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Picture courtesy of Mr. Richard Goodall.
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Asia’s rise shall define the 21st century. According to Martin Wolf, a distinguished British journalist, if the world’s largest continent continues its remarkable economic rise as it has over the last few decades, the two centuries of global supremacy by Europe brought forth by the Industrial Revolution and that of the current sole superpower, the United States, will come to an end. An awakening Asia, led by China, will be the future of the global economy. Indeed, Mr. Wolf’s prediction will send tremors across the Western establishment, as already seen by the massive relocation of jobs from Europe and the Americas to Asia, the increased number of Asian expatriates returning to participate in their home countries’ development, and the global challenges posed to Western multinationals by their rising Asian equivalents. One would be prudent to look beyond economics to sense shifts in the historical winds, however. To have a better sense of Asia, one should seek to understand it.

Asia is a European idea, invented by the ancient Greeks as a name for the non-European part of Eurasia. This huge swath of territory has been historically divided into four areas – the west, which was for almost 1,400 years the realm of Islam; the north, the domain of the nomads; the south, the cradle of Hindu civilization; and the east, traditionally dominated politically and culturally by China. The islands of Japan, Malaysia, Indonesia and the Philippines constitute the eastern and southern rims of Asia. It is a continent of contrasts – extremes of terrain; multitudes of languages and ethnic groups; religions and philosophies ancient and modern. It contains the world’s largest democracy, India; its largest nominally communist but increasingly capitalist state, China; its most Stalinist nation, North Korea; and its only country scarred by nuclear attack, Japan. It contains the largest pockets of Muslims, such as Afghanistan and Indonesia. It has one of the world’s last unspoilt rivers, the Mekong. It includes two nations which serve as melting pots of different peoples, Singapore and Malaysia. It also represents 60% of humanity.

Indeed, Asia is a mosaic of peoples and cultures. Why should Westerners care? Asia is defined by a collective sense of dynamism and change. By the increasing influence of its population, values and economic expansion, the region will contend to become the center of the world, involving political, economic and other social challenges that reverberate well beyond the region’s borders. In an age in which globalization is frequently characterized as Westernization, Westerners (especially Americans) need to recognize that Asia and its inhabitants are more than what is portrayed by the largely Western mainstream media. Asians will have to strike a difficult balance between embracing modernity and preserving long-cherished values and traditions. Most importantly, both peoples need to understand, learn from and appreciate the differences between them for the welfare of all. With Asia’s rise, this need is more urgent than ever.

Monsoon hopes to make its small contribution towards better mutual understanding. No matter what your background is, we welcome your input on Asia, its peoples and cultures, and its relations with the places beyond its frontiers.
Checkmate: The Taiwan Question and its Implications for Sino-American Relations

- by Tak-Hin Benjamin NGAN

For over half a century, the future of Taiwan has been, as Henry Kissinger puts it in Does America Need a Foreign Policy?, “a wild card that could force the hand of either Beijing or Washington.” The question of Taiwan, however, has never come close to being settled and relations across the Taiwan Straits have virtually come to a stalemate in the past decade. In 1954, U.S. Secretary of State John F. Dulles stated that the “technical sovereignty over Formosa and the Pescadores has never been settled.” What Dulles failed to acknowledge was the fact that the Taiwan problem “has never been settled” because of continuous interventions from the United States.

The symbolic event of how the United States has caused the Taiwan problem was the well-known “secret” that Chiang Kai-Shek actually fled China for Taiwan with the assistance of U.S. CIA agents. Since then and until 1979, supporting the Nationalist regime in Taiwan was an official policy of the United States. “In addition to military assistance,” Michael Schaller notes in The United States and China, “throughout the 1950s and early 1960s, the United States provided generous development aid to Taiwan.” This American aid, together with the deployment of the American Seventh Fleet to “defend” the Taiwan Straits since the Korean War, was crucial in consolidating and strengthening the Nationalist regime on the island and hence creating a Taiwan that was eventually able to stand on its own and away from the mainland.

In Section II of the PRC government white-paper entitled The Taiwan Question and Reunification of China, the PRC attributes the prolonged Taiwan Problem to “the erroneous policy of the U.S. government [which] continued to interference with China’s internal affairs.” Even after Sino-American diplomatic relations were officially established in 1979, the U.S. Congress passed the Taiwan Relations Act but has continuously been devoting considerable effort to sustain the separation of Taiwan through such measures as arms sales and political pressure - in spite of its commitment to practice its “one-China policy.” It is fairly obvious that the outset of the Cold War had pre-determined U.S. policies of supporting the Nationalist regime of Taiwan. The anti-communist atmosphere, as Kissinger observes, created a wide consensus “in the United States opposed to the forcible return of Taiwan to China.” As the “threat” of communism virtually subsided after the Cold War, however, it is more of a subtle question why, as the PRC white-paper points out, “there are people in the U.S. who still do not want to see a reunified China.”

One theory is that the U.S. is still suspicious when it comes to dealing with the PRC government and that it is upholding the settlement of the Taiwan problem in the hope that its military presence in the Taiwan Straits could deter the PRC from threatening the security of the Asia-Pacific region. But the continuous tensions created by the Taiwan problem seem to be more of a destabilizing factor in the region as the stalemate across the Taiwan Straits could be translated into a potential military conflict at any time. In essence, a prolonged Taiwan problem simply places more threats than assurance on the security of the Asia-Pacific region as a whole.

Another theory, being logically more valid, is that the U.S. is utilizing a de-facto independent Taiwan to safeguard not the security of but its own interests in the Asia-Pacific region. This view was advocated by retired U.S. Foreign Service Officer John Tkacik urging that “Washington policy makers should not ignore America’s most important strategic interests in keeping Taiwan well beyond the control of the People’s Republic of China.” If, as Henry Kissinger argues, the United States must “oppose Chinese attempts to dominate Asia,” then a prolonged, and perhaps permanent, separated Taiwan backed by the United States should appear to serve the latter’s purpose very well. Thus, it is creditable to believe that, as far as its capabilities allow, the United States will continue to prevent the Taiwan problem from being settled.

