

## Negotiating strategies for reforms



DR. ABDULLAH A. DEWAN

It took 15 months of recurring hartals, street agitations, and endurance of police brutalities to compel the BNP leadership to sit across the table for a face to face dialogue to resolve some genuine electoral issues. But time is of the essence.

"Time is running out fast ... a consensus must be reached quickly and it must be reached with us," PM Khaleda Zia cautioned in her speech concluding the 23rd session of Parliament on October 4. The BNP leadership knew all along that they had no option but to sit together with the AL leadership. The wait for the negotiations until two weeks before transferring power to the CTG appears questionable.

Speculation runs strong that US Ambassador Patricia A Butenis may have already negotiated a possible compromise of "give and take" with Hasina and Khaleda. One also wonders why both leaders are packing their luggage for overseas trips at this crucial juncture.

To pursue a "give and take" strategy for a resolution of the impasse, one may make a cursory review of the following 9 out of 31 reform proposals (abridged from DS, October 5) placed by the opposition:

1. The chief adviser and advisers to the CTG be appointed by the president in consultation with all political parties. They must be politically neutral.
2. The EC to be formed in consultation with (major) political parties and made independent of the executive branch.
3. Computerized voter lists and voter identity cards be introduced along with electronic voting machines.
4. Use of transparent ballot boxes with serial numbers.
5. The Ministry of Defense be placed under the CTG during its tenure.
6. Making disclosure of candidates' wealth and sources.
7. If candidates or their family members are identified as loan defaulters or black money possessors they be made ineligible to run for election.
8. Candidates with criminal

## NO NONSENSE

Many political analysts fear, and rightly so, that if the reform issues are not amicably resolved during the tenure of the ruling cartel, violent country-wide confrontations are inevitable as Hasina has already called upon the people to converge on the capital from all directions on the day KM Hasan takes over as the chief of the CTG. This is the ultimate lose-lose outcome not only for both parties, but for the country and the people at large.

record are barred from election. 9. Banning exploitation of religion and fundamentalist campaign for election purposes.

My premonition: if the opposition soften their demand for candidates' ineligibility based on loan defaults, black money possession, corruption and criminal records, all other reforms proposals, including the consensus driven compositions of the EC and CTG advisers including its chief, will be greeted by the ruling cartel. The reasons are several:

- If candidates are sorted out using those criteria, BNP may not have enough competent and honest candidates left to run for all seats;
- What can a consensus-selected EC, or a politically neutral CTG, do, given that the election conducting machinery, the senior law enforcing officers, and district and upazilla level election officers are mostly already BNP-ised.
- With JP joining the ruling cartel, BNP's odds of winning a majority of seats once again seems reassuring (at least the BNP leadership thinks so).

The 15th amendment to the constitution, which had extended the retirement age of Supreme Court judges, essentially ignited the demand for CTG and EC reforms. KM Hasan, who suffers from country-wide disrepute outside the BNP circle, is a recognized BNP partisan. How could the BNP leadership insist on making him the CTG chief given that the choice of a non-neutral and partisan individual for the job would be contrary to a provision of the constitutional?

The country would have applauded had KM Hasan displayed the decency expected of a former chief justice by refusing to take up the controversial post of chief adviser to the CTG. He does not seem to be such decent a person in my book, similar to another former justice, the much disparaged chairman of the EC, MA Aziz.

Considering the significance of the outcome of the negotiations, one may look into some recent negotiating stratagems.

Recent negotiating literature (Heidi Burgess, "Negotiation Strategies," January 2004) predominantly focuses on two strategies: interest-based (or integrative, or

cooperative) bargaining, and positional (or distributive or competitive) bargaining. In their best-selling book, "Getting to Yes," Roger Fisher and William Ury advanced three approaches, namely, hard, soft, and what they call "principled negotiation."

- **Hard** is essentially extremely competitive bargaining;
- **Soft** entails extremely integrative bargaining (so integrative that one gives up one's own interests in the hopes of meeting the other person's interests);
- **Principled negotiation** is supposed to be somewhere in between, but closer to soft, certainly, than hard.

