

# Constitutional Development and the “One Country, Two Systems” Civilization

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## I. Constitution and constitutional consciousness

Few would object that there is a general consensus on and respect for rule of law in modern societies. The rule of law can be tested for its adequacy by: a) assessing how scientific and comprehensive the legal system is; b) the level of respect to rule of law and to the fundamental law in particular. These two criteria test government administration according to law and public commitment to rule of law. The level of protection provided by and public consciousness of the constitution as the fundamental law of the state is the core of all critical factors. Therefore, constitutional development and protection are two sides of the same issue. Adequate constitutional protection inevitably arises from real constitutional development, while fulfilment of protection also serves as an important mark of constitutional development.

Constitutional government is a form of constitution-driven political system, or “democratic political system with constitutionalism at its core. Its key characteristics are constitutional spirit, constitutional system, and universal adoption of constitutional norms in the political, economic, and cultural spheres of the society; true supremacy of constitution as regulating mechanism for the relationship of powers of the state and between state power and civil rights; the universal constitutional awareness and effective prevention of unconstitutional acts.”<sup>1</sup> This means that the adequate legal system and constitution in particular is the critically important basis for constitutional development. Only when the supremacy of constitution is universally respected and fully in force, at its maximum effectiveness, can constitutional development and progress be truly realized. Therefore it would not be an exaggeration to say that constitutional development marks the level of achievement in a country’s modernization and political democracy.

It can be said that with the 1982 Constitution of the People’s Republic of China (hereinafter as “the Constitution”) and four subsequent amendments, China entered a new phase of constitutional development and established a relatively comprehensive constitutional framework with unique characteristics. The establishment of the Special Administrative Region (SAR) further marked a new level of maturity in China’s constitutional development. Allowing the “One Country, Two Systems” policy to be implemented in designated regions while maintaining the socialist system on the mainland of the country is an unprecedented political innovation. It is also a sign of unprecedented strength and supreme confidence.

Protection of constitution is also described as ensuring basic functions of the constitution, i.e.

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“safeguarding the supremacy of constitution and ensuring the measures and system for the implementation of the constitution. They include: ensuring the supreme legal status of the constitution; ensuring that no laws or regulations can contravene the constitution and all state organs, armed forces, political parties, associations, enterprises, institutions and citizens must abide by the constitution; providing strict procedures to amend the constitution; designating organs of authority to interpret provisions of the constitution and supervise its implementation; and defining review regime for constitutionality.”<sup>2</sup> The authority and supremacy of the constitution must be fully established and effectively protected. In this context, effective protection of basic civil rights is a real test of the constitutional authority. Sufficient protection correlates with effective authority. The notion of people-oriented governance has now been widely recognized. However, theoretical acceptance and verbal promises do not necessarily mean actual protection of civil rights and social equality. Many hurdles to understanding and of vested interests need be overcome. Developed countries may not be the perfect model while developing or underdeveloped countries (regions) have more arduous tasks and long road ahead of them.

Central to constitutional protection are constitutional interpretation and review of unconstitutionality. The former refers to “legally effective interpretations regarding the meaning of any constitutional provision by an authorized organ of the state. The need for constitutional interpretation arises from the fact that constitutional provisions are usually laid out in principle with specific implications requiring elaboration so as to ensure adequate understanding and application.”<sup>3</sup> Constitutional interpretation is the most important and complex area in the field of legal interpretation. In China, this function is provided by the Standing Committee of the National People’s Congress (NPC), the legislative body, while in the U.S. this is the role of the federal Supreme Court of Justice, part of the judicial branch of the government. The Federal Constitutional Court of Germany, a special court, as a European example, fulfils the same function.

