, political leaders, politicisation of academic institutions and apathy of the intelligentsia. As things started to deteriorate, some scholars and intelligentsia called for the banning of student politics in campuses, forgetting that participation in politics by students had been a time honoured practice and many of our movements would not have been possible without them. No one ever recommended re-introducing the basics of an educational institution that are founded on teaching and teaching alone. This requires teachers who are dedicated to teaching and not career advancement by aligning themselves to different political parties. No one forcefully asserted to concerned authorities that educational institutions are not for advancing political agenda but for creating better citizens through education.

The incident at Shahjalal University of Sylhet last month, where students exercised their skills at belabouring their teachers, took campus politics in Bangladesh to a new low. This was not the first time that students in a campus went on a rampage and brought the institution to a standstill. Most often, however, the conflicts were limited to opposing political groups or clashes within the same party. Seldom had we seen a group of teachers becoming helpless victims of a planned assault by their own students. The incident is, in a sense, more shocking than the time when Ayub-Monem's goons took educational institutions of the country on a thrill ride that would change the very meaning of student politics in the country.

There are no words to denounce such appalling incidents. The law will perhaps be applied against the perpetrators, but won't that just be the tip of the iceberg? Campuses will not return to normal unless education becomes the top priority of our teachers and concerned authorities. The sooner our policymakers apply their minds to returning our educational institutions to their avowed objectives, the better it is for our country.

The writer is a commentator and analyst.

## Faculty Search Spring/Summer/Fall 2016

### NORTH SOUTH UNIVERSITY

The First Private University in Bangladesh

The only university in Bangladesh where all faculty members have foreign Master's or Doctorate degrees primarily from USA, Canada, UK and Australia

### Full-time Faculty Positions

Applications are invited for full-time faculty positions in the following areas:

- |  |   |
|--|---|
| <p><b>School of Business and Economics</b></p> <ul style="list-style-type: none"> <li>Accounting</li> <li>Economics</li> <li>Finance</li> <li>Human Resource Management</li> <li>International Business</li> <li>Marketing</li> <li>MIS/E-Business</li> <li>Operations Management</li> <li>Supply Chain Management</li> <li>Business Policy/Strategy</li> </ul>    | <p><b>School of Humanities &amp; Social Sciences</b></p> <ul style="list-style-type: none"> <li>English (Linguistics, Literature, TESOL)</li> <li>Philosophy and Ethics</li> <li>Sociology</li> <li>History</li> <li>Law</li> <li>Public Administration</li> <li>Organizational Communication</li> </ul>  |
| <p><b>School of Engineering &amp; Physical Sciences</b></p> <ul style="list-style-type: none"> <li>Architecture</li> <li>Civil &amp; Environmental Engineering</li> <li>Computer Science</li> <li>Computer Engineering</li> <li>Electrical Engineering</li> <li>Telecommunication Engineering</li> <li>Mathematics</li> <li>Physics</li> <li>Statistics</li> </ul> | <p><b>School of Health &amp; Life Sciences</b></p> <ul style="list-style-type: none"> <li>Biochemistry</li> <li>Biology</li> <li>Biotechnology</li> <li>Chemistry</li> <li>Environmental Science</li> <li>Environmental Management</li> <li>Microbiology</li> <li>Pharmacy</li> <li>Psychology and Counseling</li> <li>Public Health</li> </ul> |

Attractive salary and benefits (50% house rent, medical allowance, two festival bonuses, gratuity, provident fund, group insurance). Salary is negotiable in case of deserving candidates.