The Taiwan problem, nevertheless, must not remain unresolved indefinitely. As Kissinger notes, the reunification of Taiwan and China is viewed by most Chinese as a “sacred national obligation which can be deferred for practical or tactical reasons but never abandoned.” One possible solution to the Taiwan problem, and perhaps the one that is most fearful to all,
is a military confrontation of the PRC against Taiwan and the United States. Stepping into the 21st century, the People’s Liberation Army is undergoing a series of modernization programs and its increasing capability of absorbing the island of Taiwan via military means has been acknowledged by experts in the field. “Given the present downsizing of the [U.S.] Navy and the building up of the PRC’s naval force,” according to the research done by Professor Whitehurst Jr. at Clemson University, “it is questionable whether the United States would prevail should conflict come in the early 21st century.”

Many take offense to the Chinese military's modernization and believe that the PLA’s increasing military capability is positively correlated with the prospect of a military conflict in the Taiwan Straits. The U.S. Department of Defense’s Annual Report on the Military Power of the People’s Republic of China stresses that the PLA’s modernization programs, together with the PRC’s political stance, “may reflect an increasing willingness [of the PRC] to consider the use of force to achieve reunification.” The advocates of such arguments automatically assume hostility from the part of the PRC leadership, and hence fail to understand that a military confrontation has in fact always been the least attractive option to the PRC.

By contrast, Kissinger is able to recognize the fact that “least of all can it be in the interest of China’s leader to provoke the United States.” No one should understand more than the leaders in Beijing, according to Charney and Prescott, that “if a substantial military conflict does occur, Taiwan would probably be devastated … China could absorb a substantial military attack but not without significantly weakening its economic and military situation.” Because “American resistance is certain,” Kissinger argues, if the PRC were to launch a military attack against Taiwan, “one need not postulate Chinese goodwill or permanent peaceful intentions to conclude that prudent Chinese leaders will not lightly risk confrontation with the world’s dominant military power,” particularly, “at this stage of China’s evolution.” More than unappealing to the PRC leadership, a military solution to the Taiwan problem will be proven unnecessary as the PRC awaits to claim its checkmate over the Taiwan Straits with a peaceful reunification that is negotiated through diplomacy.

Despite its effort to “actively participate” in the international community, Taiwan has become more and more isolated in the global political realm. In 1971, UN Resolution 2758 was passed and “all the lawful rights of the People’s Republic of China” were restored followed by the expulsion of all representatives of the Taiwanese authorities from the U.N. Since then Taiwan had lose much of its legitimacy in terms of diplomatic relations, and as of July 2002, only 27 countries in the world had formal diplomatic relations with Taiwan, while most of those countries are small and developing countries which benefit from Taiwan’s “money diplomacy.”

Although the absence of official diplomatic relations does not translate to a complete isolation, Taiwan is nevertheless harmed by its lack of legitimacy as a sovereign state. The PRC government insists that Taiwan must not be allowed to participate in any kind of activities that require the status of a sovereign state, including such organizations as the United Nations and the World Health Organization. Such political isolations place much pressure on the Taiwanese society.

In summer, 2003, for example, the Taipei government was very much frustrated by China’s demand to exclude Taiwan from international meetings on SARS convened by the World Health Organization (WHO), and exclusion from the WHO meant that Taiwan was denied from official assistance from the WHO to battle SARS, a fatal disease that required immediate solutions. As the East Asia Editor of the Times at London Jonathan Mirsky lamented, “perhaps the saddest aspect of these affairs is that Taiwan is asking only for … [an] observer status” and yet its request was still denied. Moreover, the SARS crisis was not an isolated incident but rather a representative illustration of a continuous and harmful political isolation of Taiwan. “Between 1991-2001,” according to Mirsky, “the WHO rejected five consecutive proposals for Taiwan to take part in its activities as an observer."

One can only imagine the political isolation of Taiwan to intensify as the PRC becomes increasingly powerful in the international political theatre. Chen Chien-Jen, Ambassador of the Taipei Economic and Cultural Representative Office in the United States, admitted in a talk he gave at Brandeis University in January 2003 that increasing ties between the PRC and the United States shall “inevitably undermine” U.S.-Taiwan relations. In essence, Ambassador Chen was confessing that the game across the Taiwan Straits is a zero-sum game, and that an advance in the PRC in terms of its relations with any sovereignty in the world means further isolation of the Taipei government.

Kissinger predicts that “if China remains domestically cohesive, it is destined to become a major power.” And as China becomes increasingly dominant in world politics, isolation of Taiwan is destined to be more severe. Even further is the evidential decline in the U.S.’s relative power in the Asia-Pacific region vis-à-vis that of the PRC, as illustrated by its declining edge over the latter in terms of economics, politics, and military in recent years. Especially when China and the United States are approaching a state of mutual interdependence, the United States shall show increasing reluctance to assist the Taipei regime. Inevitably, Taiwan, losing its
backing from the Americans, will have to resort to term with the Beijing government in one way or another.

One and the most viable solution to the Taiwan problem is to work out a reunification based on the theory of “One-Country, Two Systems” (OCTS). Although the Taipei government has constantly been denying the virtues of OCTS, it is nevertheless one of the very rare arrangements which might satisfy minimally all parties on the discussion table. According to Beijing, the OCTS “respects history as well as the prevailing situation,” “is realistic and takes care of the interests of all. It is a system in which the government in Beijing “will respect the status quo on Taiwan and the views of all walks of life there and adopt reasonable policies and measures.” As Taiwan faces an increasing urgency to term with the government in Beijing due to its increasing hardship in the global society, the OCTS proposal seems to be the one and only one viable solution thus far. After all, it is the most that Beijing would offer and the most that Taipei can demand. Thus, whether the OCTS will be realized in Taiwan is not really an option – rather, it is just a matter of time.

The Taiwan problem also has its implications over Sino-American relations. In the second half of the last century, the United States has always had an upper-hand in the Asia-Pacific region in terms of its military, political, and economic issues. Based on its proxy controls over Taiwan, Japan, and South Korea, the Americans had virtually established hegemonic dominance in the region.

The table, however, is turning around. The military dominance of the Pacific Fleet is eroding as the PLA is modernizing rapidly, Japan and South Korea is becoming increasingly independent from American influences, and China is rising rapidly to assert dominance over the whole Asia-Pacific region while the U.S. is losing its. Kissinger notes that as China is becoming increasingly dominant, particularly in the Asia-Pacific region, it “will have an enhanced capacity to challenge the United States.”

As American dominance in the region is rapidly evaporating, a de-facto independent Taiwan serves as its last stronghold to check-and-balance its position vis-à-vis the PRC. But if Taiwan is destined to be reunified with the mainland under the scheme of “One Country, Two Systems,” then the Americans are destined to lose their superiority in the Asia-Pacific region – most notably will be the retreat of the U.S. Pacific Fleet from the Taiwan Straits.

