

## Labour law must protect right to strike

Latest amendment does not do enough to conform to international labour standards

At a time when RMG workers have taken to the streets to demand their right to a liveable wage, with labour leaders accusing factory owners of ignoring their demands and punishing them for protesting, it is frustrating to find that the latest amendment to the country's labour law has gone ahead without taking into account the voices of workers' representatives either. According to a report in this daily, the Bangladesh Labour (Amendment) Bill-2023 was passed in parliament on November 2, allegedly without the consent of labour leaders.

Labour leaders have accused the amendment of failing to remove the obstacles to forming and registering trade unions, and failing to protect workers' right to strike as well. Given that during the most recent protests, the BGMEA decided to shut down many of their factories in line with section 13(l) of the labour law, thus depriving workers of their wages and punishing them for their "illegal" strike—as according to the provision, a strike is considered illegal if enforced without prior notice—it is not difficult to understand why workers are feeling increasingly isolated and frustrated.

The right to strike is a fundamental right enshrined in international human rights and labour laws, and it must be protected by our labour law as well. This is not only for the sake of workers; it will benefit owners too, since amending our law to conform to international labour standards is one of the prerequisites for the preferential trade benefits we will be looking to get from our trading partners in the future. For example, once Bangladesh graduates to a developing country in 2029 and loses its current duty-free trade access to the EU, we could potentially be granted access to the EU's GSP Plus scheme instead.

The country's positive development trajectory means now, more than ever, we need clear, long-term policies to keep the momentum going. So why then does the latest labour law amendment not even take into account the simple demand of bringing maternity leave in line with international standards to six months instead of four? Even more concerning is the introduction of bills like the Essential Services Bill, 2023, which was placed in parliament earlier this year, and if passed, will allow the government to take away workers' right to strike in any service they deem to be "essential" for public interest.

This outsize influence of political power at the expense of workers cannot be the way forward. The authorities must demonstrate they are serious about conforming to international labour standards and ensuring inclusive economic development, which must be reflected in our labour laws.

## More trees fall victim to development

JU must keep its campus green

Despite repeated protests and warnings by experts, the onslaught on our trees shows no sign of ending, all for the sake of "development." In continuation of this trend, nearly a hundred trees on Jahangirnagar University (JU) campus have been cut down to build new academic buildings, as reported by this daily. We are disturbed to see the authorities continuing to neglect nature at a time when the country is reeling from extreme environmental crises, such as rampant pollution and rising temperatures.

The site, named "Sundarban" by the students for its abundance of trees, is set to see the construction of classrooms and seating space for teachers, as there is a shortage of these facilities, according to the director of JU's Institute of Business Administration (IBA), which felled the trees. Like always, the blame game is in full force. JU's deputy registrar claimed that IBA did not take any permission to cut trees, and they were not aware of the matter. In reply, the IBA director claimed they didn't need any permission, and shifted blame to the construction company.

This is not the first time the lush green campus, with thriving habitats for all kinds of animals, has faced such a crisis—as just last year, many trees were felled to construct a playground. In 2019, the administration decided to cut a staggering 1,100 trees to make space for new dormitories. Thankfully, through the students' efforts to protect the environment, JU abandoned this plan and selected an alternative space for construction. In fact, this battle between the students and authorities over JU's greenery has been a long-standing one. But the authorities seem steadfast in their short-sighted ways, judging by their latest action.

All this leaves us with one question: why are authorities so adamant to cut down our trees despite the far-reaching consequences? While experts constantly emphasise the need for sustainable development, this advice seems to fall on deaf ears. With the looming danger of the climate crisis, it is imperative that the JU administration think long-term and not only focus on developing infrastructure by sacrificing greenery. Surely, a university, if it so wants, can ensure architecture that protects and enhances the greenery around it.

## LETTERS TO THE EDITOR

letters@thedailystar.net

### Make foreign books affordable

Getting books in languages other than Bangla is not easy in Bangladesh. There are certain bookshops that import books, but they are located in the big cities, mainly Dhaka. On top of that, the books are usually very expensive, and these shops don't carry a wide variety, beyond the most popular ones. So, most book-lovers cannot get a hold of the books they would like to read. To my knowledge, there is practically no collaboration between international and local publishers regarding printing those books locally. I urge the relevant authorities and policymakers to address this issue.

