

NATO's Bombing on Chinese Embassy A Wrong Attack at a Wrong Time

by Barrister Harun ur Rashid

The incident will have grave unpalatable implications for NATO and many NATO leaders wished that it had not come at this juncture when NATO had been engaged in discussion with Russian leaders to end the conflict through a diplomatic solution.

ON the night of Friday (6 May), NATO admitted that its missiles hit the Chinese Embassy in the new Belgrade district where the media reported that four were dead and 21 wounded. NATO regretted immediately to the Chinese authorities for the tragic accident. NATO has not yet made it clear whether it was a mistake on the part of the pilot or a NATO planning error where pilot hit the target as was advised. NATO's enquiry is proceeding on this grave error.

This incident will have grave unpalatable implications for NATO and many NATO leaders wished that it had not come at this juncture when NATO had been engaged in discussion with Russian leaders to end the conflict through a diplomatic solution. It is a horribly wrong attack at a wrong time.

People all over the world would have the right to question seriously NATO's claim on hitting the targets with precision by its sophisticated weapons without any collateral damage to the civilians. Furthermore nothing has changed the situation in Kosovo despite its six weeks bombing on Yugoslavia. At the time of writing, horror stories continue to be told by the Kosovar refugees of their brutal experience with the Serbian armed forces and there is no end to the exodus of refugees from Kosovo. People now wonder the effectiveness of the air raids.

The attack on civilian targets, such as a bus or train on a bridge or hospital or the Chinese Embassy have generated a negative opinion all over the world on NATO's air strikes. Some say NATO is committing war crimes under 1949 Geneva Conventions on Armed Conflicts and the affected parties condemned the civilian attacks on targets as 'barbaric'. Obviously in the past NATO was easily getting away from the tragic casualties because they related to personal loss. But now with the attack on Chinese Embassy NATO is not able to brush aside the incident because it could complicate NATO's exit game. That is the reason why President Clinton expressed regrets over the attack and the British Prime Minister Blair wrote a letter expressing similar sentiments to his counter-part in China.

What are the possible implications on the attack on Chinese Embassy?

Chinese Embassy?

China is understandably furious over the attack. The Chinese people including the students spontaneously protested against the attack and it is reported that they had stoned the US Embassy in Beijing. The US Consulates in other places were under attack by the enraged Chinese people. In Beijing the US Ambassador was summoned 'urgently' to receive an official protest over the bombing of the Embassy in Belgrade. China has been consistently opposing NATO's air strikes from the beginning as it constitutes a violation of the Yugoslavia's sovereignty and the UN Charter. They maintain that Kosovo is an integral part of Yugoslavia and outside intervention is permissible only under the cover of the UN.

NATO has no unilateral right to take armed action against Yugoslavia. However, the critics say that although China takes a public stand on international law and practice, its view on NATO's action on Yugoslavia is clouded by its own perception on the right to integrate forcibly its rebel province, Taiwan within Beijing administration. There appears to be a lurking fear that if China decides to do so in future, the US will come to the aid of Taiwan under the security pact between the US and Taiwan. To the Chinese leadership, this is not acceptable as Taiwan is a part of China.

It could be argued that the attack on its Chinese Embassy will further harden China's stand on NATO's air strikes. It could have deleterious effects on NATO's attempt to involve the Security Council to end the conflict. After all, China is not an ordinary member of the UN. It is one of the five permanent members of the Security Council of the UN with its 'veto' power. China is able to kill any substantive resolution of the Council in any matter, whether it relates to Iraq or Yugoslavia. This formidable power under the UN Charter provides China a great leverage to influence any international situation before the Council and the other four permanent members, the US, Britain, France and Russia, must take account of this reality.

The glimmer of hope which elicited from the agreement principles by the G-8 countries including Russia on May 5 in Bonn for a diplomatic solution on

Kosovo could evaporate if China does not agree. It was conceived that China would accept the agreed Bonn formula as Yugoslavia's traditionally ally Russia came on board with the NATO countries. But the senseless attack on the Chinese Embassy may change the whole equation.

