

abstracts

The Portuguese Language and Culture in Macau and the Institutions Pursuing Their Objectives in the Present and in the Future

Jorge Rangel

(pp. 725)

To understand the situation of the Portuguese language and culture in Macau, it is necessary to remember the Portuguese presence in the Territory for over four hundred years and the cultural characteristics of the Chinese local inhabitants as well.

In the Sino-Portuguese Joint Declaration on the Question of Macau, signed in 1987, were defined the means aiming at preserving Macau as the landmark of the dialogue between the Orient and the Occident. Thus, the Portuguese language diffusion policy plays a key role and has been a concern of several organisms of the Territory, such as the Instituto Português do Oriente (Portuguese Institute of the Orient), Fundação Macau (Macau Foundation), Instituto Politécnico de Macau (Macau's Polytechnic Institute), Direcção dos Serviços de Educação e Juventude (Office for Education and Youth), Direcção de Serviços de Administração e Função Pública (Office for Administration and Civil Service), Centro de Difusão de Línguas (Languages Diffusion Centre), Universidade de Macau (University of Macau), Escola Superior das Forças de Segurança de Macau (Macau's Security Forces College) and Escola Superior de Turismo (Tourism College).

Accreditation of Higher Education Courses in Macau and the Localization of the Administration

Rui Rocha

(pp. 739)

The processes of transference of sovereignty from former colonial possessions to Asian independent states experienced, at least, formally, the same phenomena, and had to face the same problems related to the localization of their administrations and to the implementation of bilingual or multilingual policies.

In this article, the author describes the development of these issues in Macau as well as the relevant role played by the accreditation of higher education within Macau's Administration and in the generalization of bilingualism in the public offices.

The intergovernmental conferences of 1909 for the delimitation of Macau and its meaning within the frame of the Sino-Portuguese relations

António Vasconcelos de Saldanha

(pp. 753)

It is the author's opinion that the Conferences of 1909 could and in fact should be studied as a crucial point in the history of Sino-Portuguese relations on which converge a series of events that took place during the "Open Period" , following the ratification of the 1887 Treaty.

For those learned in International Relations or International Law, the Hong Kong Conferences have an objective and intrinsic value. In fact, one may say that the events that took place in Hong Kong and Beijing, in the second half of 1909, are a clear reflection of the origin of many problems plaguing of international relations up to the present day. Hence, the psychological value attached by nations to the concept of territory, often disproportional to its intrinsic economic or strategic value, can subvert or even neutralize due to sheer and dangerous motives, such as national pride, the positive effects of the international moderation and peace mechanisms. Such behaviour leads to a loss for the whole of the international community. The loss of Peace and Harmony.

Macau Status Quo — Elements for a Historical and Cultural Analysis

Luís Filipe Barreto

(pp. 777)

"Macau Status Quo — Elements for a Historical and Cultural Analysis " attempts to contribute to a better knowledge of Macau, and to a reasoned understanding of its present and future possibilities. The knowledge and understanding of the Territory's present and future situation imply a historical and cultural knowledge about the origins of Macau, about the sixteenth and seventeenth centuries which gave birth to this autonomous and international port, and which determine a possible future up to the mid twenty-first century.

Modern day societies and the fight against crime: Some reflections on the nature of the sentence and the prisoner's judicial stand

António Correia Marques da Silva

(pp. 787)

From a text by the Portuguese writer Miguel Torga:

"A prisoner who has returned [to society] after a long incarceration, and who reminded me of a survivor from distant times. More than a reflection of the limited space he is confined to, a prisoner is an ever more faded image of himself, as his personality is waged down by Man and Time. First comes the policeman who arrests him; then, the judge who convicts him followed by

his jailers who despise him; in the end, it is the prisoner who resigns himself to his fate... It is Time, however, that takes the greatest toll. Before, the hours were slow. A prisoner freed after 30 or 40 years of imprisonment, would return to his own times. Now it is no longer so. Nowadays, History changes the course of the world within a week. He who returns from the dungeons is left behind, unaware of the advancements that have occurred in technology, in history, in morals and of the humanity itself. He returns as a caveman." *This and other texts from Miguel Torga are the starting point for a series of reflections by the author on the concept of crime, the branding of behaviours as criminal/not criminal, the nature of sentences and the abolition of the death penalty in the juridical system of Portuguese pattern. The author also analyzes the prisoner's juridical position, in face of measures restrictive of his freedom, as well as the purpose of the said measures aiming, namely, at his social reintegration, setting forth some personal views on the penal code and the sentences enforced in Macau.*

Synthesis of the Juridical System in force in China

Zhao Bingzhi and He Xingwang

(pp. 803)

It is beyond any doubt that social relations among peoples are regulated by the existence of laws. In China, due to the nonexistence of a coherent juridical system, most of the citizens were victims of the dominant powers arbitrariness. Only in the middle of this century, did the governors of this vast country start to enhance the existing laws, bringing into force new and more modern ones in harmony with the present time.