Constitutional review is an area to which most countries now attach great importance, though there are differences in understanding and approach based on their respective legal systems. According to Western constitutional theories, “unconstitutionality refers to laws or other legal acts enacted by the legislature, or actions of the government agencies or public officials in performing their functions that contravene the constitution. Therefore entities liable for unconstitutionality are government agencies or their public officials; acts of unconstitutionality are subject to constitutional review.”<sup>4</sup> In China, according to provisions in the Constitution and constitutional principles, it is generally accepted that “unconstitutionality mainly refers to the legislative activities and acts in performing public duties by state organs and their staff members that are in violation of constitutional principles and specific constitutional provisions.”<sup>5</sup>

Constitutional review is the most important institutional guarantee to ensure implementation of the Constitution. Most countries have review mechanisms in place to safeguard the supremacy and effective implementation of their constitutions. Such review mechanisms cover: “a) constitutionality of laws and regulations; b) ruling on disputes regarding respective powers of state organs; c) ruling on electoral disputes; d) dealing with unconstitutional acts of holders of public offices; e) constitutionality of activities of political parties; f) dealing with constitutional appeals.”<sup>6</sup> Constitutional reviews fall into the prior and post categories. The former “refers to reviews by relevant authorities of constitutionality of laws and regulations prior to their implementation, applicable during the legislative process or in the course of deliberation for a bill.”<sup>7</sup> For example, in China, regional regulations and regulations on specific matters formulated by the autonomous

regions must be submitted to the Standing Committee of NPC for prior approval. The post review “refers to review by the relevant authorities of laws and regulations for their constitutionality after they have taken effect, which is the most common and basic form of constitutional review.”<sup>8</sup> The laws enacted by the Legislative Council of the Macao SAR must be reported to the Standing Committee of NPC for record according to Article 17 of the Basic Law of the Macao SAR of the People’s Republic of China (hereinafter as “the Basic Law”, and only article numbers referenced if they are of the Basic Law). This implies that the NPC Standing Committee is the only state organ of authority for both constitutional review and review related to the Basic Law.

Chinese citizens living in the SAR enjoy basic civil rights and freedom protected by both the Constitution and the Basic Law, a level of protection therefore far higher than that accorded to citizens on the mainland. A better understanding of, a respect for and defence of the Constitution, coupled with a rational identification with China’s constitutional development progress, is necessary for the self-enhancement of civic consciousness and a basic requirement for the rule of law. It also serves as rational basis for residents to identify with motherland.

## **II. The nature and supremacy of constitutional law**

The extent to which constitutional norms are scientific and comprehensive, the acceptance of the supremacy of the Constitution and the advancement of public education on rule of law with the constitution at the core are all important to the development of a civic society and the progress of democratic political process and civilization. Constitutional conditions are the basis and primary cause for progress. As constitutions tend to be highly concise as general principles, even erring on the side of brevity, supplementary laws are enacted to support their implementation. That is how constitutional laws come about. Constitutional laws are related and supplementary to constitutions and are central to every legal system, playing a directional and normative role. They are defined as “opposite to ordinary laws and the term of constitutional law is used as a collective term for constitution and all related and supplementary laws. They are normally enacted in accordance with specific or common legal procedures by a constitutional conference (constitutional assembly) or the highest organ of state power (the legislature), with provisions for fundamental areas including the political and economic systems, and organization, power boundaries and functions of government organs, and basic civic rights and obligations. They are the basis of all other laws, which must not contravene the constitution, and have supreme legal effectiveness. They are therefore called the fundamental law and mother of all laws.”<sup>9</sup> While the U.K. does not have a codified constitution, its Magna Carta, Bill of Rights and The Habeas Corpus Act have formed basic documents of constitutional laws. In China, the Common Platform of Chinese People’s Political Consultative Conference (hereinafter as “the Common Platform”), adopted in 1949 and deemed to have constitutional implications, the Organic Law of National People’s Congress, Notice Concerning the Organic Establishment of the State Council, Organic Law of the People’s Courts, Organic Law of People’s Procuratorates, National Flag Law, National Emblem Law, Law on Nationality, Law on Public Gatherings, Parades and Demonstrations, Martial Law, Law on Territorial Seas and Contiguous Zones, Law on Exclusive Economic Zones and Continental Shelf, and the Legislation Law, which provide for the political system of the state, safeguard of sovereignty and territorial integrity and protection of civil rights, all belong to the realm of constitutional laws. The Basic Law,

promulgated by the highest organ of state power and in accordance with the decision of the First Meeting of the Eighth National People's Congress, is "formulated in accordance with the Constitution of the People's Republic of China and practical conditions in Macao and is therefore constitutional." Further, "the systems, policies and laws adopted following the establishment of the Macao SAR are based on the Basic Law of the Macao SAR of the People's Republic of China." Therefore, the Basic Law being a constitutional law is self-evident.