Refat Anwar  
Banaree

# Is democracy on its deathbed again?



Anu Muhammad  
is a professor of economics at  
Jahangirnagar University.

ANU MUHAMMAD

Last week, the entire nation was gripped by anxiety and apprehension, with the prospect of the country facing an upheaval, bringing in dangerous uncertainty. Regrettably, that is exactly what unfolded. Some had held on to the faint hope that the ongoing protests might serve as a catalyst for addressing the structural and organisational challenges surrounding the impending election. However, as time passed, those hopes began to wane.

The current situation, marked by strikes and blockades, bears an uncanny resemblance to the problematic events of 1995-96, when the BNP held the reins of power. During that period, the Awami League ignited a demand for a caretaker government during the election period, a movement that was joined by Jamaat-e-Islami and Jatiya Party. However, the BNP initially chose not to endorse this demand, leaving the BNP's subordinate parties as the sole opposition. This fueled the movement further, leading to prolonged strikes and blockades that persisted for days and weeks. At a certain juncture, the BNP itself introduced the caretaker government clause into the constitution through parliamentary proceedings while it was in power.

The genesis of the concept of a caretaker government can be traced back to the movement against the dictatorship of Ershad. This idea emerged from the realisation that, from 1973, no "proper" elections were held under a political party's rule, giving rise to doubts that elections under a ruling party could ever be fair in Bangladesh. The system gained momentum through its temporary enactment by officials, led by Chief Justice Shahbuddin Ahmed, in 1991 and was eventually inscribed in the constitution after the protests of 1996. Subsequent elections were conducted in accordance with this new constitutional provision in 1996, 2001, and 2008.

However, despite coming to power in 2008 through an election overseen by a caretaker government, the Awami League opted to remove this clause from the constitution, reverting to elections under the control of the ruling political party, as we witnessed in the 2014 and 2018 elections. In 2008, AL secured a monumental electoral victory, presenting an opportunity to reform the constitution and prioritise democracy. Instead, the constitution was utilised for establishing the party's authoritarian rule.

The 2014 election was notably one-sided, with over 153 MPs securing victory without any opposition. The 2018 election demonstrated an unprecedented level of election engineering, marked by extensive ballot stuffing the night before the

official election. In light of this, we can say the last government to be widely accepted was the one elected in 2008. Subsequent elections have been filled with irregularities, leaving us with the feeling the current government we have is an illegitimate one that has overstayed its rule.

The extended tenure in power and the handling of the last two elections by AL have illuminated that Bangladesh has yet to develop the capability to conduct elections under the stewardship of a ruling political party. The demand for a caretaker government is not exclusive to the BNP; it resonates with almost all citizens who yearn for genuine elections and democracy. Therefore, aside from



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PHOTO: ANISUR RAHMAN

AL and its allies, many people refer to it by different names such as an interim government, temporary government, or caretaker government, but the core idea remains the same.

Regrettably, Awami League has not aligned with this popular demand. In an attempt to oppose, suppress, and ultimately quash the movement, it has resorted to employing force, resulting in a substantial transformation of the political landscape in Bangladesh. The state has grown more authoritarian, violent, divisive, and intolerant.

During this government's tenure, there have been visible infrastructural (building bridges, roads) developments. However, many of those have been accompanied by unchecked corruption and environmental risks masquerading

as development activities. In the political arena, there is a glaring lack of accountability; any wrongdoing remains unquestioned and unaddressed. The current situation reflects a poor state of administrative bodies, the legal system, and the media.

The National Human Rights Commission, Anti Corruption Commission, Election Commission, judicial system, and public universities have all forgotten their dignified role, now serving the ruling party's interests, creating a colossal crisis. While a country necessitates a government, it also requires various public bodies to ensure accountability and public interest.

The media needs to play a vital role in scrutinising the government's actions and informing the public, while the justice system needs to uphold legality and impartiality. In the current situation, none of these organisational bodies, which are meant to check the power of the ruling party, are functioning effectively. The police and the political party have become intertwined, exerting unilateral force, and the media is tightly controlled.

implications of organised corruption and unchecked wrongdoing, as well as a generation unfamiliar with the concept of accountability.

The relationship between citizens and the nation state is being irreparably damaged. Just the other day, garment labourers protesting the decrease in their minimum wage, which had significantly diminished due to inflation and rising essential prices, were met with police and ruling party men's violence, resulting in the tragic death of two workers and many injuries. These labourers already earn a meagre wage that cannot cover their basic human rights. Is it too much to ask for their voices to be heard?