Following this attack on the Chinese Embassy, it is not unlikely that a crack in the unity of NATO alliance of 19 countries may emerge. This senseless accidental incident could be roused, fed and directed to arouse the resentment among the public for NATO's ongoing military action. As a result some of its member-governments under the pressure of public opinion may perceive that NATO's military adventurism has not been able to protect the civilian targets nor were they able to prevent a humanitarian crisis in Kosovo. If this perception is maintained, a few of them may not support NATO's military action against Yugoslavia and NATO will be in big trouble.

Yugoslavia's leaders must be laughing at the monumental error of the attack on the Chinese Embassy in Belgrade. They must derive delight at the discomfort of NATO leaders. A view prevails that Yugoslavia's leaders will now make their best efforts to convince China that some of the principles agreed in Bonn by the NATO leaders and Russia were not acceptable to them. Yugoslavia may seize this opportunity to dilute the agreed framework with the support of China in its favour. Whatever principles were agreed upon, they are merely the bare bones and need to be fleshed out with the approval of the UN Security Council.

Here in the Security Council I would argue that China could come in a big way if it wants to support Yugoslavia. China could very well maintain that the principles of territorial integrity and sovereignty of Yugoslavia are likely to be compromised if the Serbian forces in Kosovo are replaced into by the international troops with heavy arms. NATO maintains that it will form the core of the international military presence in Kosovo to which Yugoslavia has strong reservations and China may be persuaded to support this position.

Further, the autonomy in Kosovo could be minimal if

China does not agree to it. (China will view the Kosovo situation in the light of its relationship with Taiwan). Therefore, the effect of the attack on the Chinese Embassy could be felt in China's attitude towards Kosovo in the Security Council and NATO stands on an uncertain ground irrespective of the agreed Bonn principles with Russia.

If there is no resolution of the Security Council, the armed conflict, according to NATO, continues and in such situation NATO is bogged down in Yugoslavia. There is no exit route for NATO other than stationing its ground troops to fight with the Serbian forces to expel them from Kosovo.

The other view is that if there is an agreement between NATO and Russia on Kosovo conflict in the Security Council, China may not oppose for the sake of international peace and security. China is a responsible member of the Council and will ensure that the sooner a diplomatic solution is found, the better it is for the Balkans. China does not want to see the war engulfing other countries in the Balkans and Turkey and Russia.

The question is: what is the quid pro quo for China after the attack? There is a view that China may extract concessions from the US on its bilateral issues, such as the membership of China to the World Trade Organisation, human rights issue and the spy scandal involving China. After the attack of the Chinese Embassy, it is likely that the Clinton administration is expected to placate China taking a softer stand on these issues to get China on board for adopting a resolution in the Security Council on Kosovo.

So long Russia was perceived by NATO to be the holder of the key to the solution of the Kosovo conflict. After this attack one could argue that China holds the other key. Whatever may happen, the bottom line appears to be that the attack on the Chinese Embassy in Belgrade will have a bearing in China's attitude in the Security Council on Kosovo conflict. NATO's action is not only irresponsible but also appears to have put a few spanners in ending the conflict soon.

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Has Democratic Governance Failed?

by Justice A Hasib

FROM 1971 upto 1975 we had parliamentary system of Government with the Prime Minister exercising all executive powers. By the 4th Amendment, Presidential system was introduced wherein the President, vested with all the executive powers, started governing the country by one party known as BAKSAL, that is, Bangladesh Krissak Samik Awami League. After the change in 1975, the Presidential system of Government continued with multi-party arrangement both under the BNP and JP till the reintroduction of Parliamentary system in 1991.

There is nothing wrong with changing the system of Government as long as it is allowed to work according to the principles of democratic norm. When both AL and BNP agreed in 1991 to revert to Parliamentary system, people had great expectations for a better governance from AL and BNP through co-operation, accommodation of opposition demands, tolerance and respect for each other's opinion and that Parliament would become the centre for discussions on all matters. But people's hopes and aspirations received a great blow in this respect. In the 1991 election BNP came to power. AL, as the biggest party in the opposition, started acting against the very norm of Parliamentary system. Instead of co-operating as a shadow government for the future, it embarked upon negative politics. It polluted the democratic environment by showing lack of tolerance and respect for opinion of others. It called hartal after hartal. It did not allow BNP to govern the country peacefully. Instead of pointing out BNP's manifold failures and bad governance in many matters, AL mostly indulged in the politics hartal and finally resigned en masse from Parliament.