Whether the Basic Law, as one of the constitutional laws for the country, can be valid in the entire country seems to be a simple question. It nonetheless deserves further consideration. In theory, all constitutional laws enacted by the highest organ of state power, including two Basic Laws, should be effective and applicable in all parts of China. This as a general principle is beyond doubt. As former President Jiang Zemin once commented, "The Basic Law of the Macao SAR is a constitutional law for Macao. It is also a national law to be abided by not only in Macao but also the whole country."<sup>10</sup> But at the same time, according to the Constitution, "the state may establish special administrative regions when necessary. The systems to be instituted in special administrative regions shall be prescribed by law enacted by the National People's Congress in the light of the specific conditions." (Chapter 31) The prescribed system is "One Country, Two Systems" and "Upholding national unity and territorial integrity, contributing to social stability and economic development, and taking account of its history and realities, the People's Republic of China has decided that upon China's resumption of the exercise of sovereignty over Macao, a Macao Special Administrative Region will be established in accordance with the provisions of Article 31 of the Constitution of the People's Republic of China, and that under the principle of 'One Country, Two Systems', the socialist system and policies will not be practiced in Macao. In accordance with the Constitution of the People's Republic of China, the National People's Congress hereby enacts the Basic Law of the Macao Special Administrative Region of the People's Republic of China, prescribing the systems to be practiced in the Macao Special Administrative Region, in order to ensure the implementation of the basic policies of the People's Republic of China regarding Macao." (Preamble) Based on this provision, the Basic Law as a specially authorized national law, is effective and applicable within, rather than beyond, the boundaries of the SAR where the existing capitalist system continues to be practiced. The Basic Law further stipulates that "In accordance with Article 31 of the Constitution of the People's Republic of China, the systems and policies practiced in the Macao Special Administrative Region, including the social and economic systems, the system for safeguarding the fundamental rights and freedoms of its residents, the executive, legislative and judicial systems, and the relevant policies, shall be based on the provisions of this Law. No law, decree, administrative regulations and normative acts of the Macao Special Administrative Region shall contravene this Law." (Article 11)

This implies the dual properties of the Basic Law. At the national level, it is one of several constitutional laws and a special law related to the Constitution formulated by the highest organ of state power in accordance with Article 31 of the Constitution. Meanwhile, in the Macao SAR it is the fundamental law. It enjoys supremacy in Macao where certain provisions of the Constitution are not applicable under unique conditions. In the SAR, both the Constitution and the Basic Law are based on the same constitutional theories, accorded with constitutional supremacy and have same authority as guiding principles. The Basic Law is inseparable from its constitutional authorization while the Constitution is implemented through detailed provisions of the Basic Law. A local layman's description is that the Basic Law is "a minor constitution". In fact, though the Basic Law

is not a constitution proper, it is nonetheless a very important law under the Constitution. The term “minor constitution” is just a casual description, not a formal and derogatory term and should not be treated with undue concern.

