

Regulating hartal may be a sensible option

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completely. It should make hartals generally illegal but should keep provision for it in some special circumstances. If there is ever a threat to our constitution or democratic rights, we should be allowed to defend them by calling hartals as necessary. For example, if a government ever plans to engineer the election process or manipulate constitutional provisions that may jeopardise our democracy, a hartal can be legally called when all other peaceful

taken as a good enough reason for calling a hartal.

Increase in the prices of commodities is not a good reason for calling hartal because it may not always be possible for the government to control prices. An opposition party can always criticise and use peaceful means of demonstration to make the government review a policy or just to gain public support to utilise in the next election. If the government is not convinced, the opposition can wait until their turn comes to review and change those policies, as appropriate.

However, if the opposition believes that an issue is fundamental and deserves calling of a hartal, they should be allowed to do that; there should be a legal provision for it. The court's interpretation can be obtained when it is unclear whether an issue is fundamental enough for observing hartal. If the court does rule against that hartal, the government will be allowed to use all legal measures to stop it. Currently, the miscreants come out in the guise of legal protesters and once they are on the streets it becomes difficult to stop them from vandalism or to charge them. If a hartal is judged as illegal beforehand it may be easier to stop that instead of just the illegal acts during a legal hartal.

Enacting legislation will not necessarily resolve the problem completely. There may be difficulty enforcing it, or an interpretation may be in question in some cases. But it will at least serve as a terms of reference to help the public and politicians to make their judgments, and give the government the power to act when necessary. A carefully designed measure can ultimately help reduce frequency of hartals.

There must be rational ways of resolving issues without being destructive. If a government cannot be trusted for five years then the alternative is to reduce the term. As long as a government functions under the constitution it should be allowed to serve peacefully for the whole term. Only the voters reserve the right to remove a government through election, not through hartals by an opposition party that lead the election. Putting national interest ahead of party and individual interests would help find such solutions that would work both when a party is in power or in opposition. Otherwise, we will not be able to get out of the cycle of the same problems.

Currently, although illegal vandalism comes as a package with hartal and is difficult to stop because the protesters come to the street legally as part of the hartal and then conduct those acts. If some hartals can be identified as illegal it would be easier to enforce the law to stop hartal at the planning stage.

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THE culture of frequent hartals is coming back to Bangladesh, which is damaging for the economy and the country's image, and a disincentive for foreign investments. A UNDP study estimates that it costs about 1% of GDP for every three days of hartal. Frequent hartals can seriously impact our export and can jeopardise our growing benefits from economic globalisation. The business community, through FBCCI, has expressed serious concern about frequent hartals. Political stability and harmony instead are extremely important for our economic progress.

In that context, there is a proposal for enacting a law to ban hartal. Since avoiding hartals through consensus among political parties is unlikely, a carefully designed legal measure may be a possibility. A complete ban on hartal is not possible because hartal without violence is a democratic right. Moreover, a ban on hartal will be convenient only for the government and unfair to the opposition.

To understand why hartal is a part of our politics and the risks of banning it, we have

to recognise both its costs and its benefits. It not only has negative impacts but also has positive contributions that shaped the history of our nation. Starting from our struggle against colonial rule, the movement for independence, and during our struggle for democracy, hartals have played a vital role. Since hartal has proved to be such an effective tool for materialising public demands in our country, we need to keep legal provisions for it. If an anarchist or a dictator ever comes to power and threaten our constitution or our democracy, we should be able to defend them by using hartals if necessary.

Having said this, we also have to remember that we are in a different phase of development now. We are an independent country with a reasonable form of democracy. Our main challenge now is to work for economic development while strengthening the democratic process. Without economic emancipation of the mass, independence is not meaningful. With that objective in mind, we should be very careful before supporting or not doing anything about hartals.

We should consider enacting legislation that will regulate hartal rather than ban it

means of demonstration are exhausted.

In all other situations, once we elect a party to form the government, we should allow them to govern for their full term. The only way to remove the government before its term ends is through a no-confidence motion that is carried in Parliament by a majority vote. A government needs to make many important decisions or policies but not all of them would seem right to everyone. Those decisions or policies can be criticised in the parliament or in various other forums, but a hartal is not an appropriate way to protest such issues. The government may or may not consider those criticisms but it should be allowed to proceed with whatever policy it adopts because it has the people's mandate to run the country for five years.