To many in Washington, “losing” Taiwan to the control of Beijing may mean a disaster. In the eyes of the Chinese government, however, the settlement of the Taiwan problem “will not only bolster the development and stability of [China] itself, but also contribute to further enhancement of the friendly relations and cooperation between China and other countries as well as to peace and development in the Asia-Pacific region and the world as a whole.”

Indeed, a Chinese checkmate across the Taiwan Straits may serve the interests of both China and the U.S. in the long run. Even though many Americans still believe that a permanent and de-facto independent Taiwan shall serve American interests the best, it is nevertheless because of their ignorance of the changes in the Sino-American relations. As long as the Taiwan problem remains unresolved, both Beijing and Washington will still be holding the “wild card” against one another. In other words, Sino-American relations most likely will never be “normalized” as long as a de-facto independent Taiwan is standing in the way of Beijing and Washington. Now that American superiority in the region is eroding and that the U.S. is losing its upper-hand in dealing with China, it is to the best interests of the Washington to cooperate with Beijing rather than attempting to prevent an inevitable rise of China to the rank of a dominate world power. A de-facto independent Taiwan, in this sense, will become harmful to the United States in the long run rather than what most believe to be a “strategic interest” to Washington.

Thus, as the reunification of Taiwan becomes increasingly more inevitable, the Americans will have to accept the fact that their country no longer represent a hegemonic power in the region and begin to learn the virtue of cooperation instead of treating itself as the world policeman who can shape the world entirely according to its will.

“Cooperative relations are not a favor either country bestows on the other,” writes Kissinger, “they are in the common interest of both.” This is what the U.S. government has not fully understood in the past few decades while dealing with China. Now that they are losing their upper-hand in the Asia-Pacific region, and particular vis-à-vis the PRC, they had better learn to understand Kissinger’s notion of “cooperative relations” so as to establish a friendly and complimentary relationship that is to the interest to both Beijing and Washington. And they had better learn to understand it quick, because a Chinese checkmate over the Taiwan Straits and the rise of China as a world power may not be as distant as they seem.

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Taiwanese Identity, International Development, and the Interstate System
- by Seanon Wong

On the topic of contemporary Taiwanese identity, commentators frequently attribute its origin and development to the victory of domestic oppositions throughout Taiwan’s short yet remarkable history of political liberalization. Kuomintang (KMT), the once-ruling party dominated by a Mainlander minority, is depicted as an alien regime that tolerated no contradiction to its policy of “Mainland recovery”, forbade political participation by the Taiwanese majority, and repressed the formation of a Taiwanese consciousness. The emergence of a distinct Taiwanese identity, and therefore the rise of Taiwanese independence movement, can be understood as the gradual “awakening” of the populace in light of the KMT’s failure to further its repressive agenda since the 1970s. In other words, Taiwanese identity has been primarily framed as a function of the constant synthesis among versions of identity advanced by contending domestic forces.

While identity is invariably a function of domestic discourse, as exemplified by the perennial struggle between “Mainlanders” and “Taiwanese”, “waishengji” and “benshengji”, “KMT and dangwai/Democratic Progressive Party (DPP)”\(^1\) and more recently “Republic of China” and “Republic of Taiwan”, this essay traces its origin to happenings at the interstate level, highlighting interactions among state-level agents as a determinant in Taiwanese self-perception. The path in which Taiwanese have come to self-realize and self-identify is not only a domestic struggle along ethic and political lines, but also a reaction to extraneous international events. This reaction, however, is by no means erratic and unique. Like the aspiring peoples of Palestine, Chechnya, Quebec, East Timor and others, the only form of political association that is permissible and long-lasting in the modern era is the nation-state. It is under this \textit{a priori} framework of interstate system that Taiwanese solidarity evolved along the standard formulae of state-building and the expression of collective identity in the universal language of nationalism.

Just as any identifiable “strategy” of a chess player presupposes a consensus among players and audience on the rules of the game, any “national” identity premises on a universal understanding of “nationhood”. To qualify as a nation-state and to maintain its legitimacy, any polity must fulfill the four criteria of sovereignty. They are the ability of a government to control internal and cross-border activities (interdependence sovereignty), the organization of authority within a polity (domestic sovereignty), exclusion of external authority and intervention (Westphalian sovereignty), and recognition of one state by others (international legal sovereignty).\(^4\)

Since the retrocession of the KMT to Taiwan in 1948-9, the regime has been effective in establishing authoritarian control within the territorial delimitation of Taiwan and the islands of Penghu, Jinmen and Matsu. Despite its claim as the legitimate government over the domain of Mainland China (including Mongolia), the KMT has been swift in establishing its base on Taiwan. Within several years after retrocession, the KMT has proven itself an efficient state-builder not only by the implementation of a centralized government, but also by the successful penetration into and manipulation of all domestic and cross-border activities. As most people would agree, the ROC on Taiwan has long achieved de facto sovereignty. In essence, the regime has had a firm grip on the first three criteria of sovereignty.

What about the ROC’s international legal sovereignty? Since the inception of the PRC-ROC stalemate, the relations have been enmeshed in a constant tug-of-war for external recognition. However, beginning in early 1970s, the diplomatic pendulum gradually swung to the PRC’s favor. Following the ROC’s ominous expulsion from the United Nations in 1971, Taipei encountered a number of diplomatic nightmares, including the switch of recognition by the United States in 1979, and subsequently by important allies such as Japan and South Korea. Since “modern states can only exist in systematic relations with other states”\(^5\), the reversal of foreign policy by the international community has forced Taiwan into an “ostracized state, invisible nation”.\(^6\) The rapid loss of external recognition has rendered the ROC a deficient, if not defunct polity under the dominance of the interstate system.

It is important to note that this reshuffling of relations is not limited to the realm of international politics, nor is confusion and frustration confined to the realm of diplomacy and nomenclature. If there cannot

\textbf{Did you know......}

“In the 16th century, Han people from China’s coastal provinces of Fujian and Guangdong began immigrating to Taiwan in large numbers.”