### **III. The Basic Law as the Fundamental Law of the SAR**

First, the Basic Law provides detailed expression for Article 31 of the Constitution. China’s resumption of exercise of sovereignty over Macao on December 20, 1999, like the return of Hong Kong on July 1, 1997, is a significant event in contemporary Chinese politics concerning major issues of national sovereignty and territorial integrity. It confirmed that the state “may establish special administrative regions when necessary”, as stipulated in Article 31 of the Constitution. Article 62 of the Constitution further stipulates that “to decide on the establishment of special administrative regions” is one of the 15 functions and powers of NPC. As early as on March 31, 1993, the First Meeting of the Eighth NPC adopted the decisions on the establishment of the Macao SAR and on the Basic Law. The former decision stated that “the Macao Special Administrative Region shall be established as of December 20, 1999”, which shall include “Macao Peninsula, Taipa Island and Coloane Island.”<sup>11</sup> The latter stated that “the Basic Law of the Macao SAR is enacted in accordance with the Constitution of the People’s Republic of China and in consideration of practical conditions in Macao and is therefore constitutional. The systems, policies and laws to be practiced in Macao upon establishment of the Special Administrative Region shall be based on the Basic Law.” This means that the Basic Law is the fundamental law of the SAR. It is derived from the Constitution and is the mother of all other laws in the SAR.

Second, the Basic Law embodies new and innovative thinking. According to the Constitution and Legislation Law, the power to enact and amend the fundamental law of the state is vested in the NPC which exercises national legislative power (Article 7). The Standing Committee of NPC enacts and amends laws other than those to be enacted by the NPC (Article 7). The power to interpret a national law is vested in the Standing Committee of NPC (Article 143). The Basic Law of SAR is a form of constitutional law and the power to enact or amend it is vested with NPC (paragraph 3 of the Preamble and Article 144), while its interpretation vested with the Standing Committee of NPC (Article 143). As the establishment of SAR is based on specific authorization in accordance with Article 31 of the Constitution, “the systems to be instituted in special administrative regions shall be prescribed by law enacted by the National People’s Congress in light of the specific conditions.” Therefore, the fundamental law for SAR where the “One Country, Two Systems” policy is instituted should be formulated by NPC. This was a breakthrough to the long-standing tradition of the national legislature. It provided that the previous capitalist system and way of life shall remain unchanged for 50 years in the SAR and the SAR as a local administrative area enjoys a high degree of autonomy, while ensuring the central authorities are directly responsible for national defence and foreign affairs which concern national sovereignty. Allowing a different political system to be practiced in a local area with special conditions within a socialist country, effectively creating dual systems within a unitary state, is an unprecedented theoretical and institutional innovation.

Third, the Basic Law has been in practice for more than ten years. The stability, prosperity and harmony that the Macao SAR has achieved bears witness to the adequate normative framework,

guiding principles and protection that the Basic Law has provided. It is evidently a good codified constitutional document with scientific structure and rational positioning, providing comprehensive norms and protection. It is the constitutional basis for government through rule of law and provides reliable protection of civil rights for the residents of the SAR. It also provides guiding principles for the SAR to achieve long-term stability and safeguard against potential risks. Macao being tiny in landmass is a typical micro-society, with over half million people cramped into an area not more than 30 square kilometres. However, it has its own fundamental law, the Basic Law, with the integrity of its own well-established legal system. Further, the government is basically based on a legal system and the public has a relatively strong sense of rule of law, which is quite remarkable and exemplary.

Finally, it is worth noting that the Basic Law commands a high degree of respect and universal recognition. The Basic Law enjoys a level of supremacy with clear positioning and scientific structure. The legislative procedures for the Basic Law were completed well ahead of time. Pre-publicity and promotion were conducted and its impact and guarantee also came into play in advance. After the establishment of the SAR, the collaborative relationship between the government and public has also been strengthened over the years, in promoting constitutional education and making the Basic Law widely known and accepted both locally and internationally. Promoting more in-depth studies of the "One Country, Two Systems" theory and its practice has been put on the government agenda. This fundamental law for Macao enjoys not only unquestionable acceptance by the SAR government and public, but also a positive recognition by the international community rarely seen before.