For example, if a government adopts some new policies related to health, education, or administration, the opposition parties can express their disagreement, if any, in peaceful ways, but it should be illegal to call a hartal as long as those government policies are within our constitutional framework. If a government's decision unfairly benefits or disadvantages some individuals or groups, it will not be

Can we finally end the Korean War?

The Obama administration would do well to consult with both Seoul and Pyongyang on where to best set the new boundary, get an agreement from both governments to abide by it, and put it on the map. South Korea should not be given a veto over the redrawing.

torpedo attack. And on November 9, two weeks before the shelling of Yeonpyeong Island began, a North Korean naval patrol crossed the disputed line and exchanged fire with South Korean vessels.

Can anything be done to put an end to the simmering conflict in the Yellow Sea? Yes, and the solution could be quite straightforward: US should redraw the disputed sea

resolution established the UN Command for Korea and designated US as the executive agent, with authority to name its commander. That original command is still with us today in vestigial form. It is commanded by Gen. Walter Sharp, who is thus the current successor to Gen. Mark Clark, who signed the 1953 armistice.

The Obama administration would do well to consult with both Seoul and Pyongyang on where to best set the new boundary, get an agreement from both governments to abide by it, and put it on the map. South Korea should not be given a veto over the redrawing. And North Korea should be warned that any future provocations on its part like the shelling of Yeonpyeong will result in swift, appropriate retaliation by the joint forces of the US and South Korea.

Ideally, redrawing the line would not only ease the present crisis, but also set the stage for negotiations among the US, North Korea and China on a peace treaty that would replace the temporary armistice and formally end the Korean War. (Since South Korea did not sign the armistice, it cannot sign a peace treaty, but North Korea has agreed that Seoul could be part of a future trilateral peacekeeping body.)

One possible mechanism to replace the armistice is the "trilateral peace regime" for the peninsula that has been proposed by North Korea's principal military spokesman, Gen. Ri Chan Bok. Under the plan, the armed forces of the US, North Korea and South Korea would set up a "mutual security assurance commission." Its role would be to prevent incidents in the demilitarised zone that could threaten the peace and to develop arms-control and confidence-building arrangements on the peninsula. Ri has said explicitly the North would not object to the presence of US forces on the peninsula if the armistice and the UN Command were replaced.

Defusing tensions in the Yellow Sea and keeping the peace at the demilitarised zone are the prerequisites for pursuing the larger goals that should govern US policy in Korea: eliminating nuclear weapons on the peninsula and establishing normal diplomatic relations with the Pyongyang regime, all in the aim of reducing the risk of US involvement in another Korean War.

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THE crisis in the Yellow Sea, which was set off by the North Korean shelling of South Korea's Yeonpyeong Island last month, is probably mystifying to many Americans. Why did the North fire a deadly artillery barrage at a sparsely inhabited, relatively insignificant island? Why has the United States dispatched an entire aircraft-carrier group to the scene?

But things make more sense if you look at recent events as merely the latest in a decades-long series of naval clashes between the two Koreas resulting from a disputed sea boundary that was hastily imposed by the United Nations forces -- without North Korean agreement -- after the 1953 armistice that halted the Korean War. Several times the dispute has flared into bloody naval battles, most notably in

1999, when at least 17 North Korean sailors died, and in 2002, when four South Koreans and at least 30 North Koreans were killed.

In October 2007 it seemed like the cycle might be broken: Kim Jong Il, the North Korean leader, and President Roh Moo-hyun of South Korea pledged to hold talks on a joint fishing area in the Yellow Sea "to avoid accidental clashes." But that December, the hard-liner Lee Myung-bak was elected president of South Korea; he promptly disowned the accord, which kicked off the most recent chapter in the dispute.

North Korea responded. It quickly built up its shore artillery near the disputed waters, accused Seoul of violating its territory, and in 2008 launched short-range missiles into the contested waters. This March, a South Korean navy ship, the Cheonan, was sunk by what a South Korean inquiry concluded was a North Korean

boundary, called the Northern Limit Line, moving it slightly to the south.

The Northern Limit Line was so named because it was meant to impose a limit on any potential South Korean encroachment into North Korea. The South's president, Syngman Rhee, still dreamed of winning the war -- he refused to sign the armistice -- and repeatedly vowed to overthrow the Pyongyang regime.

Rhee's hopes were never realized, but one thing the Northern Limit Line did was to give the best fishing grounds in the area to South Korea. It's no coincidence many of the clashes there have occurred during the summer crab-fishing season. If the boundary were refashioned in a more equitable way, tensions would undoubtedly ease.

