

The study of the article no. 23 of The Basic Law of The Macao Special Administrative Region in a perspective of constitutional politics.

Pang Jiaying

(pp. 915)

This paper consists of three main parts. The first part analyzes that Macao SAR would probably run the risk of constitutional crisis if the enacting laws according to Article 23 of the Basic Law was infinitely postponed. It might cause to two states at least, one is the Judicial Authority of Macao SAR getting into jurisdiction trouble concerning the issue of judicial review concerned; the other is the Standing Committee of the National People's Congress having to face the social arguments from it making a legislative interpretation of the provision concerned.

The second part points out that the real way to protect the fundamental rights and freedom of the residents is not avoid to enact law, but appeal to the judicial review of the Judicial Authority of Macao SAR.

In consideration of some people believing that unless there were a democratic government, Macao SAR should not enact laws according to Article 23 of The Basic Law, the third part is to discuss the relationships and differences between constitutional politics and democracy. This part firstly try to make a distinction between coerced and compel, in the author's view, there is no contradiction between compel and freedom. And then, it explores the natures and characters of constitutional politics and democracy. Finally, it points out that the legitimacy of modern state originates constitutional politics but not democracy.

The collective transportation system and the Macao Light Rapid Transit

Lam Soi Hoi

(pp. 937)

The record high growth in recent years has dramatically changed the way of life in Macao. With more and more private vehicles adding into the originally small and narrow road network, Macao is finding difficulties to cope with the increasing demand for road space and to preserve its environ-

ment. A people-centric and public transport-first transportation policy was announced by the Macau S. A. R. government was announced in 2007 and the Macao Light Rapid Transit (or LRT) is to be built as the core mode to provide a more convenient and environmental-friendly way of travel for residents and visitors. Consuming less energy with almost zero emission and low level of noise, the LRT can transport more people in a more sustainable way than the conventional modes of transport, which all relies on limited road space, in Macao. To work with management strategies that will favour public transport, the Macao LRT can help to improve the environment by attracting more car or motorcycle users, therefore cutting down the number of private vehicles on the roads and free up the road space for pedestrians, buses and green areas. Through connecting pedestrian walkways at LRT stations, it will help to ensure that most places, like historical sites, are within walking distances, a culture of walking that Macao can continue to be proud of and a key element to ensure that Macao will have a sustainable transportation system for the continual growth in its economy.

The Legal System of Gaming and Betting in Macao — special contracts

Teresa Albuquerque e Sousa

(pp. 951)

In this article, the writer analyses the law of gaming and betting from the point of view of the contract, especially in the following two areas: first, the contract of gaming and betting according to the article 1171 of the Civil Code of Macao; then, the contract of concession of Credit for the gaming and betting in casino under the law number 5/2004 of June, 14th. The writer also makes a comparison between the legal system of Macao and the one existent in Portugal in order to find out their similitude and differences.

On the Adjustment of Macao's Political Participation Mode

Lin Yuan

(pp. 983)

This paper analyses some recent political phenomena and challenges in Macao and tries to explore the necessary adjustments by the government to keep up with the increasingly democratization of the political environment. The writer argues that in order to consolidate the executive-led system,

Macao's government should fortify the executive power by enhancing its consultation strategies. In order to balance the relationship between execution and legislation, the government should constantly extend and explore access of participation by the general public, encourage the general public to participate in the political process so as to achieve an appropriate level of democratization.

On the Administrative Wisdom of Lu's Spring and Autumn

Lu Xichen

(pp. 999)

Public Administration is a new science formed in the mid of 1990s to achieve the effective social management. In ancient China, although there is no such term as public administration, not to say the systematic theory of public administration, many politicians and thinkers thought over this subject so that the state can enjoy long period of peace and stability, which accumulated rich intellectual resources. The prime minister of Empire Qin in the pre-Qin era had recruited patrons to compile Lu's Spring and Autumn, which is impregnated with great thoughts in fields of public administration. The eclectic masterpiece is based on Dao's thought, combines and interweaves essence of various schools such as Confucious, Mo and Yinyang into a governing strategy which can guarantee a country's long term stability. The essence of the thought is still enlightening today. The article will discuss the main content of the masterpiece.

Concept, Characteristic and Application of Concurrent Crime

Zhao Guoqiang

(pp. 1017)

Concurrent crime is very common in legislation and practice. Macao is no exception, esp. in the fields of legislation. Since legislative techniques of concurrent law are widely used by legislators, the criminal law of Macao bound with clauses of concurrent terms. Macao's criminal law originates from the criminal theory of continental law system. Without knowledge of criminal theory of continental law system, one can never understand and explain Macao's criminal law. Based on this important point, the article combines the general theory of continental law on concurrent crime with the legislation and practice of Macao, and offers a theoretical perspective on this issue. The author hopes that more people can understand and grasp the concept, character and application of concurrent crime after reading this paper.

Academic Journal of Social Science in Macao: Past and Present

Wu Zhiliang

(pp. 1039)

As the earliest city which introduced the technique of printing in China, Macao developed its modern newspapers and academic journals in early stages of its history. This article traces the history of academic journal of social science in Macao and offers a rather detailed picture of the development of social science via the development of academic journal. The author argues that Macao is very important in the early eras of publishing because of its material infrastructure and unique geographic location. But the withering of its position in world trade brought its economic and social development to a standstill, which resulted in the relatively lag-behind of its social science. Macao's social science began to revive after 1986, so do the academic journal. Pragmatism is the tradition of Macao's academic research, and extensive contact with the international world is the lifeblood of its development. The author offers his thought and suggestions on the further development of academic journal of social science.