#### **IV. "One Country, Two Systems" and rule of law in contemporary society**

"The 'One Country, Two Systems' policy is a pioneering undertaking for China. While the socialist system is practiced on the mainland, capitalist system is maintained in Hong Kong and Macao according to the 'One Country, Two Systems' principle. Ensuring good administration, development and long term prosperity and stability of these two SARs is an entirely new challenge for both the central authorities and the governments of the Hong Kong SAR and the Macao SAR."<sup>12</sup> The "One Country, Two Systems" approach as a societal undertaking is highly dynamic and SARs are thriving, which proves the success and validity of the theoretical framework and practice of socialism with Chinese characteristics. It is also a mark of progress in civilization in the 21<sup>st</sup> Century. As a result of innovative approaches in contemporary political thinking and institutional experimentation, the Macao SAR, as one of the two SARs, has become a new yardstick and offer an entirely new perspective in evaluating rule of law and political progress in the contemporary societies.

The fundamental objectives of rule of law are upholding justice and ensuring the continuation of civilization. History has repeatedly proven that nothing is more effective and scientific for state governance and public administration than rule of law, which has become a general consensus among most experts, scholars and the public. The level of maturity in rule of law can be assessed according to a series of indicators, of which different experts may prefer some over others. But the most basic factors include: a) legal basis, and rational and scientific processes for government; b) protection of social equity; c) the extent of public awareness of and commitment to rule of law.

These three factors are connected in mutually constraining, reinforcing and complimentary relationships.

Whether rule of law is truly in place and whether there is maturity and sophistication in legal systems are important indicators for observing and assessing different social systems, and their developmental levels with different national or local conditions. As an outcome of civilization, the establishment and progress of rule of law are largely dependent on economic development and cultural traditions of specific areas, and are closely related to overall quality of the populace. Therefore, law-based governance, government for the people, people-oriented policy approach and rule of law are notions held in common and seldom neglected by those in power in different countries. Any public office holder who does not act in public interest, does not walk the talk, is oblivious of people's suffering, does not act according to law, or even breaks the law, and commits acts of indecency is bound to lose public support and political prospect. Accelerating people training, in legal field in particular, is always important to any country or region under rule of law. Importance need be attached to not only capacity building for rule of law in a general sense, but also enhancing relevance and applicability of legal systems. Not only do we need to promote more local talents in the legal and judicial systems, we also need to enhance maturity of legal profession and advance legal studies. Not only should we uphold social justice in both legal theories and practice, we also need to steadily enhance competencies and skills of public service employees in law enforcement. For holders of public offices, the notion of rule of law should mean people-oriented approach, democratic mindset, ethical behaviour and scientific approach in government. They should take proactive actions in compliance with and in support of laws and regulations, and refrain from any actions banned or restricted by law.

The establishment of the Macao SAR on December 20, 1999 marked the beginning of a historic era in which the "One Country, Two Systems" policy is effectively put into practice. This also meant a step-change in Macao's constitutional development and a breakthrough in the nation's constitutional development. From that point in time, Macao became a systematic embodiment of the "One Country, Two Systems" policy. This policy adopts a form of rule of law with specific requirements and expressions. First, it sets clear objectives. As a national policy, it is not a policy of expediency and will remain in force over the long term. The Basic Law stipulates that "the previous capitalist system and way of life shall remain unchanged for 50 years." (Article 5) Deng Xiaoping, the architect of China's reform and opening up, once pointed out, "To those who worry that this policy will change, I say there will not be change. The core of the matter and the determining factor is whether the policy is correct. If it is not so, it can be changed. If it proves correct, it will not change."<sup>13</sup> "When we said no change for 50 years in our agreement, we meant no change for 50 years. Not in our generation. Not in the next generation. Beyond 50 years, the mainland of China will have been well developed. By that time, would there still be a need to deal with such matters stingily anymore? Therefore there is no need to worry about policy change. It will not change."<sup>14</sup> These comments clearly meant that no change to the policy will be permitted now and there will be no need to change it in the future. When the policy for the SARs was first proposed in the early 1980s, the economic gap between the mainland and Hong Kong, Macao and Taiwan was vast. Upon China's resumption of the exercise of sovereignty over Hong Kong and Macao, the gap was still obvious. However, in 50 years time, the gap could well be narrowed down. With economic globalization, regional integration and modernization of China, the compatibility of the social systems will also become greater. Therefore, the "One Country, Two Systems" can only succeed

and move forward and will not fail and regress.