Lax and Sebenius believe that all negotiations are blends of both, integrative and distributive, approaches. Negotiators first try to "create value" by making the "pie" as big as they can. This approach is promoted by interest-based and principled negotiation. But, inexorably, the second step necessitates that the pie will be split up, calling for distributive negotiation. So they claim that all negotiation is a combination of creating and claiming value, not one or the other as other theorists suggest.

In game theory context there are three well known terms: win-win, win-lose, and lose-lose that refer to the possible outcomes of a game or dispute involving two parties, and more importantly, how each party perceives its outcome relative to their standing before the game or negotiation.

**Win-win** outcome occurs when each side of a dispute feels that it has won. This outcome is achieved through a process of integrative bargaining.

**Win-lose** situations are a distributive bargaining process which result when only one side perceives the outcome as positive. Thus, win-lose outcomes are less likely to be accepted voluntarily.

**Lose-lose** outcome results when both parties end up being worse off. Paradoxically, lose-lose outcomes can be preferable to win-lose outcomes because the distribution is at least considered to be fair.

Keep in mind that any negotiation may be reframed so that expectations are lowered. Thus, with low-

ered expectations, it may be possible for negotiators to craft win-win solutions out of a potentially hopeless lose-lose outcome. However, this requires that the parties sacrifice their original demands for lesser ones.

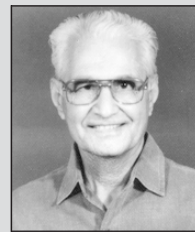
Spotlighting the on-going AL-BNP negotiating strategies, any reform proposal BNP accedes to may be looked upon by BNP loyalists as a **win-lose** outcome in favour of AL. On the other hand, anything less than what the AL struggled for, and endured all those police brutalities for, may be looked upon as **win-lose** situation in favour of BNP. In fact, acceding to all feasible reform proposals may be considered a **win-win** situation for both parties. Since BNP is so confident of winning in a free and fair election, wheedling and cajoling AL to participate in the election will, in itself, be a victory for BNP.

For the opposition, the first four proposals are crucial for a relatively free and fair election. Negotiation on these is not an option in this highly BNP-ised electoral machinery. However, compromising on candidates' credentials relating to loan defaults, black money possession, and criminal records should be consummated as a trade off for the crucial ones.

Many political analysts fear, and rightly so, that if the reform issues are not amicably resolved during the tenure of the ruling cartel, violent country-wide confrontations are inevitable as Hasina has already called upon the people to converge on the capital from all directions on the day KM Hasan takes over as the chief of the CTG. This is the ultimate **lose-lose** outcome not only for both parties, but for the country and the people at large.

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## Destruction of Iraqi state



M B NAQVI  
writes from Karachi

THE question is who wants the ongoing destruction of the state of Iraq and why? The Shia-Sunni civil war is sure to destroy it. Even the ramshackle government chosen by US pro-consul, Zalmay Khalilzad, is mulling over more autonomy for the three regions that are the eventual states-to-emerge.

A Kurdish state in the north, a Shia one in the south, and a Sunni state in the middle is the general expectation. It is strange that no Muslim state opposes or supports this "inevitability." No major power - US, EU, Russia, China, and Japan -- appears to be worried. Are they all reconciled to Iraq's demise?

Let's recall how the civil war started. The Anglo-American occupation evoked a secular Iraqi resistance; led by Baathists it had Shias of Muqtada al-Sadr faction. It was a nationalist response to foreign occupation. How did this nationalistic resistance in the most secular Arab state become a Sunni spree of Shia killings?

Sunnis have ruled Iraqi Shias who are much larger in numbers. Foreign occupiers' promise of democracy could have made Sunnis angry or despondent. But resorting to attacking holy Shia mausoleums and mosques was sure to infuriate the majority community.

