

abstracts

The Chinese Classical Surrealist Thought

António Hespanha

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The Chinese classical, juridical and social thought is very interesting from several points of view. Chinese classical schools — as well as the discussions generated by them and among them — have marked more than two thousands years of Chinese reflection on the models of organization, and on the political phenomenon itself.

Even nowadays, the great majority of the ideological discussions in China seem to be rather connected with these old debates than with political and ideological discussions of modern times.

In this article the author defines the structural lines of political debate in the Chinese classical culture, and he proposes points for reflection on the discussion about Law and power in the contemporary China.

Changes in the Juridical System Concerning the Settling of Residence in Macau

Carlos A. Neves Almeida

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The settling of residence in Macau implied, as a general rule, the payment of a tax in behalf of the Territory. However, Law included various cases of exemption of the referred tax. One of these cases — which was part of the Juridical System established in 1990 — benefited those who owned a fixed property in Macau, as well as those who had already made a contract to buy it. For the latter case the buyer should submit, within 180 days, the document proving that business was settled. The short period of time to submit the document, as well as its juridical nature, prevents the production of the said document by the buyer, in time, namely in the following cases: 1 — when the construction works of the property are not yet finished; 2 — when the property is part of a building which was not yet legally registered or when there was difficulty in achieving the respective registration, due to discrepancies between the project and the construction work itself; 3 — when the property's buy depends on bank credit, and the registration can only be made after safeguarding the creditor's interests relating to the mortgage, through enacting the provisional mortgage registration, which may not take place due to any of the above-mentioned reasons; 4 — if the seller does not fulfill the terms of the contract (be it by delay or refusal) and the buyer had the right to get a court order to compel him to sell the property. As cases of this kind occurred frequently, the laws ran the risk of becoming ineffective.

In order to present a solution to these apparent problems inherent to the law, the author of this article tried to characterize the proof demanded by law, the legal alternatives and their extension according to the law in force since 1990. Besides, he also analysed the aim of the recent alterations made in the juridical system relating to the settling of residence in Macau, since the 1st November, 1995.

Evolution of economy and employment: new challenges to the educational systems in the beginning of the 21st century

Roberto Carneiro

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The outline of the educational policy does not emerge from the political and hierarchical bureaucracy as an enlightened impulse. It is rather the reflection of a broad and dynamic consensus which results from the social negotiation in a democratic context. Therefore the patterns of authoritarian governments, not interested in sharing the national will and in active communities, become unfeasible. Thus, the construction of consistent public policies, understandable and feasible, give to the Societies a real stability with educational strategies — in the long run —freeing them, at the same time, from the erosion of the elections circumstances or from the arbitrariness of the conjuncture. The stability of the public policies is, in this way, much more relevant than the sheer formal stability/continuity of a political majority which is not always in agreement with the guarantee of the fundamental requirement.

If it happens, with the necessary clairvoyance, Education may come as the first item of the Agendas for the construction of our collective future, creating the state of spirit favourable for the community involvement, the generosity of intentions and the enthusiasm which are the real soul of the human purposes and that confer grandeur on the national projects.

China's Opening Policy and the Labour Relations

José António Pinto Belo

(pp. 331)

Due to the major economic reforms that are taking place in the People's Republic of China, the labour relations between workers and employers are evolving in a very fast way, hence becoming a delicate situation which needs tact to be handled.

These facts have been taking place since the beginning of the 80 's, with the creation of the Special Economic Zones, when foreign capitals were invested in the People's Republic of China, namely in the coastal region. Under these circumstances the authorities were compelled to regulate the relations between workers and employers. Some ideas and rules, which the society was used to, had to be altered, making the system more similar to that of the outside world. It has been very difficult to achieve such alterations. The reasons for these difficulties are various, namely, the traditional system still in force, the great difference among the several kinds of enterprises, and therefore the different kinds of management, and the discrepancies existing

between the coastal regions and those inland, which in its whole involve further difficulties.

The author tries to give a general view of the difficulties experienced within the framework of labour relations between workers and employers in the People's Republic of China, and all the efforts that are being made to cope with this problem.

Macau — a special bridge linked to Europe and the Latin speaking world

Gary Ngai

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The author tried to define Macau's role, functioning beyond 1999, as a special bridge linking China with Europe and the Latin speaking world, based on its cultural identity, formed along its 4-century long history of cultural interflow between East and West, carrying strong Latin flavours, which makes it so different from Hong Kong and other Chinese cities.

This cultural identity, is a strong point compared to its economic inferiority, should be preserved and developed by creating a Latin-China centre, which should coordinate local efforts in turning Macau into a language training centre, a data base, a research centre and offering consultancy services in developing trade and cultural links between China and the Latin speaking world. The materialization this role, would depend on the support of the governments, scholars, entrepreneurs etc. from Macau, Portugal, China and the rest of the world. For Macau, no doubt, it is a matter of survival.

Claim and Appeal within the Scope of Macau's Administrative Procedure Code

António Correia Marques da Silva

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In the present article, claim and appeal are analysed within the scope of Macau's Administrative Procedure Code, approved by the Decree-Law n.º 35/94/M of 18th July.

The author refers to the general principle according to which, all the administrative acts, within the schedule period to claim, are liable to be revoked or changed whenever requested. He analyses the grounds of contestation, and legitimacy to exercise that right.

He enumerates the various kinds of contestation's means enshrined in the Code, as follows:

- Contestation;*
- Hierarchical appeal;*
- Unproper hierarchical appeal, and*
- Appeal to a supervising body.*

The effects of the use of the aforementioned appeals, as well as the procedures and periods of time to which the use of the appeals is subjected, are also analysed by the author.

Critical Analysis of the Studies on the History of Macau

Wu Zhiliang

(pp.371)

Macau's History sources are abundant not only in Chinese but also in Portuguese and other languages as well. Besides the research, organization, exchange and translation of the said sources, historians, namely the Chinese and the Portuguese ones, who devote themselves to the study of the history of Macau, are more conscious than ever of the imperative necessity of collaboration and exchange of information among themselves. Hence they have tried to reach agreement on what concerns some points of view which, not long ago, were quite divergent.

Macau's water environmental quality and oceanic ecosystem

Lei Kam Peng

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There are 420,000 people in Macau, with an area of 24 km². Prior to the recent years, Macau's sewage drains off about 110,000 m³/day, to the sea without treatment. On the other hand, the pollutants of the Qianshan River also affected the water of Macau even more critically.

Fortunately, the tide of the South China Sea flushes away part of the pollutants from the Macau water. Moreover, the water itself does have some self-purifications, with the above mentioned water movement, it brings the water quality near Macau, Taipa and Coloane in worse condition, but the water in the southeast of Coloane is comparatively better. Worth noticing is that the water quality affects the quantity and kinds of the organism in the water. Therefore, the organism resources in the water near Macau are less than those further out of Macau's water.

In those few years, a lot of big projects, such as Macau Airport, South Bay Lake, the Sewage Treatment Plant and many reclamation works, were carried out and completed. Thus, they greatly affect the ecosystem of Macau sea. There are good and bad effects to the ecosystem of Macau sea arise from all the infrastructure projects. However, the Water Treatment Plant brings the best effect among all. The writer, gives a conclusion of his analysis that the future of Macau's water ecosystem will be improved optimistically.