*Source: Government of Taiwan*
be two Chinas with identical claims of territoriality, it is equally incompatible to have two versions of Chinese culture. The elevated status of the PRC as the only legitimate Chinese state implies the regime’s exclusive right to define Chinese culture and society. As the PRC’s relations with the West gradually normalized and cross-border activities increased, the very meaning of “China” and “Chinese” shifted accordingly. Increasingly, these terms ceased to be abstract references to Chinese civilization, culture and ethnicity. Instead, “China” began assuming a connotation to the PRC and its jurisdiction, whilst “Chinese” began referring to the people living under the PRC. In other words, their meanings became politicized and territorialized.

As a result, a typical person from Taiwan is forced into an identity dilemma. Should she be identified as Chinese? Doing so runs the risk of being mistaken for her geographical background and political allegiance. But abandoning a Chinese identity altogether and identifying herself as “Taiwanese” causes much discomfort, since this implies an excessive self-repudiation of Chinese cultural, ancestral and linguistic roots.7

In effect, the diplomatic victory of the PRC created a collective identity crisis within Taiwanese society. In response, nationalistic movement emphasizing indigenous culture and domestic society have gradually replaced the quixotic policy of “Mainland recovery”. In the view of some Taiwanese, formal declaration as a distinct and independent country is a faster, more preferable and realistic way to achieve “normal statehood” than fighting for external recognitions for the anachronistic and inapt denomination of “Republic of China”. This switch of strategy has a two-level objective. Domestically, it facilitates the repositioning of a comfortable identity after the de-legitimization of the ROC: a recognized Republic of Taiwan bestows less identity confusion on its citizens than an unrecognized Republic of China. At the international level, such repositioning signifies the official application of an aspirant to the “club of nation-states”.

In summary, explicit or not, traditional wisdom focuses on the domestic origin of Taiwanese national identity: its synthesis among forces at a domestic setting precedes its manifestation at the international arena. While this essay does not deny such inside-out analysis, it strives to pinpoint international development as a source, and the structure of interstate system as a constraint to the evolution of this identity. Although the PRC has achieved certain political objectives through series of diplomatic maneuvers, the process has effected a backlash that is undesired and perhaps unintended. As it successfully strangulated the diplomatic space of its archrival, the loss of legitimacy on part of the ROC has catalyzed the loaming of nationalistic sentiment and the creation of a national identity in Taiwan.

Endnotes
2 “Waishengji” literally means “originated from other provinces” and refers to the Mainlanders who migrated to the island after World War II; “Benshengji” means “originated from the local province” and refers to the those whose ancestors arrived before Japanese colonization in 1895; Shelley Rigger, Politics in Taiwan: Voting for Democracy (London: Routledge, 1999), 6.
3 “Dangwai refers to opposition forces “outside of the KMT” before the formation of the Democratic Progressive Party was legalized in 1986.
5 Horng-luen Wang, Ph. D. dissertation, In Want of a Nation: State, Institutions and Globalization in Taiwan (University of Chicago, 1999), 96
6 Ibid., Chapter 3
7 It is not a coincidence that overseas Chinese, for example Singaporean-Chinese, have learned to use “hwaren” as reference to “ethnic Chinese” instead of “zhongguoren”. While “zhongguoren” becomes associative with someone from “zhonghwa renmin gongheguo” (PRC), “hwaren” has the better result of filtering any political or geographical meaning while maintaining the cultural and ethnic implications. For the same reason, Chinatowns are known by overseas Chinese as “tangrenjie” and other appellations that are not geographically suggestive or politically sensitive.

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The American Incumbent and the Chinese Newcomer
- by Kassian POLIN

Lao-tzu, the great Chinese philosopher, advocated the principle of wu wei (noninterference) as the basis for good government, a harmonious society and the creation of wealth. More than 2,000 years later, the British philosopher Adam Smith would echo his thought by proposing the theory of the "invisible hand", that "if all systems either of preference or of restraint" were "completely taken away", a "simple system of natural liberty would evolve of its own accord". Both thinkers agree that peace and prosperity follow naturally when the government safeguards property rights, rules
justly, and lets markets operate freely. Any student of economics would understand that the above situation is immensely difficult to attain. This is especially true of the often turbulent relationship between the world's most economically advanced nation, the United States, and the world's most populous state, the People's Republic of China (PRC). In their recent history, the economic dimension has been the single most significant element bringing the two frequently quarreling powers closer to each other. Despite the numerous setbacks that have befallen the Sino-American relationship, the U.S. must continue to move in the direction of engagement with China. As the world's largest economy and primary architect of the existing global economic order, the U.S. bears the most responsibility for successfully integrating the Chinese economic juggernaut into the world economy. Given the economically complementary relationship between the two, American and Chinese policymakers should adhere to the spirit of Smith and Lao-tzu, for the sake of maintaining peace and creating prosperity for both nations.

There are four distinct periods in Sino-American relations. During each period, politics and ideology definitely played important roles in shaping the bilateral relationship, but ultimately, economic calculations remained the dominant factor for both American and Chinese foreign policy-makers. The first phase occurred during 1840-1949 with the introduction of the Open Door policy proposed by then U.S. Secretary of State John Hays. This policy allowed the U.S. to use the Qing regime and its successor, the Kuomintang (KMT) government, as its agents to gain economic advantages in China, in the same fashion as other Western powers. The second period was between 1949 and 1975, when the U.S. superpower under Harry Truman often used its immense economic influence to encircle Communist China. This ultimately served as a major catalyst for the creation of the Sino-Soviet Alliance of 1950. The third phase began in the early 1970s, with Nixon dismantling the two-decade-old trade embargo against China in June 1971 due to deteriorating Sino-Soviet ties. That paved the way for the beginning of a renewal in Sino-American relations.

The fourth phase was from 1989 to the present day, when the Tiananmen crackdown of 1989 seriously disrupted Sino-American relations. In the midst of powerful democratic and human rights rhetoric being articulated by the U.S. side, the elder President Bush secretly assured the Chinese leadership that America's newly imposed economic sanctions were temporary and that economic relations between the two nations should not be jeopardized. American firms continued to engage in business with China. In his acceptance speech at the Democratic National Convention in 1992, Bill Clinton denounced the Bush Sr. administration's apparent lack of interest in human rights and its intention to conduct business as usual with Beijing post-Tiananmen. Yet in hindsight, one could see that most policy pronouncements were more notable for their political effect than for any real impact they had on policy.