Despite the Sunni experience of governing Shias, how could they initiate a counterproductive civil war? Which Iraqi Sunni interest will be served by the collapse of Iraq's unity or integrity? While Shias and Kurds would cherish their "liberation" and inherit oil-bearing regions, the Sunnis would lose oil income. Is the Iraqi Sunni leadership so bereft of common sense?

There was not a shred of evidence to link Saddam Hussain with al-Qaeda, or to al-Qaeda's presence in secular Baathist Iraq. Everyone knows about al-Qaeda's killings by suicide bombings, ambushes, and mining of roads. Where did the al-Qaeda fanatics

## PLAIN WORDS

Sure, US academics could not have foreseen the al-Qaeda actions inside Iraq, but what about CIA, State and NSC experts? They are supposed to have the knowledge of White House designs and the area's realities. Didn't they know that Iraq is a brittle state created by the British out of the Ottoman Empire's three provinces, each with a separate ethnic identity? In a grave crisis it will disintegrate.

come from in Iraq?

They are not purely a post-Saddam Iraqi phenomenon. The growth of fanatical movements that produce suicide bombers takes time. Iraq could not have produced an army of suicide bombers or sectarian fanatics in two years or less. They could only come from outside, as Zarqawi came from Jordan, where his family is safe and secure.

The al-Qaeda campaign has used tons of expensive material that a civilian cannot buy off the shelf. Any colonel can guess how much money will buy this huge amount of expensive material; perhaps billions of dollars to pay for volunteers who die or are maimed and, above all, to organize the safe transportation of men and material into an American-occupied Iraq. The logistics chain must be a marvel of organization.

The Americans say that they are keeping a hawk's eye on all money transfers from Muslims to Muslims the world over. No Muslim can send substantial amounts to another Muslim address without Uncle Sam knowing about it. They must know by now who is funding and supplying al-Qaeda. But they have not disclosed it. Why?

How do such huge quantities of explosives, arms, money, other supplies and men enter Iraq? Can't they break the chain at some point? Iraq is surrounded by pro-American Sunni states, except Iran (which, being Shia-ruled, can scarcely be a friend or supplier of al-Qaeda). There is something decidedly odd about how the Bush administration acts in Iraq.

The American media has begun asking these questions. Sure enough, Saddam, ruthless dictator though he was, did not possess any WMD, and was not linked to al-Qaeda or the 9/11 attacks. Why was Bush so anxious to attack Iraq? Which American interest demanded it, other than thirst for oil and the neo-con idea of remaking Middle East?

Neo-con thinking aims at a universal American empire, and enhancing the security of Israel. As

for democracy, well one look at the map will convince anyone that America badly needs all kinds of dictators, the more ruthless the better. Saddam was kept supplied for eight years when he fought Iran. Which Arab autocrat is not always busy in suppressing opposition? Democracy promotion is only rhetoric.

The American government is supposedly very well-informed, what with the plethora of think tanks, excellent universities and institutes; major government departments have their own area experts. How can a modern government deliberately undertake a military invasion of an important oil-producing country without sufficient knowledge about it, or clarity of one's own purpose.

The point is, to repeat, what did American area experts (in the think tanks, CIA, State and Defence Departments, not to mention National Security Council) say about the consequences of occupying Iraq. Did they really expect common Iraqis to shower rose petals on American soldiers after they had been bombed into homelessness. Sure, US academics could not have foreseen the al-Qaeda actions inside Iraq, but what about CIA, State and NSC experts? They are supposed to have the knowledge of White House designs and the area's realities. Didn't they know that Iraq is a brittle state created by the British out of the Ottoman Empire's three provinces, each with a separate ethnic identity? In a grave crisis it will disintegrate.

What can be a greater crisis than invasion, occupation, nationalistic resistance and sectarian strife that look likely to last God knows how long. No meaningful effort is being made to save Iraq. No one is trying to persuade the Kurds, Sunnis, and Shias to live in a revived Iraqi state. It seems that the international community, including the UN, are sure of Iraq's demise. The US had the primary responsibility of preventing Shia-Sunni conflict killing in

Iraq, despite their strange failure in preventing al-Qaeda from entering Iraq and embarking on a campaign of mayhem.