And, fortunately, President Barack Obama has the authority to redraw the line. On July 7, 1950, a UN Security Council

BCL infighting violence again!

Dissolution of committee is a kid-glove reaction

ONE has lost count of factious fights taking place within the BCL which keeps on flaunting a ruling party label despite the amended RPO, since the AL government came to power two years ago. The copybook reaction of the ruling party ranged from rebuke through exhortations to dissolution of committees to disowning the wing -- mostly as public posturing while indulgence in some form or the other continued behind the scene.

Against such a background, the student and youth bodies claiming proximity to ruling party and reflecting part of its arrogance kept engaged in their business as usual with an undeterred sense of impunity.

There might have been variations in the intensity and frequency of incidence but seldom has a period of lull extended to a point of public comfort. Or edged out as an indication of government taking things in grip in anyway. What has been particularly disquieting is the backlash far outstripping the incident in terms of the damage and trauma wrought to institutions and the society at large.

And why not! Because the infighting originates not in any intellectual or ideological cause but in the lure of profits that a turf war showers on the winning side. The outbursts are usually episodic, having to do with admission season, tendering for construction and other fringe benefits that go with territory.

The reason why we have traversed such a large ground lies in our being provoked by looking at what happened Tuesday in Jagannath University campus. There centring around manhandling of a follower of general secretary of the BCL unit by a loyalist of the president of the same unit, clashes fanned out between the two groups with the police late in the act. Since the admission tests are going on, apparently a turf war has had to begin.

In the fallout, as many as 30 including eight policemen and five journalists were injured, traffic got held up, panic spread and some vehicles vandalized. Predictably, the unit committee has been dissolved, hardly meaning though that the trouble-makers have been abandoned.

That is where the crux of the problem lies, the culprits are never punished, they somehow get rehabilitated. With a renewed gusto cemented by a new glue the public are treated with more of the same. It is high time AL finds ways to control their credibility destroyers.

A thrust to tackling traffic congestion

Focus on the right mix of measures

AFTER a hundred and one ideas and moves to resolve the capital city's maddening traffic knots have failed to make any headway, the finance minister has come up with yet another proposition. This is about restricting or even banning the movement of private cars with less than five or four passengers on the city's roads, in order to provide the space for the larger vehicles for mass transit.

Indeed, setting up a mass-transit system holds the key to reducing severity of the problem.

Undoubtedly, small vehicles like private cars usually occupy disproportionately bigger spaces than the number of passengers they carry. But talking of the shortage of road space in capital city, there are also other factors that contribute to the unbearable congestions. One third of the designated parking spaces is, for instance, being hogged by different private operators, thanks to the illegal practice of leasing those out to shops and various businesses having permanent structures. Add to this the fact that few roads, especially arterial ones, are being built to accommodate the growing number of vehicles within the limited space of the city. On the other hand, many of the high-rise commercial buildings including shopping malls are springing up with hardly any regard for providing adequate space for car parking. As a result, one often comes across terrible snarl-ups on the roads going past such high-rise malls and buildings.

But so far, the recovery drives to free such spaces from illegal occupants have never been undertaken with due seriousness. And if and when such drives were undertaken, it either stopped half-way or the reclaimed parking spaces were again reoccupied by those illegal occupants. So, while examining the various pros and cons of imposing restrictions on the movement of private cars, which is in practice in larger cities of Asia, Europe and North America in different extents, the authorities will have to take an all-out measure to complete the unfinished tasks like removing the illegal occupiers of the officially designated parking spaces.

Side by side, the Dhaka City Corporation (DCC) authorities need to erect multi-storied parking spaces and rent those out to various users. Private ventures should also be encouraged by the government with bank loans to build similar high-rise parking lots to be run on commercial basis.

And about slapping restrictions on the movement of private cars, a more feasible approach as to the number of passengers per vehicle would have to be applied. The authorities may also think of charging congestion fees for private cars on select busier roads of the metropolis.

So, the best way to resolve the congestion-related crisis of the capital city would be introducing a mix of various measures being thought of to reduce city's frightening traffic tangles. But while putting any or all of these measures into operation, it has to be kept in mind these are short-term ones. For the ultimate solution lies in building alternative facilities as well as new roads to accommodate the ever-swelling fleet of vehicles of this still expanding capital city.