Indeed, once Clinton took office, his New Democrat administration's belief in economic liberalism, "enlightened self-interest" and a renewed trust in multilateral institutions and internationalism drove the U.S. to abandon its initial policy of tying China's MFN status with progress on human rights. With the considerable political clout wielded by U.S. corporations eager to crack the Chinese market and key economic agencies such as the Department of the Treasury, the Clinton administration’s policy switch from “linkage” to “comprehensive engagement” dictated that the White House would unequivocally support the annual renewal of China’s MFN status when it was voted upon by Congress, as well as actively promoting further economic ties between the two nations. In the spring of 1999, then-Chinese Premier Zhu Rongji visited the U.S. and elevated the U.S.-China relationship to a new level, particularly through the negotiations of China’s entry into the World Trade Organization (WTO), which succeeded later that year. George W. Bush initially characterized China as a “strategic competitor”, instead of Clinton’s “strategic partner”. Even so, the Republican president acknowledged that in terms of overall trade policy and supporting China's WTO candidacy, he was in “complete agreement” with his predecessor’s policies. Though terrorism has brought the two nations together, economic relations, especially with the phenomenal economic rise of China, will certainly remain a prominent feature of Sino-American ties.

Since the late Chinese leader Deng Xiaoping introduced sweeping economic reforms in the late 1970s, China's economy has experienced a growth spurt rarely seen in modern times. Already, China was the world's largest foreign direct investment (FDI) recipient in 2002, surpassing even the United States.

Did you know......

China attracted US$53.5 billion foreign investment in 2003, up by 1.44 percent from the previous year. China was the world's largest foreign direct investment recipient in 2003.

*Source: Chinese Ministry of Commerce*
China last year accounted for 16% of global economic growth, second only to the U.S. If China's international engagement and opening go as planned, the country would have 10% of the world exports by 2020, second only to America's 12%. By then, China would also have become the second-largest trading nation as well as the second-largest economy, according to the popular purchasing-power parity measurement method (to account for very different prices in high-income and low-income countries). Foreign Affairs also points out that due to rapid advances in technology, transportation and communications systems, China will possess far more power in the global economy the next time it peaks than it did on the eve of Europe's Industrial Revolution in 1820, when it accounted for 32% of the world economy (the U.S. today accounts for 31.2%). One may be inclined to recall Napoleon Bonaparte's warning about how the awakening of the Chinese giant will "shake the world".

What should the U.S. - the world's economic superpower since the end of World War II - make of all this? One cannot open an American newspaper these days without reading controversial articles on how American workers are being laid off by mercantilist Chinese policies (which promote high tariffs, maintain artificially low exchange rates, and take advantage of opaque laws to break away from trade agreements). One would be prudent to realize, however, that historically there has been a symbiotic relationship between the U.S. and China. Mao Zedong, facing U.S. encirclement during the Chinese civil war and the founding of the PRC, was never afraid to engage the U.S. This can be seen in his wholehearted embrace of American representatives during the Dixie Mission in 1944 and Zhou Enlai’s attempts to establish trade contacts with the U.S. Treasury. In fact, Mao believed that the U.S.’s expertise in heavy industry and advanced technology would be of immense benefit to China, while the abundance of Chinese raw materials and light industry would be attractive to the U.S. Mao thought that American capitalists were rational people who wanted a stake in the industrialization of such developing countries as China. The Chinese Communist Party founder and leader even said that China would rather have U.S. aid than Soviet assistance during the polar days of the Cold War, because he believed that China’s industrialization should take place in the framework of the world’s capitalist economies, led by the U.S. Indeed, there was a complementary relationship between the U.S. and China.

This beneficial relationship is even stronger today. Does U.S. unemployment imply a loss of wealth for the U.S.? The answer is no. It is important to note that people tend to consider only the difference in labor cost as the basis of global commerce and neglect an equally important factor: labor productivity. If a nation's workforce entails low wages but also low productivity, the effect on the total cost of production would remain relatively unchanged, limiting the attractiveness to foreign investors. China recipe for FDI success is to combine a vast and yet skilled labor force with increasingly sophisticated production capabilities. This would indeed mean a transfer of jobs from the U.S. to China, but there is no net loss of jobs for the two nations as a whole. Given comparable productivity between the American workforce and China's, the difference in labor costs forms the basis for gains in trade, utilizing the principle of comparative advantage. Both blocs as a whole would gain from trade, and there would be no loss in wealth for the U.S. If the U.S. decides to produce everything it consumes within its own borders, Americans would have to pay higher prices and suffer a reduction in living standards. American labor unions should demand better job training to increase their workers' competitiveness and then wages instead of resorting to protectionism, which in the end benefits nobody and decreases total wealth for both nations. In the end, an economically vibrant China means not only lower-priced goods for American consumers, but also more American jobs in sectors producing goods that a wealthier China wants to buy.

The U.S. protectionist lobby will no doubt insist that even if the above is true, the pains of American unemployment are very real. Add to the fact that the U.S. deficit with China accounts for a fifth of America's $503 billion current account deficit and is growing at an annual rate of about 25%, and it seems that there is a legitimate cause for concern for Americans. However, one must understand that the causes and solutions of these problems have American roots as well. U.S. exports to China have been growing at more than 15% for the last couple of years. In turn, these sales create high-paying jobs (paid in dollars by China) in the U.S. and help U.S. companies maintain their competitive edge against European and Japanese competitors who are also major contributors to the U.S. deficit. As for the deficit itself, 75% of the growth in China's exports to the U.S. was due to the fact that many companies already exporting to the U.S. had been moving their production into China in the first place. This "displacement effect" is the result of American firms utilizing Chinese comparative advantages in labor-intensive goods, and overestimates China's real competitive pressure on American companies and American jobs. With China's accession to the WTO, Beijing's pledge to reduce trade barriers has contributed to an import increase of 42.9% from the U.S. year-on-year in the first six months of 2003 alone. It certainly seems there is more to the picture than
simply to label the Chinese as "mercantilist".

The complementary nature of the American and Chinese economies extends other benefits to both nations. American investments in China generate larger revenues for U.S. corporations than their ventures in any other developing country. U.S. corporate sales in China provide much needed jobs and technological transfers to the Chinese. China's phenomenal success in exports has prompted U.S. outcries for a reevaluation of the yuan peg with the U.S. dollar. Thanks to the peg, however, China has purchased $100 billion of U.S. government securities, and the number is bound to increase. In doing so, the Chinese government has effectively become a prime source of funding for the U.S.'s growing fiscal and current-account deficits. If China withdraws support for the dollar due to a reevaluation of the yuan, U.S. bond yields would likely rise sharply, drive up mortgage rates and threaten the housing boom that has sustained American domestic consumption since 2001. China, meantime, is able to enjoy the financial security of the dollar in the form of U.S. Treasuries. As shown in the numerous trade disputes between the two nations, Washington's harsh words towards Beijing are often balanced by conciliatory remarks. The Bush administration acknowledges that these economic interactions between China and the U.S. are extremely beneficial to both nations, and this is a sentiment that Hu Jintao's government would acknowledge as well.

