

abstracts

Social Rehabilitation in Macau

António Ganhão

(pp. 663)

In this article the author tries to convey what he understands by the concept of social rehabilitation for individuals with deviant behaviour as practised in the penal and borstal system. The success rate of rehabilitation benefits the individual as much as it does society and because of this there should be no doubts as to the need for it to be used.

The article traces the history and development of the social rehabilitation system in Macau and closes by describing the set of social rehabilitation activities in which each of the sub-units (Coloane Prison, the Borstal Institution and the Social Rehabilitation Department) is involved at present as well as those activities which will be introduced in the near future.

Criminal Penal Procedures in China and in Countries following the Continental Legal System

Li Peiliu and Ye Ding

(pp. 689)

According to traditional theories, the laws of different countries correspond to different legal systems: continental, Indian, Islamic and socialist. The Portuguese laws in force in Macau belong to the first group, the continental.

In the late forties, China began to bring in socialist laws influenced by the Soviet laws. Russian law also belonged to the continental system and this is why Chinese law has some similarities with other countries which have adopted the continental system such as Germany, France and Portugal.

This study tries to compare China with countries using the continental system in the field of dealing with criminal convictions. It identifies similarities and differences in order to collate data which will aid research on Macau's penal law.

The Major Challenges in Localising Justice in Macau

António Manuel Macedo de Almeida

(pp. 703)

The signing the Sino-Portuguese Joint Declaration marked for Macau the beginning of a historical period which will be substantially different from any in the past, a period which will be dominated by

the basic aim of making Macau's autonomy viable and strengthening its own identity.

The policies on justice which are being developed by the Portuguese administration up to 1999 are also influenced by this aim. They are intended to guarantee the future legislative, administrative and judicial autonomy of the Territory thereby creating a dynamic, self-sufficient and all-encompassing justice system which can still be maintained after power has been handed back to China at the end of the century.

This article looks at the steps which have already been taken to achieve this autonomy and outlines the main tasks to be completed in the short term with a particular emphasis on the up-dating of the legislation and translation of the laws.

Localisation of the Administration in Singapore

Rui Rocha

(pp. 709)

The localisation of former colonial possession in Asia is a post-WWII phenomenon which is closely linked to the move to national independence in these colonies.

The main idea behind the various procedures for localisation adopted in these colonies was the programmed substitution of colonial expatriate staff in the civil service with local staff without an disruption in the operational quality of these public services.

The author of this article takes a critical look at one of these procedures for localisation, namely that of Singapore, and points out the different stages in the process along with the strong and weak points.

Localisation of Macau's laws

Chio In Fong

(pp. 729)

The localisation of Macau's laws is a new subject which must be researched in depth prior to the transition period as it is a strategic goal for this period. This article examines the complexities of the various aspects of localising the laws and deals, a task which will have major repercussions for the peaceful handing over of power. Because of this, the relevant authorities must turn their time and efforts to carrying out general studies and producing a specific, viable plan. Therefore, it is necessary to adopt the policies and measures which can best ensure the desired objective is attained.

Localising the Civil Service

Macau Civil Service Association of Executive Officers (pp. 733)

In late 1991 the Macau Civil Service Association of Executive Officers carried out a survey of employees working at executive level

in Macau's Civil Service. The survey was intended to look at the various situations of these employees and also to gather their opinions about the general policies for the transition period which the Government has adopted.

Translation and bilingualism: some thoughts on translating laws
Gonçalo Xavier (pp. 755)

The significance of making legal provisions for the official status of Portuguese and Chinese during the transition period has been recognised in the agreement signed by Portugal and China. This agreement defines the political and institutional framework which is intended preserve Macau's way of life, its autonomy and identity after sovereignty has been transferred to China.

This article presents the linguistic problems which arise from trying to express a Portuguese based legal system in the Chinese language, especially since this is understood to be essential for Macau's autonomy.

Macau: An Uncut Damond
Victor J. de Vasconcelos Raposo Calvete (pp. 765)

In 1990 Michael Porter, a lecturer in the Harvard Business School, published a controversial book called «Competitive Advantage of Nations». His research revealed a pattern which had, up till then, been unnoticed: the competitiveness of an economy is not general but rather limited to some specific industries or sectors within these industries. Consequently, Germany is regarded as the world leader in various kinds of industrial equipment, chemicals and luxury cars; Switzerland leads the market in pharmaceutical products, chocolate and various services; Sweden produces the major makes of heavy goods vehicles and mining equipment; the United States has the biggest producers of personal computers, aeroplanes, computer software, credit cards and films; Italy dominates the world market in woollen textiles, leather goods and automated industrial equipment while Japan leads in electrical appliances, cameras, robots, photocopying and fax machines. Therefore, the competitiveness of nations can be reduced to the competitiveness of their companies.

This article does not attempt to discuss the faults in Porter's analysis but rather to present a study which should be examined by those in charge of economic policies.