

How entitled are you?



NO STRINGS ATTACHED

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It may seem a little specious to write an article about entitlement since it presupposes that one is entitled to pass judgement on other people's sense of entitlement—which is a little, well, entitled, don't you think? It gives the impression that one is somehow better than those whom one is about to slice to pieces with self-righteous criticism and indignation. But some individuals display their sense of entitlement so annoyingly that a little bit of venting is due.

Respecting rank, social position and, sadly, how much wealth one has acquired (whether legitimately, by bleeding the banks dry or getting unofficial commissions) is very much a part of today's culture, creating all kinds of entitlements. From paralysing the city by stopping traffic at key points—just so they can whiz through and avoid seeing the ugliness of unplanned urbanisation—to expecting and getting more of this royal treatment at the airport, hospitals and hotels, the level of entitlement of these individuals is exhaustingly boundless.

It may, for instance, take the form of blocking a part of the road in a residential area as an extension of one's driveway just because one can. Curiously—and this is universal—the children of the rich and famous tend to be even more entitled than their



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progenitors, usually having none of the talent (in case of celebrity kids) nor the persona of their parent(s) from whom they have inherited the privilege. This is why you see the

brats of the uber-rich and politically powerful racing their BMWs and Lexuses on narrow streets late at night, sometimes killing or maiming a pedestrian, municipality worker or rickshaw puller and facing zero consequences. Because even the law enforcers know that children of the VIPs and definitely the VVIPs cannot

subject. Let's talk about the sense of entitlement among people you would think have enough intelligence and social mileage to not ask for unreasonable favours. Torchbearers of entitlement exist among writers, poets, artists, fashion designers—people from the most creative fields. While many of them are talented

onslaught of entitlement.

A writer may turn into a stalker sending umpteen messages and emails to demand why the op-ed editor has not yet published their groundbreaking, earth-shattering article on "The prospects and problems of sludge management in Bangladesh." Upon being told that it would not be published because the language was too "formal and academic" (read: too BORING) the peeved and entitled writer may take it up with someone higher up in the hierarchy to complain about such audacity.

Entitlement reaches another level when it comes to those from the literary world. Hence the editors of the literary pages often bear the onslaught of indignant poets and fiction writers, and have to explain and justify till they are out of breath and hyperventilating. People just don't seem to get why lines like "My heart is paining/ but you are laughing/ cause you think I'm funny and some foot dirt" take poetic licence a bit too far.

Professional pettiness also breeds entitlement. Hence calls from irate artists, designers, event managers demanding to know why some "little known minion" from their fields got more sentences in the feature than them is abundant.

Editors in general either develop skin as thick as an elephant or go into therapy.

But to be really honest, entitlement is a bad habit that few of us can escape. We may think we are above such self-delusory behaviour, but deeper introspection may reveal otherwise. Ask yourself if any of these situations apply to you:

- Do you cut in a long queue because

you just think your social status compared to others in front gives you some extra privilege?

- Have you ever referred to your apparently "aristocratic" lineage or just your parent/relative being a minister, OC of a thana, a Syed, secretary or some other hot shot in public service which makes you eligible for special treatment?

- Do you expect to get the big piece of the *ilish maachher dim* (the much-coveted fried hilsa roes) just because you are a male member of the family?

- Do you just grab the remote and start watching the sports channel or some gory action movie, oblivious of your partner glowering in the dark like a stealthy, lethal ninja?

- Do you just waltz into an empty office room that is not yours or even part of your department—just because people are too polite to say anything?

- Do you constantly interrupt a female colleague because you think what you have to say is more important, and what do women know anyway?

- Do you scream like a banshee at your domestic worker whenever you can't find things that you have misplaced yourself?

If any of these statements ring a bell, then be sure that you, too, are a little infected by the entitlement bug. Entitlement comes from selfishness and we are all a little selfish one way or the other. But this does not absolve us from trying to rein in this unattractive trait as much as possible. An anonymous quote from the internet describes the condition aptly: "Entitlement is like bad breath; it's annoying to everyone around you but you don't even notice it."

So who filed the case against Dr Yunus?



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SHAYAN S KHAN

One of the most misleading claims going around in recent times has been that it wasn't the government, but rather the employees of Grameen Telecom, who filed the case against Dr Muhammad Yunus and three other directors of the not-for-profit firm, in which the Third Labour Court of Dhaka returned a guilty verdict on January 1. Although this has been debunked by some sections of the media and certainly on social media, it has continued to "have legs," as it were, thanks to being repeated from the most exalted of platforms, and by some very, very highly placed individuals indeed.

It was there in a September statement by the Supreme Court Bar Association, whom you wouldn't expect to mislead the public on such matters, where it said, "The government filed no cases against him on labour issues; rather the cases were filed by the oppressed labourers for materialising their legal lawful and genuine claim and right."

That same month, in fact on the very first day of the month, a journalist and editor went on DW Bangla Editor Khaled Mohiuddin's very popular Friday night show and kept repeating it—at least thrice, by my count—going unchallenged throughout. In his case, though, it may just have been ignorance that caused the faux pas. In fact, the entire claim seems to rely upon a mixture of ignorance and indifference on the public's part to prevent the truth from coming out. Its proponents may be surprised at how irrefutably the truth can actually be obtained in this case.

We're going to look at a High Court judgment of August 8, in a case where Dr Yunus and his co-accused challenged the framing of the charges against them by the Third Labour Court. The judgment was later also upheld by a full bench of the Appellate Division, allowing the case in the labour court to proceed. It is available on the Supreme Court's official website. To help readers, all the parts lifted from the judgment are done so verbatim and quoted in italics:

Facts in short are that Mr. S.M. Arifuz Zaman, Labour Inspector (General) Department of Inspection, Factories and Establishment, Dhaka lodged a complaint on 20.08.2021 with the third Labour Court, Dhaka alleging that in course of inspection of Grameen Telecom Company (hereinafter referred to as GTC) he detected the infringements of the following provisions of Bangladesh Labour Ain, 2006 and Bangladesh Labour Rules, 2015.