Given the far-reaching economic dynamics between the U.S. and China, how should the Bush administration and future American leaders react when Americans feel so split about the rise of China? Back in the days when Congress would debate whether to grant China MFN status, divided American opinion on whether or not to engage China was already apparent. "China has produced intercontinental missiles with nuclear warheads aimed at every American city, purchased by Chinese communist dictators with American dollars taken from American workers", declared Representative James A. Traficant Jr in 1998. President Clinton, who secured the House vote on extending MFN status to China in the same year, said

This vote reflects my conviction that active engagement with China expanding our areas of cooperation while dealing forthrightly with our differences is the most effective way to advance our interest and our values. Trade is a vital part of engagement supporting jobs here at home, lowering product prices, and helping us to build ties to nearly one quarter of the world's population.

It is clear why the U.S. should continue to pursue active economic engagement with China. Certain sectors of the U.S., especially the labor unions, strongly wish to hide behind protectionist barriers. American worries about rising nations are not new. Japan and South Korea, together with other countries, have been cast in the role of cheap-labor predators feeding on the lucrative U.S. market at the expense of American jobs. China (which has been far more open in comparable stages of economic development than the two aforementioned nations), or any other nation, by becoming wealthier, should be a cause for celebration, not bitterness. By maximizing its comparative advantage in low-wage manufacturing and labor-intensive goods, China will force other countries to shift resources into what they do best. For the U.S., that usually means high-value services and activities associated with high paying jobs. Indeed, China's opening is driving a massive reorganization of the international division of labor on a global scale. Painful change will occur, but that has always been the price of progress.

The U.S. must also let cool heads prevail when relationships with an economic power as large and dynamic as China are concerned. From particular conservatives such as Mr. Traficant to various interest groups (sometimes with legitimate criticisms), there will always be influential forces that will continue to raise trade disputes between the U.S. and China. Certain conservatives in Congress who have supported Taiwan since the days of the Chinese civil war and U.S. civil servants who would like to remind voters of their own existence, will continue to find fault with China's economic liberalization. These people either do not know, or would like to conveniently forget, the enormous benefits that both Americans and Chinese enjoy from healthy bilateral trade ties. These benefits should only increase as China gets wealthier and is further integrated into the world economy, a responsibility previously mentioned that is primarily under the auspices of the U.S., for both historical and contemporary reasons.

As America's global economic dominance, especially in Asia, is being challenged by the Chinese, the U.S. must also accommodate the rise of China and give the nation a stake in global economic governance. Precedents are not encouraging. When a rising power emerges, incumbent powers challenge the newcomer, and with increasing mutual suspicion, conflict breaks out. This was true for a rising Germany against Britain in World War I, and Japan against the U.S. during World War II. One should understand that there is a very real symbiotic relationship between the American incumbent and the Chinese newcomer, however. Also, China has largely acquiesced in the role of global institutions since the end of its Cultural Revolution. The country has been admitted to the WTO on terms largely congruent with neoliberal goals. Since 1999, the U.S. Congress had pushed for the approval of a Permanent Normal Trade Relations Act (PNTA), and this Act was passed in 2001.
by the Bush administration. In a recent Foreign Affairs article, Secretary of State Colin Powell emphasized that on Sino-American relations, "Neither false fear about the future nor the overhang of Cold War enmity prevents us from cooperating where our interests coincide". He also quoted from the National Security Strategy of the United States set forth in September 2002 that (the U.S.) welcomes the emergence of a strong, peaceful and prosperous China. These acts of further normalization of U.S.-China relations, together with China's WTO entry, implies mutual recognition and acceptance of the neoliberal ideas underscoring globalization and the nature of Sino-American relations. Indeed, China aims to emulate American modernity, rather than to displace America. This is a position that Mao and the current Chinese leadership would readily agree with, and is a crucial difference that sets the U.S. and China apart from those nations in history which have had to settle their differences through bloody wars. In the end, China's nationalist instincts are offset by the Communist Party's economic ambitions, and the U.S. can benefit from this by actively engaging with China.

The U.S. has benefited tremendously from its economic interactions with China. The spirit of Lao-tzu and Adam Smith, under the auspices of successive Chinese and American administrations to create the conditions necessary for wu wei and the system of natural liberty, has to a large extent flourished and enriched the lives of many Chinese and Americans in the last quarter of the 20th century. The process looks set to continue well into the 21st century as well.

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Fields of Blood and Wheat: The Sikh Genocide Seen 20 Years Later
- by Arjan Singh FLORA

The year 2004 signals the 20th anniversary of one of the most critical, destructive and deadly years a modern Asian nation has seen, while signifying a world which continues to turn a blind eye towards the atrocities that has occurred. Two years after Richard Attenborough’s “Gandhi” was released world-wide, the country that produced the peace-loving, non-violent leader went against his ideologies of religious equality and political freedom by launching genocide upon a minority group that constituted less than 2% of the population. The events from June 3rd to June 6th of 1984, as well as the 8 years that followed October 31st, 1984, were tragic. The Indian army, under the orders of Prime Minister Indira Gandhi, stormed on to the premises of the Golden Temple of Amritsar, the holiest shrine of the Sikhs. The assault coincided with a religious celebration being held at the temple to commemorate the martyrdom of the fifth teacher of Sikhism, Guru Arjan Dev, who became a martyr by protecting the Sikh faith hundreds of years before. As a result, thousands of innocent men, women, and children who took part in the celebrations were massacred despite the Indian government’s claim to hunt down a few armed men. A few months later, in an act of revenge, Prime Minister Indira Gandhi was assassinated by two of her Sikh body guards on October 31st, 1984. In the following few days, a planned and coordinated massacre of the Sikhs was set out under the sanction of Rajiv Gandhi, the son and successor of Indira Gandhi, which led to immense suffering of thousands of Sikhs in the Indian capital of Delhi and other Indian cities. In the next 8 years, police and paramilitary forces combed the fields of the Punjab, arresting and torturing innocent Sikhs, leading many confused youth into terrorism and murder.

