

We should stop calling acts of corporate manslaughter ‘accidents’



TAQBIR HUDA

FOR almost 24 hours last week, the Hashem Food factory in Naryanganj, where hundreds of workers are employed, was up in flames. The bodies of 49 workers have been found so far, while 24 other workers

are wounded. Forty-nine humans went in for a day's work in the middle of a national lockdown, but would go back home in body bags—burnt beyond recognition. Three workers who had leapt out of the building in an attempt to save themselves from the fire also died, bringing the current death toll to 52.

Some of the workers who were able to escape the fire told reporters that the building had no proper fire safety measures in place. They also alleged that the front gate and only exit of the factory had remained locked at the time of the fire. Additionally, Mohammad Saiful, one of the factory workers able to escape the fire, told Al Jazeera “On the third floor, gates on both stairwells were closed”.

Fire service officials remarked that if the workers of the third floor were not locked up, they could have had the chance to escape to the roof and be rescued by them, as workers from the other floors had been. Dinu Moni Sharma, head of the Dhaka fire department, explained that the fire broke out because highly flammable chemicals and plastics were kept stockpiled inside.

The story is one we have seen time and time again. Greedy corporations store hazardous and extremely flammable materials in extremely large quantities inside factories, without investing a penny in mandatory fire safety measures, putting workers lives at acute risk. When the risk finally and inevitably materialises, workers are kept locked inside—prohibited from

exiting the sweatshop where they spent most of their days oiling the engine of economic growth, even if it means they will literally be burned to death.

When the Tazreen Factory Fire in 2012 burnt 117 workers to death and injured 200 more—workers whose employers padlocked the exits so they could not “steal time from their shift” and thereby caused them to burn to death—we as a nation said “never again”.

Yet less than eight years later, here we are again, witnessing the same kind of greed



The lock kept workers trapped inside the factory when the fire burned the whole building.

induced corporate barbarity, disposing workers’ lives with as much ease as ever before.

Before the bodies of 52 workers could even be identified (much less buried), and before the agonised family members could even know whether their loved one is dead or alive, the corporate behemoth who owns the factory that caught fire did

what corporations do when a preventable catastrophe exposes the extent of their labour rights violations: denial, blame shifting and invoking the “accident” card.

Speaking to *The Daily Star*, Md Abul Hashem, Chairman of Sajeeb group of companies said: “Building an industry is one of the greatest mistakes of my life. If there is an industry, there will be workers. If there are workers, then there will be work, and if there is work, there can be fire.. Am I responsible for this? It is not like I went and set the fire.

“accidents”, because God forbid we even think about your duty to ensure workers’ safety by investing in fire safety measures that prevent such deadly fires from breaking out or, even when they do, that loss of human lives is minimised.

Why were there no investments in fire safety when the factory housed copious amounts of flammable materials? Where were the fire alarms, fire sprinklers, fire extinguishers or fire exits? Why were the exits on the third floor locked, which caused workers to be trapped inside to be burnt to death? These preliminary findings all indicate that this fire was no “accident”. This was clear corporate manslaughter—a crime where a business or organisation is held to have caused a person’s death, which may be alongside individuals, such as the company directors or employees, also being held liable.

Our continued tendency to treat or label the killing of workers by greed induced corporations as “unfortunate accidents” is what allows corporations putting workers’ lives at risk to evade liability. We should start terming the mass killings of workers in incidents like the Tazreen Factory Fire and Hashem Food Factory Fire as acts of corporate manslaughter, and stop calling them “accidents”. Notably, the police have filed a case under three sections of the Penal Code 1860 against Hashem and seven others: Section 302 (murder), Section 307 (attempt to murder) and Section 326 (voluntarily causing hurt to constrain to an illegal act). However, the concept of corporate manslaughter suggests that not only should individuals be tried for committing the offence of killing, but also corporations.