The story of failure of democratic governance continued. When Awami League formed Government in 1996, it coined a new idea of Government by consensus which is alien to the constitution. It took the sole MP of JSD and one MP from JP even though these parties had different election manifesto. How could AL see fit to implement such an idea when it had its own majority in the Parliament to form Government by its own members and to implement its own election

promises? BNP refused to join the so called Government of Consensus for reasons of its own. But AL inducted two MPs of BNP and made them Ministers by violating the constitutional provisions.

Moreover after election of the 30 women members, AL had absolute majority. Where lied the necessity of the Prime Minister to take the two MPs of BNP? Was it a democratic norm? Can these ministers from other parties show under what authority or law they are holding these public offices as required under Article 102(2)(b)(ii) of our constitution? They are certainly not technocrat ministers as provided in Article 56(2) of the constitution. The Prime Minister had the majority to form Government with her own members and she knew that there was no provision for the so called consensus government in our Constitution or taking in other party's MPs the way it was done. So there is no doubt the norm and convention of Parliamentary democracy was violated by the Prime Minister herself. The purpose of this so called consensus government appears to be as a clever move to weaken the opposition. But in a parliamentary democracy we need a strong opposition ready to take charge of running the country if the party in power fails to do so. This is a very important norm or convention of Parliamentary system. In fact, successive Governments have failed to follow this democratic norm. Accommodation of the other's views, be it a foreign policy matter or local polls, or passing of an important legislation, is important in a parliamentary governance.

When the Chairman of JP requested the Prime Minister to let go its MP and also requested the MP from JP to resign and serve the party as Secretary General, as he then was, neither the Prime Minister nor the MP concerned, who is also a cabinet minister complied with his request. Where is the consensus then and with whom? Is it the consent of the MP or the party which nominated and made the MP that can make a so called consensus Government? This was not the kind of Parliamentary form of Government agreed to in 1991 when AL and BNP abandoned the then President-

tial form of government. Circumstances for running the Parliamentary democratic system thus changed from bad to worse.

As a result of what AL did when BNP was in power, BNP and others are likely to start 'oust government movement' soon. They have already given few hartal calls which AL resisted, resulting in killing of many people including some students. AL is determined to keep control of the streets. AL, which once resorted to 173 hartals while in the opposition, was not resisted in the way BNP and others are being now. Now AL says hartal is no more necessary. The question is: if hartal is not necessary, then, why not pass a law, as demanded by the JP Chairman, declaring as illegal for all, whether in power or out of power? The people understand this double standard of AL. All this is designed for sticking to power. If that is so, then can we say that democratic Governance has failed or we ourselves have failed to make the system work?

When two MPs of BNP were taken in by AL without the consent of the party which nominated them, the Speaker did not refer the matter to the Election Commission under Article 66(4) although it is clearly written: "If any dispute arises as to whether a member of Parliament has, after his election, become subject to any of the disqualifications mentioned in clause (2) or as to whether a member of Parliament should vacate his seat pursuant to article 70, the dispute shall be referred to the Election Commission to hear and determine it and the decision of the Commission on such reference shall be final." BNP raised the dispute but the Speaker did not consider it to be one. Will the Speaker please tell us what would then constitute a dispute and how democratic Parliamentary system could run without following the provisions of the Constitution?

Clashing Hill Tracts Bill for amending the existing three Councils and creating a new Regional Council was proposed as 'Money Bill' and the approval of the President of the country was managed to place the bill for discussion in the parliament as such. Although, the bill was

originally passed in 1986, as 'other bill' this time it was surprisingly placed as Money Bill. When this was detected by the President, he took 13 days to give his assent to such an important Bill. This is because since it was passed as Money Bill, he had no alternative but to assent to the bill under Article 80 of the Constitution. If it was passed, as it ought to have been passed, as 'other bill', the President could send the bill with his comments back to Parliament as he has recently done in the case of amendment of the Civil Procedure Code.