Why this savagery? Why this invasion of a holy place and murder of innocents? Some say it was a necessary, last-minute action the government had to take in order to counter the rise of the militancy of fundamentalist Sikhs seeking to carve a separate homeland, named Khalistan, out of the Punjab. Others say it was a government sponsored holocaust of a minority religious and ethnic group in order to bolster Hindu supremacy in the region. Whatever the case may be, the results of dirty politics led to bloodshed and anarchy in the breadbasket and sword-arm state of India. The history of this conflict which led to the torturing and slaying of 250,000 Sikhs (Amnesty International and Asia Watch Report 1991) with thousands more “missing,” began not in the 1980s, but in the years following India’s independence. During the partition of India and Pakistan in 1947, the Sikh homeland of Punjab was split in two, with nearly 2/3 of it going to Muslim-dominated Pakistan and the remaining territory to Hindu-dominated India. During this time, Mahatma Gandhi who was grateful towards the Sikhs for giving up their land for the purpose of peace between Hindus and Muslims, said, "You (Sikhs) take my word that if ever the Congress or I betray you, you will be justified to draw the sword as taught by Guru Gobind Singh (The 10th teacher of Sikhism)." However, with the whole Sikh population being uprooted and crowded into Indian Punjab, as well as the large Hindu population that also migrated to India, linguistic, cultural, and religious tensions began to rise. In the 1950s, the Arya Samaj, a Hindu fundamentalist organization, led an anti-Punjabi, anti-Sikh campaign to eradicate the Punjabi culture and language as well as the Sikh religion in the area. This
led most Sikhs to demand a separate Punjabi-speaking state. After tens of thousands of arrests, multiple deaths, and the unaltering loyalty of Punjabis and Sikhs in the Indian army effort in the 1965 war with Pakistan, the Indian government conceded to create a Punjabi-speaking state. However, the 1961 census was altered to create Hindi-speaking majorities in many regions, thus cutting Punjab up further into two separate states – Punjab and Haryana. They have to share the same capital, Chandigarh.

In the 1960s and 1970s, Punjab’s agrarian-based economy boomed with the Indian Green Revolution, allowing Punjab to prosper beyond any other Indian state. Unfortunately, dirty politics were still in play. In June of 1975, Indira Gandhi, in order to overrule a High Court order that threatened her rule, declared a state of emergency which imposed a censorship on the press, arrested hundreds of opposition leaders, and essentially suspended basic human rights in the country. In response, the Sikh political party of Punjab, the Akali Dal, agitated against the Emergency, leading to the arrest of nearly 50,000 Sikhs. The Emergency ended in 1977 with Gandhi losing her position, the Akali Dal winning a majority in the Punjab, and cultivating a long time grudge held by the former Prime Minister. In 1978, the Akali Dal submitted 12 resolutions, known collectively as the Anandpur Sahib Resolution. They called for the special status of Sikhs in the Indian Union as promised by Mahatma Gandhi and Jawaharlal Nehru, regional autonomy for the Punjab, the right to use the river waters of the Punjab which were being redirected to other states, official recognition of Amritsar as a holy city, as well as other religious freedoms and economic rights for Sikhs and other Punjabis. By the time the central government came about to reviewing the resolution, Indira Gandhi was re-elected in 1980, thus destroying any attempt for self-autonomy in the Punjab.

Campaigning for the implementation of the resolution began in 1982, in which 200,000 Sikhs were arrested. In order to counter this action as well as create an upsurge of Hindu support for herself and her Congress Party, Gandhi decided to find a scapegoat for the problems in the Punjab. A fundamentalist Sikh named Jarnail Singh Bhinderanwale, who created a Sikh revival in the villages of Punjab, was singled out for Gandhi’s plans. Bhinderanwale’s influence in obtaining followers and his militant mentality for Sikh self-preservation led many to take up armed opposition against the rising tensions between the central government and the Sikhs. Gandhi was now losing even more support for her Congress Party in the Punjab, so she imposed President’s Rule in the region in 1983 and allowed for the arrest of innocent Sikhs by police forces. Using Bhinderanwale’s position in the Sikh temporal seat of authority, the Akal Takht in Amritsar, Gandhi labeled him and his followers as terrorists to create a solution to the “Sikh Question”.

On June 3, 1984, the Indian army, Punjab Police, and paramilitary forces, with some aid by the Air Force, stormed the Golden Temple complex in Amritsar and 40 other Sikh shrines. The Indian government claimed that it was a last minute choice for Gandhi as tensions were critically rising in the Punjab, but modern analysis and investigations by the Central Bureau of Investigation, India’s version of the FBI, shows that this attack was preconceived months and even years in advance. In late May and early June, Gandhi announced on All-India Radio that a curfew was placed on the state of Punjab, all roads leading out of Punjab were closed, communications were blocked, and the state was now under military rule. Fearing an attack by military forces, Bhinderanwale and his followers, including Indian general Shabeg Singh of the 1971 Indo-Pakistan War fame, created sandbag trenches, placed machine gun sentries around the entrances to the temple-complex and positioned snipers at high points around the complex. The attack, codenamed Operation Bluestar, took place for 4 days from June 3rd to June 6th. The Akal Takht was destroyed by artillery and tank fire, the Golden Temple was shot at, the Sikh library was burnt to ashes, the Royal Treasury of the former Sikh Empire was looted, and the sacred pool surrounding the temple was tinted red with blood and debris. The day of the attack was chosen when the temple was crowded with pilgrims commemorating the martyrdom of the fifth Sikh guru. By the end of the military operations, the Indian government placed the death toll at 554 civilians and 92 army personnel; however, the New York Times places the toll at 1,200 and the Chicago Tribune at 2,000 deaths. With the combined attacks of the Golden Temple and the 40 other Sikh shrines, the death toll was placed at between 2,000 and 7,000 innocent civilians, around 250 armed Sikhs, including Bhinderanwale, and 100+ military personnel. Surviving victims and military personnel described the slaughter of the innocent Sikhs. Men had their hands tied

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**Did you know......**

Although Hindu is the dominant religion in India, Islam, Christianity, Sikh and other religions such as Buddhism are worshiped by 18.7% of the population.