Registered corporations or companies, such as Hashem Foods Ltd, have legal personality, which means that they are seen to have a separate existence from their owners in the eyes and for the purposes of the law. Legally speaking, humans are

“natural persons” while corporations are “juristic persons”. While human offenders can be punished through both imprisonment and fines, non-human offenders such as corporations are usually punished through the imposition of strict fines. Bearing this distinction in mind, prosecuting companies that caused the death of people for corporate manslaughter is especially important for at least two reasons.

Firstly, we know all too well that even when powerful individuals like Hashem Ali are arrested in connection with a criminal case, they can eventually remain effectively unpunished, such as by being granted bail once the initial outrage mellows down. By contrast, a fine imposed on a corporation, if realised immediately, becomes irreversible—and sends a strong signal to all companies that there may be a sizeable price to pay if they cause the deaths of their workers (or even others, for that matter). Secondly, our criminal courts can convert the amount of fine realised from corporations into an award of compensation to be paid to those victimised by corporate manslaughter, such as family members of the workers killed.

While we do not have an offence called “corporate manslaughter” per se, prosecuting Hashem Foods Ltd for death related offences under the Penal Code 1860, such as causing death by culpable homicide or negligence, could have the same legal effect as holding them accountable for committing corporate manslaughter. Holding companies criminally responsible is not a wholly alien concept in Bangladeshi law. In fact, companies can be prosecuted for dishonoured cheques under the Negotiable Instruments Act 1881 by aggrieved creditors. So why should corporations who kill workers not be prosecuted for corporate manslaughter too?

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Bangladesh needs extensive measures to address its rising youth unemployment

SHAHRIAZ AHMED

BANGLADESH is now one of the world’s fastest growing economies, with high rates of GDP growth that continued even during the pandemic. Yet, youth unemployment has been one of the major obstacles to the sustainability of its economic development. Additionally, Covid-19 has considerably affected the global economy and job markets all over the world. According to UNDP, this has been the worst economic recession since the great depression, and we have seen its impacts in Bangladesh as well. Thus, it is going to be a challenge to provide employment opportunities for those who have lost their jobs during the pandemic, as well as for the 2.26 million new entrants into the job market every year, as targeted in the Eighth Five Year Plan.

The reason for high rates of youth unemployment in Bangladesh is two-fold. On one hand, the education system is failing to create a competent and skilled workforce. Instead of career-oriented skills development, the only focus is on good grades. A recent World Bank report identified the skills gap between the supply and demand of industries as the main reason for the high youth unemployment rate in Bangladesh. The existing skills development programmes and institutions have been ineffective in transforming the young population into an efficient workforce. There is a dearth of standard job opportunities relating to the background and subjects that are being taught in the universities.

On the other hand, the drought of employment opportunities is a central reason behind the high youth unemployment rate in Bangladesh. The growth of the job market is meagre compared to the supply of

fresh graduates every year. The reason is inadequate investments in both the public and private sectors. Investment into the private sector had been stagnant, at around 22 to 23 percent of GDP for some time. Such sluggish growth in private investment curtails the opportunity of new job creation. Moreover, insufficient diversification in the manufacturing sector also contributes to low employment creation. Bangladesh ranks 168th in the

for preparing the future workforce in accordance with the job market. Along with academic learning, it is crucial to give more emphasis on cognitive development and obtaining soft skills including adaptability, problem solving, communications, etc.

Technical and Vocational Education and Training (TVET) has been proven to be an effective way of addressing the problem of unemployment in many countries. The existing technical and

process in the field of education and technical training. The expansion of education and skill development was closely coordinated with responding to changing demands. We can apply the learnings from the East Asian model of skills development for a positive outcome in Bangladesh.

The pace of the growth of investment must also be enhanced to create necessary employment opportunities. Ensuring access to finance, better

business index” and “efficiency of legal framework index”, which would gain the confidence of investors.

In the immediate future, Bangladesh also needs astute measures to adopt with the Fourth Industrial Revolution (the ongoing automation of traditional manufacturing and industrial practices, using modern smart technology). Thus, apart from conventional skills development, the country must prepare its workforce for the transformed job market through human resource development. Introducing data-driven decision-making into industries is indispensable in making them more efficient, so we need to focus on acquiring the technological expertise in this era of information technology and globalisation. On top of that, we need a transformation of the knowledge structure in the labour force, with a clear vision of the job market. Special incentives should be given to encourage technology-based entrepreneurship and innovations.