Since BNP was absent during the passage of the bills and JP MPs were shouted down by AL MPs through paltan type harangues, the passage of the bill was rather easy for AL. But there was no doubt that the provision of Article 80 was violated first by managing the approval of the President to present it for discussion as money bill and then obtaining his assent as such. The Speaker also cannot absolve himself from Constitutional responsibility for certifying it as Money Bill under Article 81(3) of the Constitution. Thus, Parliamentary democracy, difficulty from time to time in this way even in passing important legislation also.

Democratic parliamentary governance badly needs to be institutionalised through Parliamentary reform. This should necessarily exclude the drawbacks mentioned above and include, among others, the legislative reforms particularly in the field of by-election, Election Commission, ID cards, election of the President by secret ballot instead of open ballot inasmuch as all elections from village Council to Parliament are held by secret ballot. Reforms in other fields, particularly in economic and social fields are also necessary to free the civil society from possible conflict due to increased number of horrible crimes, law and order deterioration, corruption in almost all departments of the Government, patronisation of violence by godfathers, insecurity of life and property of the citizens, oppressions of the dissenters, violations of human rights and rule of law, blatant use of police as an extra judicial force to suppress the opposition and intolerance of other's opinion both in politics and religion.

Compensation Administration The Motivations of an Executive

by A B M S Zahur

THE development of the modern-day executive resulted from the impact of two powerful forces: the gradual displacement of the entrepreneur by professional management and the need for a functional development of individual skills that resulted from industry's growing complexity. With the passage of time the professional managers and the remaining entrepreneurs found further specialised help necessary. A steady expanding group of functional specialists have climbed the organisational ladder: purchasing, traffic, engineering, research, personnel, budgets, and market research etc.

Compensation administration involves a reasonable understanding of executive motivations to put financial rewards in perspective vis-a-vis the other motivational elements that make a man tick, for the value of money as an incentive has declined steadily. The freedom of management to reward outstanding performance has been restricted by the increasing proportion of the total payroll that accrues to the individual simply because he is an employee.

One of the basic executive motivations is the challenge each of us finds in our work. Essentially one is motivated to do increasingly better work for the sheer satisfaction of accomplishment. If the effectiveness of this deep-seated motivation is to be maximised the executive must know the purpose and scope of his assignment. The chief executive who refuses to use organisation charts is undermining motivation by making it difficult for the individual to understand the scope of his responsibility and authority. Enthusiasm for individual job charts has been somewhat dimmed by experience with the traditional 'job descriptions', widely adopted incidentally to job evaluation programmes. The following weaknesses have been identified in them:

- Rare recognition of critical elements in the enterprises making for profits or losses.
- Often ignoring decision making and decision influencing process.
- Non-discrimination between important and unimportant responsibilities.
- Frequent failures to deal effectively with joint responsibilities.

Executive motivations is the urge to achieve leadership. As in the case of other motivations, the urge to leadership covers a broad spectrum of intensity. This motivation can keep an old man of 75 to work from dawn to dusk. The leadership motivation, however, is a frail flame. It burns brightly in many a young executive on the lower rungs of the executive ladder but flickers, and all too frequently, dies under the increasing buffeting of competition on the higher rungs. Many a flame has been snuffed out on the lower rungs by poor leadership higher-up. Thus quality of leadership itself has important motivational value.

The top man sets the pattern for the group. If he is competitive, profit-conscious, aggressive, and an innovator, these qualities will usually be present among his subordinates. If, on the other hand, the chief executive is tolerant of poor results, and does not work very hard himself, company environment will reflect his image. One of the critical responsibilities of leadership is to establish goals and to attain them. These goals run the gamut from work habits. An executive who does not know what is expected of him frequently sets easily attained goals for himself. The leader who sets specific goals is likely to get better results. Targets that stretch the capacity of the individual have higher motivational values than those permitting a more relaxed effort.