These measures were implemented under the Great Cultural Proletariat Revolution. In this article the authors give us an idea of the evolution of the Chinese Juridical System, as well as of the Chinese Legislative System, Legislative Structure, the Legislative Procedure, the Legal Revision Procedure, the interpretation of the administrative ordinances, and also of the Juridical System and its Juridical Structure.

Some aspects of the Family Situation as a Tax-Payer within Macau's Fiscal System

J. Herminio Paulo Rato Rainha

(pp. 827)

The author presents a brief analysis on the way Macau's Fiscal System has been dealing with some aspects concerning the family situation and its legislative framework within the laws regarding the political and administrative organization of the Territory. Having in mind the fundamental law for Macau's policy on family, which establishes the main principles as far as family is concerned, the protection for the family as a community, the family's right to associate and family social, economical and cultural promotion, the author describes and compares the tax legislation and relates it with the development and application of the referred principles.

In this description of the tax legislation framework regarding household or the family, we are aware that as for the taxation on incomes and on family properties there are only specific rules for two taxes. If taxes are levied on the inherited family properties (capital transfer tax) the value of which is close to the effective or real value of the properties, it can be considered as an excessive tax which is not in agreement with the rule aiming at the maintenance of family property which is established in the law regarding family issues. If we compare the regulations laid down for the income tax with the fundamental law itself, we notice that some of its elements are not consistent with the principle of equal rights of husband and wife, and with the principle of protection for starting a family. In fact, due to the progressive nature of the taxes, when husband and wife have separate incomes, the latter are more heavily burdened with taxation than if they were taxed separately.

Thus, the author comes to the conclusion that, in order to achieve an effective taxation, according to its regulations, it should be necessary to establish an administrative organization aiming at that purpose. Thus, concerning Macau, the author suggests that the fiscal administration should put into practice a system easy to be run and easily understood by the taxpayers, and therefore taxes to be paid by the members of a family should be separated. The author also suggests that according to a general principle of protection for the family, the tax's structure should not penalize the family. Other political organs should support directly and effectively the family, so that it may meet its basic and real needs.

China's transition into a market economy: the quest for a third-way
Arnaldo Gonçalves (pp. 853)

Under the leadership of Deng Xiao Ping, in the late 70 's, China embarked on a crucial process towards the construction of a modern, developed country reconciled with the international economy and an active party in the creation of a global economy, shaped by co-operation and reliance. Following a rather long period of isolation from the West, marked by commitment to the ideological fight and the search for a new path in the construction of a socialist country (as a result of the ideological chism that opposed China to the Soviet Union and its sphere of influence), this realignment of China, took the West by surprise. A ware of the role that China is to play in the coming century, namely in the Pacific, Western countries have not spared praise on the pragmatism of the new, reform-oriented Chinese leadership.

The author attempts to analyze the various stages of development of the Chinese economic model —from its early days, with the establishment of the New China in 1948, to the implementation in the 80's of the foundations of a market-oriented socialism.

The author proceeds by identifying the policies adopted, their objectives, successes and failures and, by assessing the role of the key-political characters in regard to the development model to be followed, an issue yet to be clearly defined.

It is the very nature of this conceptual model, that lays at the core of the duality faced by China, when opting for a market-oriented socialism, of Chinese characteristics — a breakaway from the socialist path, a rupture with the Marxist ideological premises or, a third-way that ensures the survival of socialism as an alternative political economy model to the increasing hegemony of post-industrial capitalism.

Macau's Detective Force

Fernando Passos

(pp.901)

This article is a brief account of the establishment of Macau's Detective Force, on 19th August, 1960, focussing on the organizational aspects and human resources.

Several aspects related to the selection of personnel and vocational training are also approached, and a brief comparison between the Escola Prática de Ciências Criminais (Training School for Criminology) and the present Escola de Polícia Judiciária de Macau (Macau's Detective Force School) is made.