Furthermore, outsourcing has emerged as a significant source of earnings in recent times. This opportunity can be boosted by promoting online-based freelancing activities and arranging adequate training to accommodate more individuals. It is possible to transform the upcoming industrial revolution into an opportunity of economic expansion by taking appropriate measures. To achieve the Sustainable Development Goals as well as augment the growth process, it is pivotal to prepare the youth segment of the workforce and incorporate them into the development process by creating adequate employment opportunities for them.

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“ease of doing business” index among 190 economies, according to data from 2020, which does not bode well for the flow of foreign direct investment.

According to a World Bank report (2019), one out of every three graduates were unemployed even before the pandemic in Bangladesh. What can be done to alter this? A radical change is needed in the education system

vocational education and training system requires revitalisation, and a mechanism of adequate monitoring and evaluation system is essential. It is vital that we learn from success cases like South Korea. The subsequent expansion of the skills base has made South Korea’s rapid economic development possible. They went through a dynamic skill formation

infrastructure and good governance is central to create an environment that facilitates higher investment. Incentivising and improving private investment can be an avenue to generating more jobs for the young population. To attract more foreign investment, the government needs to concentrate on extensive developments in indicators like the “ease of doing

QUOTABLE Quote



ANGELA Y. DAVIS
American political activist
(born January 26, 1944)

The idea of freedom is inspiring. But what does it mean? If you are free in a political sense but have no food, what’s that? The freedom to starve?

CROSSWORD BY THOMAS JOSEPH

ACROSS

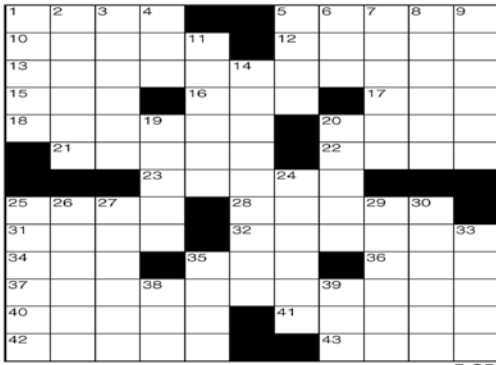
- 1 May honorees
- 5 Monastery figure
- 10 Limerick people
- 12 Half of Hispaniola
- 13 Effect badly
- 15 Greek vowel
- 16 Method
- 17 Firewood unit
- 18 American tree
- 20 Lawn pest
- 21 Motherless calf
- 22 Some sheep
- 23 Tale tellers
- 25 Increase
- 28 BLT base
- 31 High cards
- 32 Like old cars

- 34 Summer shirt
- 35 In shape
- 36 Words before dime or dare
- 37 Eye quickly
- 40 Deal maker
- 41 Public outburst
- 42 Uncool group
- 43 Table scraps

DOWN

- 1 Bishop’s topper
- 2 Made speeches
- 3 Japanese emperor
- 4 Toronto-to-D.C. dir.
- 5 Sailor’s cry
- 6 Dance, in France

- 7 Swell with air
- 8 Peter of “Troy”
- 9 Slight colors
- 11 Land of the lei
- 14 Go on vacation
- 19 Eyes
- 20 Buttes’ kin
- 24 Highways
- 25 Wicker material
- 26 Glacial time
- 27 Harry Potter, in Quidditch
- 29 “Dracula” author
- 30 Lease signer
- 33 Calendar items
- 35 Music’s Waller
- 38 Finale
- 39 Green prefix



YESTERDAY’S ANSWERS



BETTER BAILEY



BY MORT WALKER



BABY BLUES



BY KIRKMAN & SCOTT



WRITE FOR US. SEND US YOUR OPINION PIECES TO
dsopinion@gmail.com.