The setting of high goals and high performance standards is consistent with another key motivational element: the will to excel. The spirit of competition is also effective as a developer of outstanding performance in the business world. The most competitive companies in any industry generally have highly competitive chief executives.

Though public utility industry is essentially non-competitive, some such companies may develop highly competitive internal relationships. Many companies undermine their competitive environment directly or indirectly setting up 'crown princes' who receive preference in promotions. Prevalence of such condition dulls the sharp cutting edge of the will to perform at peak capacity. One of a leader's key responsibilities is to encourage his followers. At the same time he should also be careful about discipline. Fear is a powerful motivation for improvement. In fact discipline based on fear is a spur to progress. Financial motivation is also one of the key executive motivations. Money is a motivation that has many facets and means many things to its recipients. The man who has done outstanding work expects to be financially rewarded. The greatest impact of the money motivation on the executive group results from consistent administration of promotion, salary, and bonus to reflect the performance of individuals. If this is done effectively compensation administration becomes an instrument for targeting the efforts of individual executives on the objectives of the business, as well as a stabilising ally in the development process.

The individual executive's reaction to the various motivational elements varies widely at different stages in his career. The young executive reacts strongly to direct financial incentives that only mildly motivate the executive in the final decade of his active years. Executives who have fallen behind those in their age group on the organisational ladder frequently do outstanding work when given encouraging leadership.

The deep-rooted urge to be a leader is subject to significant influences that result from environment. The executive who has always worked in a committee-run company tends to lose touch with the need for leadership to maintain discipline, to hold individuals accountable for their actions, because a committee-run decision is no one person's responsibility but the shared responsibility of all. Most chief executives use the various motivational elements instinctively rather than consciously. This does not mean that such leadership is less effective. However there is growing evidence that competition is forcing a more effective utilisation of all executive motivations both financial and non-financial. Since the demand for industrial leadership far outstrips the supply of 'born' leaders, the need for a conscious use of the motivational elements is developing rapidly.

Chinese Premier's Recent Visit to the US

by A S M Nurunnabi

THE nine-day visit to the United States by the Chinese Premier Zhu Rongji was the first visit by a Chinese premier in 15 years. Coming in course of the second week of April amid yet another chill in Sino-American relations — as international observers noted fuelled not only by charges of espionage, but also by trade disagreements and the NATO bombing of Kosovo, the visit seemed doomed from the beginning. In the view of such observers, neither the domestic critics nor President Clinton's were inclined to grant either leader the flexibility necessary to move relations forward. "The visit," according to a former State Department official, "demonstrates the fragility of normal ties between the two countries. But by hanging tough now, the two leaders may have strengthened their hands at home, and may be able to improve relations in the future."

Several times, the Chinese Premier insisted that his primary goal was to clear the air by speaking directly to the American people. That he did. At the first stage of his tour at Los Angeles, audiences marvelled at his quickwitted and easy manner — a warmth that has always been one of Zhu's strengths. In Washington, a Republican Senator observed, "It was a great political touch. He certainly topped Gorbachev's performance in 1987." If nothing else, it was felt that Zhu could walk away knowing that he left an impression — carefully fostered — as someone that Washington could work with.

Yet as observers noted, China's economic czar that he was widely known as such, failed to win the one prize he had hoped to take back to Beijing: formal US backing for the Chinese bid to join the World Trade Organisation. The Chinese, of course, promised to lift restrictions on the import of American agricultural products, including wheat and citrus. They agreed to open up 24 Chinese cities to foreign insurance companies, to break up state-run China Telecom, and to expand significantly the number of flights between the two countries. American

telecommunication companies can now control Chinese cellular telephone firms and Internet companies. The two sides vowed to try and resolve all outstanding issues by the end of the year.