But the demise of a non-traditional Arab state, Iraq, will hugely benefit another unnatural state: Israel. Iraq was the most anti-Israeli state, and was sustaining anti-Israel resistance by various Palestinian groups. Destruction of Iraq will be a boon for Israel's long-term security.

Who knows that the Israeli's will not embark on the final stages of their designs on the Palestinians. The likelihood is that they will complete the ethnic cleansing they started in 1948, one way or another. They have already broken the back of the Palestinian Authority, and may have set the Palestinians on a course that will prevent any Palestinian unity. American policy apparently approves of what Israel does.

Iraq's disappearance will raise the stature of Iran. Iraq was the strongest Arab state that, up to a significant extent, balanced Iran. Another salient feature of Iraq's demise will be the creation of another purely Shia state, contiguous to Iran. Chances are that both Shia states will, at least for some time, work together, and may pick up the thread from western observers to strive for an arc of Shia power in west Asia.

That creates a dilemma for the US: the leitmotif of US foreign policy is promotion of conservative regimes everywhere. In this case, the entire Shia power is sure to be a conservative force. As such it will be worthy of American support. But it will also be hostile to Israel, America's darling. Which it will choose is the dilemma.

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## Ensuring success of the dialogue



M ABDUL LATIF MONDAL

It is heartening to see that the much-awaited dialogue between the secretary general of the ruling BNP and the general secretary of the opposition AL to resolve the political impasse centering the AL-led 14-party opposition coalition reform proposals finally started on October 5 in the Jatiya Sangsad Bhawan.

The people, the media, and the foreign diplomats in the country have welcomed the initiation of the dialogue. Admittedly, it will be a hard task for the two secretary generals to arrive at a consensus on some crucial proposals. People's expecta-

## BARE FACTS

The media reports reveal that Begum Khaleda Zia will go to Saudi Arabia in the second-half of the second week of this month to perform umrah. On the other hand, Sheikh Hasina will leave for the US on October 12 and she is expected to return home immediately before the Eid-ul-Fitr that falls in the fourth week of this month. The secretary general of BNP and the general secretary of AL need constant guidance from their party chiefs for conducting their talks. What happens if there is no consensus on crucial issues before both Begum Khaleda Zia and Sheikh Hasina leave the country?

tations, however, are running high and they believe that sincerity of purpose and placing national interests above the narrow interests of party will enable the two sides to arrive at some sort of a consensus on the crucial issues. They also believe that this dialogue will ensure a free, fair election with participation of all political parties.

While sharing the expectations of the people, we may, first of all, have a look at the problems that may stand in the way of success of the secretary general-level dialogue.

First, although the general secre-

tary of the AL has placed 31-point reform proposals, the crucial issues that will require consensus if the dialogue is to be successful are: (i) appointment of the chief adviser to the non-party caretaker government (CTG); (ii) reconstitution of the Election Commission (EC); and (iii) placing the Defence Services under the NCG during its tenure. Many political analysts fear that reaching a consensus on these issues might be difficult.

Second, BNP has to frequently consult its partners in the government, the major partner Jamaat-e-

Islami (JI) in particular, to reach an agreement on the crucial proposals that will be forwarded by the AL-led opposition coalition. The JI, which opposed the dialogue between BNP and AL only, has grudgingly agreed to the talks between the secretary general of BNP and the general secretary of AL.

The JI chief and Minister Mairur Rahman Nizami in his speech on Parliament on October 4 attached five conditions to the talks: (i) to uphold the constitution; (ii) not to introduce unconstitutional changes in constitutional institutions; (iii) to

keep the talks unconditional; (iv) not to use the dialogue as a means to impede the country's multi-party democratic culture; and (v) to align any electoral reform with the mandate given to the 4-party alliance in the 2001 general election.