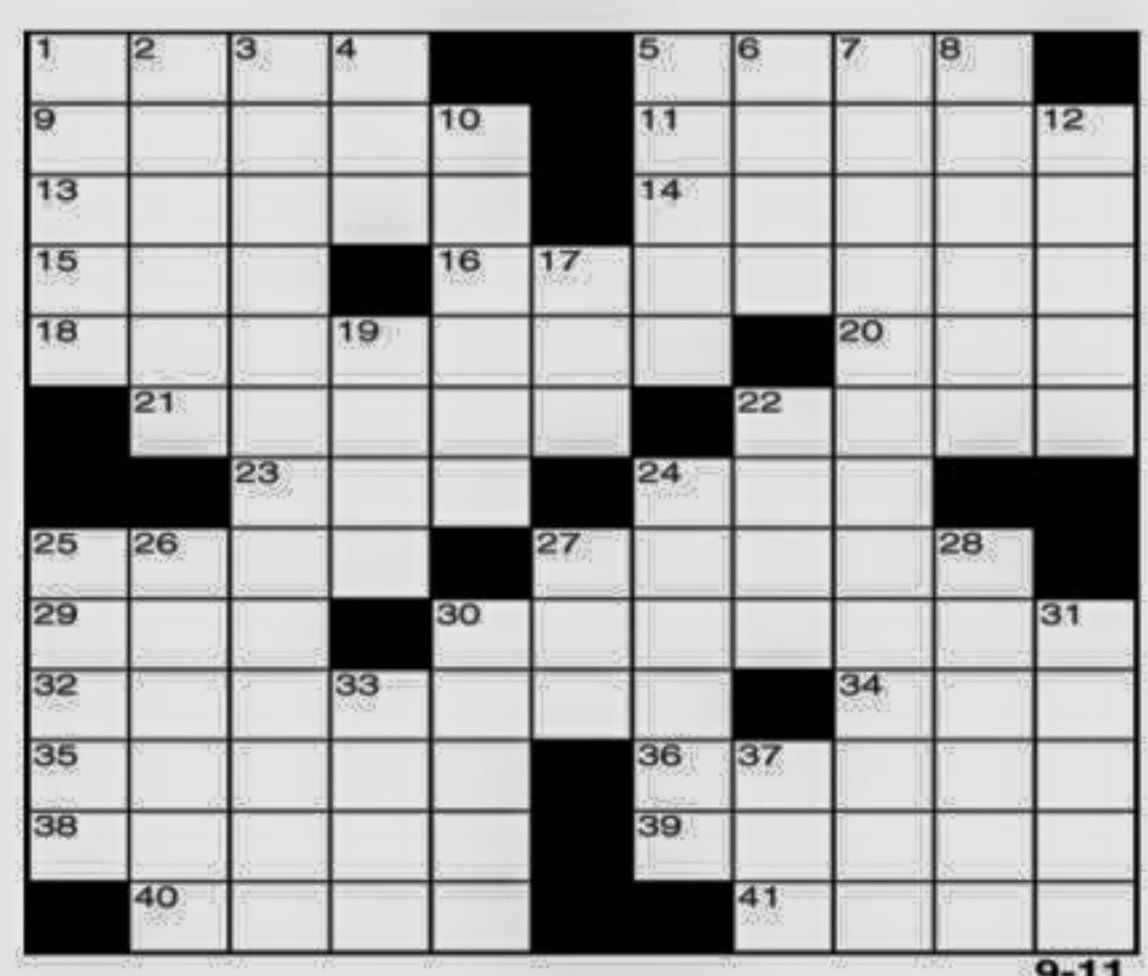
**Qualifications:** Ph.D. for Assistant Professor and above, and Master's degree for Lecturers from a globally reputed university. For higher ranks appropriate experience in teaching and research is required. For highly deserving candidates, requirements may be relaxed.

**Application Guidelines:** Please apply by **October 10, 2015** with a cover letter, CV, two recent photos and copies of graduate (Master's or Ph.D.) transcripts/mark-sheets. Please indicate the discipline on the top of the envelope, or in the subject line of the email and send to:

**Vice Chancellor in charge**  
**North South University**  
 Bashundhara, Dhaka-1229, Tel: 02-55668200  
 Email: gour.goswami@northsouth.edu, mahfuzur.rahman@northsouth.edu  
**Please visit NSU website for the application form**  
[www.northsouth.edu](http://www.northsouth.edu)

### CROSSWORD BY THOMAS JOSEPH

- |  |  |
|--|--|
| <p><b>ACROSS</b></p> <ul style="list-style-type: none"> <li>1 Dojo blow</li> <li>5 Monet's "..." and Psyche"</li> <li>9 Cherishes</li> <li>11 Church parts</li> <li>13 Dancer Castle</li> <li>14 Filmom's Carbo</li> <li>15 Hole number</li> <li>16 Unbiased</li> <li>18 Splits</li> <li>20 Topsy</li> <li>21 Moves cautiously</li> <li>22 Quite a few</li> <li>23 Homer's neighbor</li> <li>24 Grenade part</li> <li>25 Baseball's Boggs</li> <li>27 Beach grains</li> <li>29 Guitar accessory</li> <li>30 Trial</li> <li>32 Old British coins</li> <li>34 Poem of praise</li> <li>35 Rocker John</li> <li>36 Dodge</li> <li>38 Splinter groups</li> <li>39 Appraised</li> <li>40 Friend's pronoun</li> <li>41 Turn down</li> </ul> | <p><b>DOWN</b></p> <ul style="list-style-type: none"> <li>1 Film excerpts</li> <li>2 "Satires" poet</li> <li>3 Satchel Paige throw</li> <li>4 Signing need</li> <li>5 Black cattle breed</li> <li>6 Emporium</li> <li>7 Transcontinental railroad</li> <li>8 Keep</li> <li>10 Felt</li> <li>12 Laced with profanity</li> <li>17 Print units</li> <li>19 "Got it"</li> <li>22 Source of cents</li> <li>24 Quarter back, at times</li> <li>25 Salary</li> <li>26 Charm</li> <li>27 Neptun's realm</li> <li>28 Abrupt</li> <li>30 High-strung</li> <li>31 Poor</li> <li>33 Staff symbol</li> <li>37 Young fellow</li> </ul> |
|--|--|



**YESTERDAY'S ANSWER**

S	P	A	R		J	A	F	A	R		
C	A	R	O	B		A	L	I	V	E	
A	N	O	D	E		D	U	N	E	S	
L	E	S		E	L	E	M	E	N	T	
E	L	E	C	T	S		A	G	E		
			A	L	D	A		R	E	D	
	S	A	T	E		B	A	T	S		
	S	E	N		S	P	I	T			
	M	A	T		E	L	E	V	E	N	
	E	L	E	V	A	T	E		I	V	E
	L	I	N	E	D		N	A	D	E	R
	T	O	N	E	D		E	M	E	N	D
	S	N	A	P	S		P	O	T	S	