But those issues that do remain-like allowing US brokers to operate freely on the Mainland and Hollywood to distribute its movies are not the only or perhaps even the largest obstacles to an agreement. "In my view, the gap between the two sides is really already not very significant," said Zhu at a joint White House press conference with Clinton. "If you want to hear some honest words, the problem does not lie with some big gap, but with the political atmosphere. Of course, Zhu knew that before he arrived at the US. In a previous newspaper interview, he acknowledged that there were some Americans "who do not welcome me to their country," and even some Chinese "who may not be very happy to see me visit the US." Zhu's address in China had become increasingly resentful of what they saw as an unwarranted tide of China bashing in the US. That anger, intensified by outrage over NATO's intervention in Kosovo, nearly kept Zhu at home. He said he took something of risk by coming at all, as the Chinese President Jiang Zemin gave the final go-ahead for the trip.

Nor did Zhu expect much sympathy in the US. As usual, human rights groups planned protests for each stop on Zhu's six-city itinerary; hundreds gathered across the street from White House during his visit. This time, their voices were joined by a broad range of political heavyweights — from Republican legislators and presidential candidates to Clinton himself — none of whom could afford to be accused of being "soft" on Beijing.

Clinton struggled awkwardly to temper the rising frenzy against China's policy. "We cannot allow argument to lead us towards a campaign-driven cold war with China," he warned shortly before Zhu's arrival. "No one could possibly

gain from that except for the most rigid, backward-looking elements in China itself." At their joint press conference, Clinton did chide China for its recent crackdown on pro-democracy activists, and he encouraged Zhu to visit Taipei personally to ease tensions across the Taiwan Straits.

The White House was well aware of how little room it has to maneuver at the moment. Many business leaders warmly welcomed the trade concessions made by the Chinese to Washington, and would like to see China brought into the WTO as quickly as possible. Others at least had a healthy respect for the challenges facing Zhu. But an odd and ad hoc coalition had developed between labour and environmental activists and conservative Republicans with both camps insisting that China not only lower all the trade barriers but clean up the rest of its act as well. A veteran Republican Representative posed the question: "Why should we believe that China will keep its promises for WTO? If a government breaks its promises to its own citizens, if it breaks the international rules for civil and political rights that it had accepted formally, why should we trust in mere promises?" Faced with that kind of opposition, Clinton knew he could sign nothing less than an airtight agreement.

In a speech punctuated by glib bursts of humour, Zhu told an audience at the Massachusetts Institute of Technology that they had nothing to fear from China either economically or militarily. He acknowledged many of the issues that have added tension to US-Chinese relations, among them human rights and alleged espionage.

"China is not the potential adversary or enemy of the United States. China is your trustworthy friend," Zhu said. In the wake of allegations of Chinese spying at an American nuclear laboratory, he said he had been told by President Clinton that the United States has about 6,000 nuclear weapons while China has between 20 and

30.

Zhu tried to calm fears that the trade deficit with China had grown too large. "Don't make such a big deal out of this trade deficit," he said. "This is not such a serious problem." The US government pegs the deficit at about \$175 billion but Zhu said official Chinese estimates placed it at about \$121 billion. He also described independent analyses that found the deficit to be about \$135 billion. Zhu said the size of the deficit is exaggerated by the fact many of the products China exports are made of imported raw materials. Zhu urged the United States to lower restrictions on high technology exports to China, pointing out that Japan and European countries send far more high technology products to China than the United States.

Zhu came to the United States in hopes of gaining US support from admittance to the World Trade Organisation. Negotiations early in the visit failed but at a later stage he spoke to the US president by telephone and administration officials said they hoped to reach a deal this year.

Despite Zhu's craving for a deal, the important question is whether Beijing is in the mood for much more compromise, particularly on the human rights issue. On the day the Chinese Premier left for America, officials in Beijing announced the postponement of the trial of a former mid-level cadre detained last July after calling for political reform. But observers felt that the goodwill gesture was limited. It was also felt by observers that the social tensions that were fuelled by Zhu's own reforms only promised to make authorities even more edgy and intolerant.

On the other hand, no one yet knows whether the evident camaraderie between Clinton and Zhu will mellow attitudes on either side of the Pacific. But as both leaders were quick to reiterate, at least they could manage a frank and cordial airing of views — that has been in short supply in recent months. "We believe that maybe the friends that are able to say 'No' to you are the best for you," Zhu told the White House.

by Jim Davis

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