Third, although prime minister and BNP chairperson Begum Khaleda Zia proposed secretary general-level dialogue on September 14, yet the talks could not be started before October 5. Parliament will stand dissolved on October 27. The BNP-led alliance government is scheduled to hand over power to the CTG on that day. The question remains whether it will be possible to arrive at a consensus on crucial issues and then take measures for their implementation in this short period of time.

Last but not the least, the media reports reveal that Begum Khaleda Zia will go to Saudi Arabia in the second-half of the second week of this month to perform umrah. On the other hand, Sheikh Hasina will leave for the US on October 12 and she is expected to return home immediately before the Eid-ul-Fitr that falls in the fourth week of this month.

The secretary general of BNP and the general secretary of AL need constant guidance from their party chiefs for conducting their talks. What happens if there is no consensus on crucial issues before both Begum Khaleda Zia and Sheikh Hasina leave the country?

Now the question that arises is: "What are the steps that need to be taken by both sides for the success of the on-going dialogue?"

Firstly, BNP and its partners in the government must realize that reforming the CTG, the EC, and electoral laws have, more or less, become the demands of the people. So, BNP and its partners must give up their rigid stance and have to agree to any proposal that may require amendment(s) to the constitution.

Above all, the constitution is for the smooth functioning of democracy in the country. It may be mentioned in this connection that the constitution of India is one of the most frequently amended constitutions in the world. There have been a total of 93 amendments to the constitution of India, as of 2006. India is not only the largest democ-

racy, but is also one of the vibrant democracies in the world.

Secondly, if there is a workable consensus on the crucial issues, and amendment(s) to the constitution is necessary to implement the consensus, then Parliament should be summoned on a short notice before it stands dissolved for the passage of the concerned amendment(s) to the constitution.

Thirdly, as long as the dialogue continues, the prime minister and the leader of the opposition shall not issue statements accusing each other's party of any issue. They shall also refrain from using the language of threats. Such statements or threats can vitiate the atmosphere of the dialogue and stall the progress of talks.

Fourthly, the prime minister and the leader of the opposition shall have to postpone their expected visits abroad regardless of whether they are for religious purpose or otherwise. Both leaders owe it to their parties as well as to the nation to guide their respective secretary general/ general secretary to arrive at a consensus on the crucial issues. Their presence will also be

instrumental in implementing the decisions that are mutually made.

Fifthly, the political parties, which have representation in Parliament but have been excluded from the dialogue, should also encourage both sides to reach a consensus so they can also benefit from a successful dialogue between the two major parties.

Lastly, the media has to play an active role in influencing the high command of both sides to take a positive attitude as regards the dialogue.

To conclude, there is no alternative but to arrive at a consensus on the crucial issues. Failure of the dialogue will put our hard-earned democracy at stake. Both sides must realize it, and the sooner the better.

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## INTERNATIONAL DISASTER REDUCTION DAY

# Children and preservation of collective memory

SURYA ASLIM

THIS year's theme of International Disaster Reduction Day (October 11) is "Institutionalizing Integrated Disaster Risk Management at School." The selection of the theme signifies acknowledgement of the role of children, students, teachers in disaster reduction efforts.

The theme also sends a reminder to all parties concerned that significant investment on disaster reduction initiatives should be made in schools. Furthermore, children and schools are the main actors for achieving sustainability.

### Artificiality and collective memory

Disaster reduction is intended to minimize the vulnerability of communities under threat of natural hazards. It entails several components like early warning system, awareness, preparedness, as well

as mitigation. The presence of high technology will be deemed obsolete if the real beneficiaries -- the people in general -- are ignorant of any preparedness measures at individual and community level.

In our disaster-prone country, the government as well as donor communities have been playing a significant role in reducing the impact of potential disasters which threaten the people at regular intervals. Many initiatives and programs have been introduced, and have begun to bear fruit lately. Studies show that the level of coping mechanisms, awareness, and preparedness is considerably higher than it was in the past. Various accounts mention that many were more prepared during the 2004 flood than during the 1988 one.

