

LAW OPINION

Approaching the university ward quota debate: Rajshahi University in context

KMS TAREQ

Rajshahi University has been thrown into turmoil. Following the anti-discrimination movement in Bangladesh last year, Rajshahi University cancelled the ward quota, which paved the way for easy undergraduate admission for the children of academic and administrative staff. As the staff insisted on the restoration of the quota, on 18 September, the University restored the quota upon certain conditions. It led to the students protesting against the decision.

The claim has sparked heated debates concerning merit and quotas, as staff claim the quota as their institutional right, while students argue it is a discriminatory practice. The word ‘right’

held. Without that correlative duty, there is no true right. By contrast, a privilege may mean I am free to do something, but no one else bears a duty to support or preserve it. If I have the privilege to walk on my own land, you have no right to stop me- but equally, you have no duty to ensure that I continue to own land to walk upon. Privilege is paired not with duty but with another’s no-right. This distinction matters because it separates enforceable claims from negotiable benefits. Rights can be

category. They are not constitutionally recognised as a disadvantaged section of citizens. No duty, therefore, was imposed on Rajshahi University to sustain the quota. It was a policy choice, not a constitutional command.

On the above, from a Hohfeldian perspective, the staff quota was never a right backed by duty. It was a privilege: a discretionary benefit created by the university, paired with the no-right of outsiders to demand its continuation.

Yet Hohfeld does not end the story. Even where no legal right exists, the law sometimes recognises the unfairness of taking away a long-standing benefit without consultation. This is where Lord Denning enters the scene.

In Schmidt v Secretary of State for

without fairness or hearing, could be struck down as arbitrary.

Applied to Rajshahi, the staff quota may not have been a right in Hohfeld’s sense, but its decades-long operation created reliance. Its abrupt abolition, without consultation or transitional measures, could be said to frustrate a legitimate expectation. That does not mean the quota must be restored, but it does mean the university owed its staff a fairer process in withdrawing it.

Now, the Rajshahi University dispute cannot be separated from the wider national context. On one hand, students argued that quotas not tied to present disadvantage were discriminatory, limiting opportunities for talented candidates. Their demand was for a level playing field where merit should prevail. Against that backdrop, the staff’s call for a fresh quota appears rather tone-deaf. At a time when students across the country are challenging entrenched privileges, defending special preferences for relatively secure groups such as university academic and administrative staff risks fuelling resentment and undermining the legitimacy of the broader system of affirmative action.

Yet staff anger cannot be dismissed entirely. For many, the quota symbolised recognition of their contribution to the university. Its abrupt withdrawal, without dialogue or alternative benefits, was bound to create resentment. Institutions thrive on more than formal rules; they also depend on trust. When people feel their expectations are ignored, they often turn to protest and disruption- as the current boycott shows. The challenge for Rajshahi University is, therefore, twofold: to uphold fairness for the wider applicant pool while still acknowledging the loyalty and service of its staff.

The Rajshahi quota dispute is more than an internal quarrel. It is a test of how institutions in Bangladesh balance rights, privileges, and expectations. Hohfeld teaches us that without a corresponding duty, there is no right- only a privilege. Denning shows us that even privileges can ripen into legitimate expectations that require fairness in their withdrawal.

The lesson is simple but urgent: we must be precise about what counts as a right, cautious about defending privileges, and careful to respect legitimate expectations. Only then can our institutions remain both fair and trusted.

The writer is Associate Professor of Law, Rajshahi University, and a Doctoral Candidate, SOAS University of London, UK.

LAW AND CARE

Int’l Day of Care and Support

Care work consists of two overlapping activities: direct, personal and relational care activities, such as feeding a baby or nursing an ill partner; and indirect care activities, such as cooking and cleaning. Unpaid care work is care-work provided without a monetary reward by unpaid carers. Unpaid care is considered as work and is thus a crucial dimension of the world of work. Paid care work is performed for pay or profit by care workers. They comprise a wide range of personal service workers, such as nurses, teachers, doctors and personal care workers. Domestic workers who provide both direct and indirect care in households, are also part of the care workforce.

Growing populations, ageing societies, changing families, women’s secondary status in labour markets and shortcomings in social policies demand urgent action on the organisation of care work from governments, employers, trade unions and individual citizens. If not adequately addressed, current deficits in care service provision and its quality will create a severe and unsustainable global care crisis and increase gender inequalities at work.

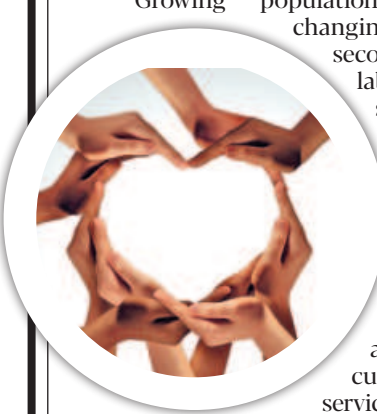
The care economy is growing as the demand for childcare and care for the elderly is increasing in all regions. It will thus create a great number of jobs in the coming years. However, care work across the world remains characterised by a void of benefits and protections, low wages or non-compensation, and exposure to physical, mental and, in some cases, sexual harm. It is clear that new solutions to care are needed on two fronts: in regard to the nature and provision of care policies and services, and the legal terms and conditions of care work.

Mindful of the need to invest in the care economy and to create robust, resilient and gender-responsive, disability-inclusive and age-sensitive care and support systems with full respect for human rights with a view to recognising, reducing, valuing and redistributing unpaid care and domestic work and support, the UN General Assembly decided to proclaim 29 October as International Day of Care and Support.

The Assembly invited stakeholders to observe the International Day of Care and Support on an annual basis in an appropriate manner in order to raise awareness of the importance of care and support and its key contribution to the achievement of gender equality and the sustainability of our societies and economies, as well as of the need to invest in a resilient and inclusive care economy, including the development of strong and resilient care and support systems.

