

“Settling for Justice? Rana Plaza and After”

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Abstract

This paper explores what ‘justice’ has meant in the context of workplace deaths and injuries in Bangladesh, in the aftermath of the Rana Plaza building collapse which killed over 1000 workers. I discuss existing laws in Bangladesh, and their implementation, and explore how demands for justice have been framed and articulated in relation to workers and their families, and how these differ from the more frequently heard demands for justice relating to other serious crimes, and other groups. After examining how these laws are applied to ‘routine’ cases, I focus on three major workplace disasters – the Spectrum and Rana Plaza building collapses, and the Tazreen factory fire examining attempts made to secure justice and accountability in each case, whether through civil actions for compensation, criminal prosecution, or constitutional litigation.

In assessing the impact of these efforts, I argue that campaigns for workplace safety have been more effective in achieving remediation, precisely because they operate within a transnational context, and are able to catalyze global consumer concern and media and public scrutiny. However, while this has compelled a pragmatic response, and changed practice on the ground, it has not as yet enabled transformation of national laws or systems, leaving in place discrimination and unequal treatment under the law and violations of their fundamental rights as a daily lived reality for Bangladeshi workers. The bottom line – it is better to die in an export oriented garments factory than any industry (a textile mill, a car workshop) which only serves the Bangladesh market? Why do politicians and activists who engage in high rhetoric on patriotism and nationalism, not denounce this situation as ‘hurting the image of the nation’? Why is there no impetus to strengthen the law and the enforcement machinery to ensure accountability for the loss of workers’ lives? What is the role of you as a consumer of fast fashion, and also a global citizen, to catalyze transnational legal changes that strengthen legal protection of rights?

‘Work-related’ means a death arising out of work involving a member of the public, for example, when a building containing a factory collapses it may kill members of the public. This paper will primarily focus on ‘workplace’, not ‘work related’ deaths.