Somehow, like other development dilemmas, at the end of the day, most of those concepts will be used by the common people. In other words, its sustainability is reflected by the ability and willing-

ness of community members in duplicating those initiatives.

Unfortunately, those initiatives bear a risk of failure which is caused by artificiality of the concepts. Common disaster preparedness concepts like local level action plan on disaster, participatory vulnerability assessment, focus group discussion are examples of systemic tools which are introduced to beneficiaries in order to stimulate and nurture awareness and preparedness at community level.

Like it or not, these concepts are a set of new items which were not born in the community. These concepts need extra expertise, time, and energy to operationalize them. Thus, only during the project implementation will one see their smooth operationalization, but after the project the concepts will likely go into oblivion.

Therefore, an alternative way should be sought to make sure that disaster reduction becomes an

inherent part of the life of the community. This alternative should be taken from the community itself, by using their own daily practices, daily words, daily nomenclature.

Concepts of disaster reduction should naturally emanate from the community because only a natural product will have its own mechanism of preservation.

Take the following examples: Shortly after the earthquake hit the northern coast of Sumatra on December 26, 2004, people in Aceh and surrounding regions made no effort to remove themselves to hilly area. In fact, many went to the city centre to check the immediate impact of the earthquake, and were trapped in the Aceh tsunami which came 30 minutes after the quake.

Meanwhile, in Simelue Island, a backwater island of Aceh, as soon as the sea level receded after that earthquake, people along the coastline rushed to the adjacent hills and waited for the horror that came

toward their coast. History has recorded that only a handful of people in Simelue died due to the tsunami.

Why? Because, in Simelue, there's a famous folk tale about the tsunami. The tale says that once the sea level suddenly decreases, it will be followed by the coming of a huge tidal wave toward the island. This story is based on the January 4, 1907 tsunami which hit Simelue, and has been handed over to succeeding generations. It proved to be a vital element in saving the people of Simelue on that fateful day.

Another example is the community fire fighters group in Japan. Even until today community members in Japan maintain their community-based fire-fighters groups, despite the fact that today's fire brigade teams have been heavily modernized. Rather than being involved in the real fire fighting action, these community groups maintain their collective memory

through cultural activities related to fire fighting. Each group masters its stair climbing skills which have developed it into traditional art. Annually, stair-climbing festivals are organized among community fire-fighters groups.

The two examples illustrate a community's own initiative for preparedness, awareness, and survival mechanisms with minimal role of external actors. The two examples come by default. It is already in the blood of the community and is guaranteed to be reproduced naturally every time it is required.

### Preservation of collective memory

Without any pretension to be simplistic, the writer argues that preservation of collective memory will yield satisfying results by starting from schools, and making children the primary recipients.

No one is more capable of

absorbing and preserving all of these than children. With all their uniqueness, children are blessed with better capacity than the elders in adopting new values.

Pride is a distinct Bengali identity. A strong literary tradition, constant reference to traditional art, and high respect for the liberation movement are examples of the existence of certain collective memories which have been preserved among Bangladeshi people.

All of those samples are widely subscribed as they are taken from the core of the community, which is the identity, the existence, and the meaning of being Bangladeshi.

And, more importantly, all of them have been preserved through class rooms, as the end of an assembly line called "National Education System." It entails curriculum system, text books, trainings, songs, and other symbols.

What is needed now is to incorporate them into disaster reduction

purposes. As present-day schools have acquired as important a status as the family in disseminating messages, school should be directed to create a disaster reduction culture.

Just like any other civic values that we have known since kindergarten days, like the importance of courtesy to other people, being honest, and being clean, messages on disaster reduction should be instilled at a very young age.

Like other good messages and habits that we have learned in younger days, and still practice today, disaster reduction initiatives will be immortalized in millions of students and teachers, and replicated at any given time, naturally and automatically.

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