

abstracts

Power, law and justice in an area of perplexities

A. M. Hespanha

(pp. 7)

It has been recently stressed that power is shifting (A. Toffler). The main topic of this article is that perhaps more than power itself, what is shifting is social representation of power. Political theory has, since the late 19th century, considered power as concentrated in a paramount pole, the State, and managed by professional clerks, the politicians. All the other dimensions of power have been neglected; politics has been separated from life. Now this model is in an open crises: representative democracy is misbelieved, politicians and parties are under suspicion, electoral abstention is rising all over the world. New, more «person and everyday life oriented», forms of conceiving political action, are arising; individuals tend to become more and more the center and the motor of politics, individual virtue playing then a more central role in political action, as it has played in the conceptions of the founding fathers of liberal political thought.

Political decision-making process and law drafting: application to Macau

J. A. Oliveira Rocha

(pp. 21)

In a time of deregulation the law continues to have a fundamental role as a means to implement the public policies.

However, its goodness and efficacy depends on the conformity with values and aspirations of the society which intends to regulate. This observation is specially important on the case of Macau, a political system which aggregates several cultures.

This paper concerns the problems with the adoption of the law, as the adequate process to implement the public policies.

The principles of Chinese criminal law in comparison with the common law system and the legal continental system

Xu Yiren

(pp. 31)

The Portuguese criminal law applied in Macau is integrated in the continental legal system. Inside this penal code, the several principles, as the legality, the proportionality and the consideration of both subjective and objective elements in the determination of criminal

responsibility, of individual criminal responsibility and of not to extend any implication to other persons, are considered. Actually, the reviewing and preparation of laws adapted to the territory, such as: penal code and code of criminal procedure, are in progress in order to localize the laws.

From the author's analyze, about common law and continental legal systems, and the Chinese criminal law, will result a contribution for a better clarification, debate and revision of this thematic.

Analysis of tax system of Macau: evolution and perspective

J. H. Paulo Rato Rainha (pp. 57)

In the most of the countries or territories with financial autonomy, the tax system, being or not a coherent system, constitutes the main source of public revenues. Having in mind, the general objectives of the tax systems and the evolution trends in tax reforms, the characteristics of direct taxes and fiscal incentives to the investment are analysed.

After detailing the changes introduced to tax regulation of Macau territory in 1978-1990, associated also with changes in the fiscal bodies, suggestions about alternatives systems of industrial tax, complementary tax and professional tax are presented and procedures to be followed by the fiscal authorities are also suggested.

Macau, an exchange bridge between China and the Latin World

WangHai (pp. 127)

The author refers the importance of Macau as a bridge for the interchange between China and East Asia and the outside world.

The China economy, in an expansion phase, due to the open policy to the outside world, needs ways to export its products.

Hong Kong has been the link between China and the angle Saxon countries. Macau, spite its size, can be gateway from China and East Asia countries to the Latin countries, spread by the European, American and African continents.

O regresso do Amacao

Nelson dos Santos António (pp. 143)
Virgínia Trigo

The authors describe, concisely, the organizational structure of the Japanese Keiretsu, specially emphasising the role of the Sogo-Shosha.

According to them, the big ship Amacao is the physical representation of the Macanese trading community (XVI and XVII centuries) which, in fact, had a very similar behaviour to that of Sogo-Shosha.

Time has come for Macau to take advantage of the experience of such a successful neighbour, making the big ship return in order to look for a new Amacao.

East West relations seen from Macau

Gary M. C. Ngay

(pp. 155)

Not many people in the world know that the tiny enclave on the Pearl River Delta — Macau, since the 16th century, after being opened as the first foreign «concession» in China, became the first contact point between East and West through the sea route. The Jesuits did an excellent job in the two-way cultural exchange, bringing Western knowledge to China and translating Chinese classics to the West. The consequences of the cultural interflow were different in East and West, leading to growing discrepancies, social conflicts, wars and aggression. It also sparked great debates among Chinese intellectuals for national salvation and modernization, from Wei Yuan, Kang You-wei till Sun Yat Sen, who finally succeeded to put an end to the last of China's 25 dynasties, but still leaving the tasks for national independence, democratization and social reform to be completed by the younger generation, through a long period of conflicts and wars. Autocracy as the main obstacle for modernization, continued to survive until today in China, sparking continuous debates of how to apply Western knowledge to old Chinese traditions, the blending of East and West to create a better system and a better future. The history of Macau of more than 4 centuries, showed how it could and should be done, hoping that its glorious role as a bridge between East and West could be preserved and developed further into the next century.

The maritime silk road and the extensive international trade of Macau, since the end of Ming dynasty to the fall of Qing dynasty

Yang Renfei

(pp. 179)

The period between the end of Ming dynasty (17th century) and the fall of Qing dynasty (beginning of 20th century), is associated with the expansion of the maritime routes all over the world, with the strengthening of West influence over the East and the establishment of world trade.

In this historical environment, the millenary silk maritime road, the way to interchange between China and the rest of the world, also registered important changes. This road with the development of Macau port and with the increased demand of silk products in the world markets, became more significant being a large trade international way mainly for silk and porcelain products.

Macau was the center of this via and the coastal border, specially Guangzhou and even all mainland, start to expand towards Pacific, Indian and Atlantic oceans. This via, has no precedent in the history. This article, tries to make an analyze of the creation, development, characteristics and influence of this trade maritime road, focusing

also the trade development between China and the foreign countries, during the above period.