Our freedom of speech and expression are intrinsically linked to this issue. The future generation's ability to learn and shape a better future, both for themselves and the country, hinges on the conduct of a fair election. It is unacceptable that a small segment of the population holds all the power and wealth without being held accountable for their actions. Elections are the embodiment of the people's freedom, and when elections are not fair and

inclusive of all parties, it signifies a lack of space for freedom of expression and the demise of democracy.

After 52 years of independence, after ensuring voting rights and freedom of speech, we were supposed to be discussing ways to decrease disparities and discrimination, focusing on building a sustainable future, protecting our rivers and forests, and addressing issues related to gender, class, ethnic and religious discrimination. However, the reality is that we find ourselves back where we started, collectively fighting for the very principles our independence was built upon: equality, social justice and human dignity.

Translated by Monorom Polok of The Daily Star.

# Has the West lost the Rest?



Andrew Sheng  
is a distinguished fellow of Asia Global Institute,  
University of Hong Kong, and chief adviser to  
the China Banking Regulatory Commission.

ANDREW SHENG

The images and news coming out of Gaza are so horrific that I cannot think of anything hopeful or constructive that can come of this cataclysm.

Using the Organisation for Economic Co-operation and Development (OECD) members as a crude proxy for the West, it accounts for 63 percent of world GDP, three-quarters of world trade, over half of the world's energy consumption, and 18 percent of the world's population. The Western world sees itself as a paragon of civilisational progress and modernity, whereas the Rest (the East and Global South) is much more diverse in terms of culture, ethnicity and civilisational identity.

Last year, the Russia-Ukraine war sharply divided world opinion. The Western world, led by the North Atlantic Treaty Organization (Nato), united behind Ukraine, with the March 2022 UN resolution on Ukraine

passed by 141 countries, while five voted against, 35 abstained, and 12 did not vote. However, in terms of UN vote by population, 59 percent of the world's 7.9 billion people live in countries that did not support the resolution and only 41 percent live in countries that did.

The October 7 Gaza conflict drew stark lines of differences as well, with the UN General Assembly (UNGA) voting 120 in favour to 14 against, with 45 abstentions, on the Jordanian resolution for "Protection of civilians and upholding legal and humanitarian obligations." In this case, only 411 million people or 5.2 percent of the world's population, led by the US and Israel, voted against a resolution that asked for a humanitarian truce and reaffirmed that "a just and lasting solution to the Israeli-Palestinian conflict can only be achieved through peaceful means."

Just under 95 percent of the world voted for a peaceful resolution of the conflict. Sounds democratic enough?

Since the Ukraine war, which has cut off objective reporting on what is really going on in terms of who is winning or losing, I discern a thought pattern that differentiates the contemporary West from the Rest.

The West rose because it pushed science and technology since the Industrial Revolution, what former *Economist* editor Bill Emmott called the balance between two ideals of "openness" and "equality." His thesis in his book *The Fate of the West* is that "we are in our current trouble because too many of us have lost that balance." Perhaps the balance has been lost because of the recent cancel culture, in which those who disagree with the "politically correct" views are excommunicated, ostracised or cancelled. We are losing the right to have open debate and the ability to disagree.

Debates today over Ukraine and Gaza are painted in highly emotive binary terms of good versus evil, in which events are judged immediately, without taking into consideration the context that gave rise to the event. This religious streak has created such a feeling of righteousness that

anyone who gives an alternative interpretation is considered an enemy of good or a supporter of the devil.

Israel is so determined to go its own path that its former prime minister Ehud Barak admitted in an interview with the magazine *Foreign Policy*: "We know that within a week or two we will probably lose the support of public opinion in many parts of the free world, and within another two or three weeks we might lose support of many of the governments in the free world. I think that America will still be with us, but it will be more and more complicated for them to stay behind us."

The real geopolitical question is whether the US is willing to lose the opinion and support of the free world, perhaps the Rest, in its staunch support of Israel. It is one thing to have might and power, and another to lose moral leadership.

The Rest are now thinking for themselves because the West is no longer thinking for everyone. Once the moral standing is no longer in place, then the West is no better than any other barbarians at the gate—at best, just another barbarian claiming to be civilised, at worst, a West that seeks only to hold onto to its golden past of colonialism and mental superiority.