This year’s celebration aims to consolidate progress and momentum in global and regional discourses and action. The campaign will highlight: key global discussions on care and support held in 2025, in Geneva, New York, and around the world; perspective of diverse stakeholders, including diverse rights-holders, employers’ and workers’ organisations, both as those providing and requiring care and support, on progresses and gaps in 2025 to advance gender equality and ensuring leaving no one behind in sustainable development.

Compiled by Law Desk (Source: UN.ORG)



is the language of the Constitution, of courts, and of political struggle. In law, however, not everything we call a right is truly one. Sometimes what we call a right is merely a privilege, something enjoyed while it lasts but not guaranteed. At other times, even when no strict right exists, the law may still protect what courts call a legitimate expectation.

Two thinkers- Wesley Hohfeld, an American jurist writing a century ago, and Lord Denning, the great English judge of the mid-20th century- help us see this explicit distinction. The write-up will discuss the two schools of thoughts.

For Hohfeld, rights are not vague slogans but precise legal relationships. A right never floats in the air; it always has a partner. If one person has a right, another carries a corresponding duty. If a worker has a right to wages, the employer has a duty to pay. If a citizen has a right to vote, the state has a duty to ensure elections are

defended in all cases. Privileges can be altered or withdrawn by those who granted them.

If staff children truly had a right to reserved seats, then the university had a duty to continue providing them year after year. If, instead, the quota was a privilege, staff could enjoy it while it lasted, but the university bore no duty to maintain it once withdrawn. What does Bangladesh’s Constitution say? Article 28(4) permits “special provision” for women, children, or for the advancement of backward sections of citizens. This is the legal foundation for affirmative actions. It allows the state to give disadvantaged groups a temporary headstart so that society as a whole becomes more equal. University employees’ children do not fall into this

Home Affairs (1969), Denning planted the seed of the doctrine of legitimate expectation. This idea grew into a settled doctrine, later developed in landmark cases such as Council of Civil Service Unions v Minister for the Civil Service (1985) and R v North and East Devon Health Authority, ex parte Coughlan (2001), where courts recognised both procedural and, in limited circumstances, substantive protection of expectations.

Bangladeshi courts have embraced the doctrine, too. In Bangladesh v Idrisur Rahman (2009), for instance, the Appellate Division confirmed that clear practices and assurances from public authorities can generate legitimate expectations that deserve protection unless outweighed by compelling public interest. Similarly, in Rabia Bashri Irene v Bangladesh Biman (2000), the High Court Division ruled that an abrupt departure from established practice,

2. LAW VISION

Preventing land-related fraud through digitalisation

Protecting citizens against land fraud involves strong law enforcement and transparency. This protection depends on the maintenance of strict legal requirements, and the adoption of innovative technologies. In addition, public awareness and participatory citizenship are mandatory for property rights

M. AYSHA RAHMAN

In our country, land-related disputes and fraudulent practices have become very common. Such fraudulent practices not only deprive individuals of their legitimate ownership of property but also erode public confidence in the legal and administrative system. Safeguarding the people against such activities are therefore both a legal and ethical imperative.

False deeds refer to fake or forged legal documents that falsely assert land ownership. Scammers typically create fake deeds, forge signatures, or alter official records to sell or transfer the property unlawfully. In some cases, they sell the same property to multiple buyers by taking advantage of loopholes in record-keeping or the lack of electronic verification systems. Land fraud also includes cases of corruption by officials, changing land registry details, or issuing forged certificates of ownership.

The toll on the victims of such fraud is severe. Victims can lose their livelihood and even ancestral property because of these. Moreover, legal cases can take years to resolve in our already congested courts. But most importantly, such crimes undermine citizens’ confidence in the State’s effectiveness in protecting their rights relating to their properties.

The root cause of land fraud, in my view, is the outdated, paper-based registration system that can be easily exploited. Poor coordination between land, survey, and sub-registrar offices



leads to the creation of fake records. Corruption helps unscrupulous individuals to bypass the verification process. Furthermore, public ignorance and lack of legal literacy prevent citizens from properly checking records before purchasing land.

Government intervention is important to protect citizens from land-based crimes. Many countries have already taken steps to update their land administration system. Bangladesh too started several digital programs to create

transparency and accuracy in the land administration. The Digital Land Management System (DLMS) and e-Mutation are notable steps allowing citizens to check ownership information and even transfer land ownership online. The continuation of digitisation of the Land Record and Survey will ultimately eliminate discrepancies so that there is one true record of ownership.

Furthermore, the Registration Act, 1908 and the Penal Code, 1860 provide legal measures

to punish those who create or use fake deeds. Convicted offenders can face imprisonment, fines, and cancellation of fraudulent transactions. Under section 466, forging a document of a public registrar entails imprisonment for up to 7 years and fine. However, effective enforcement of these laws also requires technological efficiency, vigilance, and public cooperation.

Technology can protect citizens from land fraud through transparent ‘digital land databases’ that provide a tamper-proof chain of ownership. The use of blockchain, geo-tagging and satellite mapping can reduce risks associated with ownership disputes, data integrity and boundary verification. Biometric verification and digital signatures can further reduce land fraud.

Raising public awareness on fraud is important, especially to verify property information, to consult lawyers before signing the contract, and to report suspicious behavior. Government and civil society, especially in rural areas, can educate citizens on how to buy land and how they can verify land digitally.

Protecting citizens against land fraud involves strong law enforcement and transparency. This protection depends on the maintenance of strict legal requirements, and the adoption of innovative technologies. In addition, public awareness and participatory citizenship are mandatory for property rights.

The writer is student of law at the Bangladesh University of Professionals.