Second, it is highly innovative. The "One Country, Two Systems" policy is a theoretical and institutional innovation. It provides the SAR with unprecedented and institutionalized safeguards and advantages. It is a completely new form of political system and civilization. Residents of the SAR are specially positioned to advance, leverage, take ownership of, and promote such a system.

Third, it is fundamentally stable. The "One Country, Two Systems" policy marks the beginning of a new phase in constitutional development. It meets the needs of rapidly changing times and accords a sense of comprehensive protection and commitment for the residents of Macao. It requires in return from the public a civic consciousness, independent thinking and innovative and self-improvement mindset. In such a society, high legal compliance and low crime rate can be expected which will be a competitive strength for Macao.

Fourth, it is reliable. The "One Country, Two Systems" theory scientifically combines the advantages of two social systems to meet the needs of a new situation. It is based on a rational assessment of the path taken in the past and a scientific definition of the goal and vision for the SAR development into the future. Precisely because it is a product of pragmatic and rational thinking, it can very well become an example of new epistemology integrating knowledge and practice. As it is an embodiment of unconventional notions that are forward looking, it has the capacity to continue to evolve and improve in practice. The process of implementing the "One Country, Two Systems" policy is that of integration of knowledge and action, which are mutually complementary and interactive. Such a process will allow the SAR to move forward in a scientific and orderly manner and make it possible for the SAR residents, with enhanced constitutional awareness and practice, to become both beneficiaries of its steady growth and advocates of constitutional development and progress.

## **V. The "One Country, Two Systems" civilization and constitutional development**

An assessment of Macao's constitutional development after its return to China and its superior SAR system needs to take into account the level of protection for basic civil rights, the enhancement of civic consciousness, and public commitment to the "One Country, Two Systems" civilization. Such civilization and its safeguard is the basis of Macao society. The growth and positive changes in Macao over the last decade demonstrate: a) the social system of SAR based on and guided by the "One Country, Two Systems" policy is highly innovative with competitive advantages; b) the executive-led political system which is citizen-centric and service-oriented, is also highly innovative and scientific with clear positioning; c) Macao society functions with basic justice and transparency. The development and change over the last decade have resulted in both quantitative and qualitative improvement. The establishment of the SAR meant both an extension of the previous system and the start and growth of new development model; d) a civic society accommodating increasing diversity in social structure and thinking is open and democratic. An open and pluralistic civil society is conducive to talent and knowledge development, inspires independence, determination, confidence, self-improvement and self-restraint; e) its unique legal status projects an external image that has been widely recognized and accepted.

In short, given the social reality of the Macao SAR, efforts must continue to encourage

residents to more strongly identify with the motherland and recognize national sovereignty, but also cultivate overall civic quality, including education, civic behaviour and legal compliance. Emphasis must be given to not only responsible government, i.e. citizen-centric, transparent and ethical, but also responsible society and responsible citizen.

## VI. Conclusion

The Macao SAR as an embodiment of the “One Country, Two Systems” policy has demonstrated institutional innovativeness, new civic conduct and new thinking over the last decade. Opinions differ on some major issues and differing perceptions and interpretations exist, which are to be acknowledged. However, there is a general consensus shared by most people that the development of the Macao SAR has by and large been healthy, successful and inspirational. By way of summary, the following are the factors commonly acknowledged:

(1) China’s resumption of the exercise of sovereignty over Macao and the establishment of the Macao SAR on 20<sup>th</sup> December 1999 mark the beginning of a new historic era for Macao and a fresh start for Macao’s constitutional development. The SAR itself is an innovation in the nation’s constitutional development. The SAR system embodying the “One Country, Two Systems” policy has become one of the primary political systems of China, an example of Chinese innovativeness and wisdom.

(2) In the SAR where the “One Country, Two Systems” policy is practiced, the Basic Law is dependent on constitutional authorization. Likewise, relevant provisions of the Constitution are implemented through the Basic Law. Both the Constitution and the Basic Law are based on the same constitutional theories, accorded with constitutional supremacy and have same authority as guiding principles. The Constitution is the fundamental law of the state whereas the Basic Law is the fundamental law of the SAR. For the Constitution, the Basic Law is a related, enabling and special law and a sub-law. The Basic Law is also the parent law for all other laws enacted by the SAR.