(1) On completion of probationary period jobs of the labourers and employees are not made permanent in violation of section 4(7)(8) of the Bangladesh Labour Ain, 2006 (herein after referred to Act No.42 of 2006)

(2) Labourers and Employees are not granted annual leave with pay or money against earned leave in violation of section 117 of Act No.42 of 2006, and,

(3) Labourers Participatory Fund and Labour Welfare Fund were not constituted and 5% of the net profit of the GTC was not deposited in above funds under the Labour Welfare Foundation Law, 2006.

The part quoted above, from introduction to the judgment, states very clearly that an inspector of the DIFE, which is a government agency, filed the complaint following an inspection, that entails a visit, of GTC. There is no mention of any worker ever coming to the DIFE and informing them of labour practices at the firm, or the inspector hearing about it somewhere and then deciding to visit, or any other way in which they came to be aware of the issues raised in the complaint.

Later, Justice SM Kuddus Zaman, who authored the verdict on behalf of himself and Justice Shahed Nuruddin, writes about a reference to case law made by Dr Yunus's lawyer:

In the case of S.M. Jahidul Islam and others Vs. Syed Ahmed Chowdhury reported in 4 CLR (AD) 2016 the Appellate Division has opined that no complaint under above Ain should be made directly under section 307 without seeking redress to the Labour Court for nonpayment of service benefits.

Section 307 of the Labour Act says that whoever "contravenes or fails to comply with any provision of this Act or any rules, regulations or schemes" shall be punishable with a fine or imprisonment, i.e. it brings punishment in the form of a prison sentence into the picture for violations of the act.

There is no mention of any worker ever coming to the DIFE and informing them of labour practices at the firm, or the inspector hearing about it somewhere and then deciding to visit, or any other way in which they came to be aware of the issues raised in the complaint.

Towards the end, while dealing with the case law reference, or in his effort to nullify the argument, Justice SM Kuddus Zaman writes:

"We have carefully gone through the judgement of the Supreme Court of Bangladesh reported in 4 CLR (AD) (2016) and found that above case was filed by an individual labourer for realization of his service benefits. On the other hand this case was filed by an authorized Inspector of the Government..."

This is key. As we can see, the judgment here has even differentiated between the two cases on the basis that one was filed by a labourer, and one by an officer of the government. First, we understand that the case could have been filed by a worker, if one was minded to do so. But unless I'm forgetting my English, *this case*, i.e. the one the judgment concerns itself with, was filed by

how the government works—through its agencies.

Indeed, it is a feature of the case that not a single worker was called even as a witness in the trial, which becomes clearer once you read the verdict handed down by Sheikh Merina Sultana, chairperson of the Third Labour Court, on January 1. It contains summaries of the witness statements. I have

complained to us in this regard. It is not true that if a worker of Grameen Telecom applies for accrued leave and it is not granted, then his leave shall be added as per law in addition to the limit mentioned in (5) and (6), should be added according to law. But in its reply dated 09/03/20, Grameen has said that after completing the apprenticeship period and on becoming



Dr Muhammad Yunus stands in front of the court after being sentenced to six months of imprisonment in a labour law violation case, on January 1, 2024.

FILE PHOTO: RASHED SHUMON

someone in his or her capacity ("authorized") as an "Inspector of the Government." It really couldn't be clearer who filed the case.

Elsewhere, while describing the DIFE inspector's activities in relation to the case, Justice Kuddus Zaman writes how the visit that led to him filing the case on August 20, 2021 was made "on the direction" of a higher authority: "On the direction of the higher authority he again inspected GTC on 06.08.2021 and finding repetition of above violations..."

Now, surely this "higher authority" could not have been a member of the GTC staff. They enjoy no authority, obviously, over officials of DIFE, which according to its own website, "is an autonomous government agency responsible for health and safety inspection in factories and industries in Bangladesh."

From all that we've seen already, it is very clear that it was the government, through one of its agencies, that filed the case. That is what anybody means when they say the government filed the case, because that is

come in possession of a certified, unamended transcript of the verdict, translated to English.

In it, though, we find that all four of the witnesses called by the state were labour inspectors with DIFE. The very first witness testified that "the accused have been sued on the basis of the information found in the checklist during the inspection." Again, no mention of any information gleaned from workers. Later, while explaining their reasons behind filing each of the three charges that they did, the same witness testifies, and we'll take these one by one to end here. Once again, parts lifted verbatim from the verdict are in italics:

On workers not being permanent: *It is true that no worker has complained to us that the jobs of the workers have not been made permanent. Even though there is no complaint from the workers, we carried out the inspection because the organization has to be inspected according to the Annual Performance Agreement.*

On annual paid leave: *No worker has*

regular, the employees get the earned leave and the need is encashed.

On WPPF benefits, a reference is made to a separate case: *It may be noted here that a total of 107 officers/employees of Grameen Telecom have filed a case against the organization for the benefits of WPPF. The case is currently pending in the 3rd Labour Court. If the judgment in this case is promulgated, you will be informed about it and necessary steps will be taken to implement the promulgated judgment.*

He later adds: *The cases filed by the workers are part of the government's 80:10:10 by law, that's why government filed a case.*

So the witness himself has differentiated between two cases, where one is brought by the workers, on the basis of which the government has added an allegation to its own case. Yet, as far as the workers' involvement in the government's case goes, we have seen enough to conclude that not only did they not file the case, but they hardly played any part in it at all.