(3) The “One Country, Two Systems” policy for the SAR is a new form of rule of law. The government and residents of the SAR both practice and are impacted by the “One Country, Two Systems” policy and its form of rule of law. Citizen-centric approach and ethical conduct are key indicators of rule of law practiced by government officials, while law abiding and civil conduct are minimum requirements for the residents.

(4) Given new conditions in an entirely new era, promoting civic society under the “One Country, Two Systems” policy and developing a responsible society are matters of practical urgency. Enhancing political awareness and participation is imperative for societal transformation and a path to self-improvement and better overall quality of the populace.

(5) Promoting the Macao model of the “One Country, Two Systems” policy will help better utilize resources to support institutional innovation on the basis of the “One Country, Two Systems” policy, rather than just wanting to be different or special. Leveraging unique conditions and adopting a flexible approach do not contradict the pursuit of common objectives and safeguarding big principles. Giving full play to the roles of the government and residents in Macao where the “One Country, Two Systems” policy is practiced is a realistic requirement in keeping with the times and new social conditions. The “One Country, Two Systems” policy is the lifeline for the Macao

SAR, which in turn is also a showcase for demonstrating and validating the "One Country, Two Systems" policy. Macao has a great role to play and has the right conditions to play the role well.

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- <sup>1</sup> Xia Zhengnong and Chen Zhili (2009). *An Encyclopedic Dictionary (6<sup>th</sup> Edition)*. Shanghai: Shanghai Lexicographical Publishing House. 2325.
- <sup>2</sup> *Ibid.* 2324.
- <sup>3</sup> *Ibid.* 2325.
- <sup>4</sup> Xu Waicheng (2002). *The Encyclopedia of China (Hardbound Edition)*. Beijing: Chinese Encyclopedia Publishing House. 151.
- <sup>5</sup> *Ibid.*
- <sup>6</sup> *Ibid.* 152.
- <sup>7</sup> *Ibid.*
- <sup>8</sup> *Ibid.*
- <sup>9</sup> Xia Zhengnong and Chen Zhili (2009). *An Encyclopedic Dictionary (6<sup>th</sup> Edition)*. Shanghai: Shanghai Lexicographical Publishing House. 2324.
- <sup>10</sup> Jiang Zemin (1999). Speech at the Inauguration Ceremony for the Macao SAR. *People's Daily (Overseas Edition)*. 21<sup>st</sup> December 1999.
- <sup>11</sup> No. 275 Decree promulgated by of the State Council of the People's Republic of China by order of Premier Zhu Rongji on 20<sup>th</sup> December 1999 stipulates the written statement for the area range of administrative region of the Macao SAR as: "The Macao Special Administrative Region of the People's Republic of China shall include the Macao Peninsula, Taipa Island and Coloane Island. The north part of the Macao Special Administrative Region is linked with Gongbei of Zhuhai of Guangdong Province by land route. Area to the south of the Portas do Cerco shall be administered by the Macao Special Administrative Region. The area between the north of Portas do Cerco and the original flag building of the frontier inspection station shall be managed by original measure keeping no change. The Macao Special Administrative Region shall maintain its managing range of the original customary water area with no change."
- <sup>12</sup> Hu Jintao (2004). Speech at the Ceremony Celebrating 5<sup>th</sup> Anniversary of Macao's Return to the Motherland and the Inauguration of the Second-term Government the Macao SAR. *People's Daily (Overseas Edition)*. 21<sup>st</sup> December 2004.
- <sup>13</sup> Deng Xiaoping (1984). Maintaining Prosperity and Stability in Hong Kong. In Jeong Wan Chong (Ed.) (2010). *The Compilation of Legal Documents for the Macao Special Administrative Region of the People's Republic of China (Revised Edition)*. Macao: One Country Two Systems Research Centre, MPI. 231.