*Source: CIA World Factbook*
behind their backs with their turbans – it is a humiliating act to take off a Sikh’s turban - and were shot in their foreheads. Women and children were lined up with their hands above their heads and were collectively killed.

Following Operation Bluestar was Operation Woodrose, which ordered the combing of Punjabi villages for Sikh youth with “ties” to “terrorist organizations.” In Sikh history, any person who had desecrated the Golden Temple met his own demise. To avenge the massacre of innocent Sikhs as well as the destruction of the Golden Temple complex, two of Indira Gandhi’s Sikh body guards assassinated her on October 31, 1984. In the following three days, 6,000 Sikhs were butchered in New Delhi alone by raging Hindu mobs backed by Congress Party politicians and under the orders of Rajiv Gandhi. Sikh men were beaten with metal rods, had tires placed around their necks, drenched in kerosene, and set on fire. Others were scalped with hot irons and forced to shave their beards and long hair, or were scalped alive. Gangs of 10 to 12 men raped Sikh women and young girls. The elderly were locked in their vehicles or homes which were set aflame. Young boys were lynched and had their bodies left on the ground for stray dogs to scavenge through. The mass murders were so large in number that bodies were taken by the truckload to large graves outside of Delhi and the bodies were disposed of in mass cremations. Police and security forces sat by watching, while some were even providing the materials to further the rioting. In just three days, 50,000 Sikhs were made homeless with thousands of homes and shops looted and burned, thousands of women raped and widowed, and countless children left orphaned.

Hearing the news of the slaughter in Delhi and other Indian cities and still feeling the pain of Operation Bluestar, Sikh youths throughout Punjab joined the armed struggle for an independent Sikh state known as Khalistan, while others joined terrorist organizations with Pakistani ties. Endless guerrilla warfare between disgruntled Sikhs and government forces led to bus-bombings by the terrorists and village massacres by the government. Police forces arrested innocent Sikh youths by the thousands, tortured them by pulling out their nails, crushing their limbs with large wooden logs, and hanging them by their legs and beating them with lathis (heavy sticks bound with iron). Because the jails were quickly filling up, Sikhs were killed in fake “encounters” while prisoners were starved and murdered. The bodies of the dead were disposed of in large, but hidden crematoriums. The fighting spread world-wide with Sikhs living abroad in Canada, the United Kingdom, and the United States calling for assistance. Several Sikh militant organizations set up branches in Canada. They still exist today, though under scrutiny by fellow Sikhs, India, and Canada alike. By 1992, when the urgency in Punjab subsided, it was estimated that 250,000 Sikhs were killed and hundreds of thousands were still “missing.” Today it is estimated that 50,000 innocent Sikhs are still rotting away in Indian jails without any rationale. The Punjabi population suffered under the agony of Indian central rule, but fighting subsided by 1992 when free elections were once again held and all supposed terrorists were killed. By 1997 fighting in the region was rarely heard of and peace returned to Punjab and northern India. The great work ethic of the Sikhs and Punjabis made substantial improvements to their livelihoods.

So what has occurred in India since then? Most of the Congress Party politicians responsible for setting up the calculated genocide of the Sikhs have never been charged with the massacres, with some being merely acquitted. Central Bureau of Investigation inspectors found that police and military forces had slaughtered innocent Sikhs and cremated them before anyone could find out their identities. In fact, one crematorium was found to have cremated 984 unidentified bodies in secret. Sikh militancy has subsided, with many fearing to even mention Khalistan, however some Sikhs outside of India still continue to protest and call for an independent Sikh homeland. The Golden Temple complex and the Akal Takht have been rebuilt and have gone through severe restorations, but the scars of the massacres of 1984 and the years of violence still continue to be felt. It has been 20 years with the genocide of the Sikhs yet to be known on a global scale, as India still continues to hide this historical tragedy. A Hindi film regarding the slaughters of November 1984 and the resulting terrorism, titled Hawayein (“Winds”), was meant for release in India in 2003, but was banned by India’s film censorship board. The film, however, was released in the UK, Canada, and the United States, spreading the horrors of 1984 to the outside world. Khalistan has been named an official nation-in-exile by the Unrepresented Nations and Peoples Organization (UNPO), however, with the exiled government’s office in Washington, DC. Twenty years later, the victims of genocide still have not received justice nor world recognition for their plight. Perhaps the time will come when Sikhs can address their grievances to a world audience and can receive the special status promised to them when India became independent in 1947.

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Hong Kong's Rule of Law  
- by Nelson WONG

The rule of law is a cornerstone of Hong Kong's prosperity and international standing. At the time of the 1997 handover from Britain to China, the rule of law is supposed to operate under the one country, two systems rubric. However, as reflected in a number of political incidents and legal controversies, the effective maintenance of the rule of law is in doubt. This essay will attempt to briefly discuss the theory of the rule of law. With reference to the political realities in the current Hong Kong Special Administrative Region (HKSAR), an analysis would be provided as to whether the rule of law is being upheld or not.

Power and law, in their purest forms, are polar opposites in the ruling of a society. The former represents arbitrary might, while the latter signifies a system in which power is institutionally checked and properly channelled to conform to a people's values and established patterns of expectation. The rule of law is a constitutional doctrine which reconciles these antagonistic drives. In order to achieve such a goal, the organs of government must not only operate through the law, but also under the law. In effect, the law operates as a check on government. In addition to the above, it is equally important to recognize that the rule of law embodies a broad range of legal and social assumptions. With the increasing universal recognition of human rights, they must be protected by the rule of law. The law must not degenerate into an instrument of oppression for the government to abuse, let alone be subject to alterations by the government to interpret in ways it likes.

While legality is seen as one of the facets of the rule of law, more is required to ensure that the government would not be granted unrestricted discretionary powers in the name of adhering to the spirit of law. Accordingly, the law should be given a supreme standing as it is used to administer justice. Although the Basic Law, the constitutional document of the HKSAR, makes no mention of the rule of law, it does provide that laws in the region shall include the Basic Law, the laws previously put in force prior to the handover, and the laws enacted by the post-handover legislature. The laws previously in force in the HKSAR, according to the Law, stand for the common law, rules of equity, ordinances, subordinate legislation and customary law except for any that contravene this Law, and subject to any amendment by the legislature of the Hong Kong Special Administrative Region. While Hong Kong remains as a member of the common law world after the handover, justice continues to be administered by common law judges in the same manner as before. According to Baroness Lydia Dunn, the rule of law in Hong Kong states that our laws are published; that any action of government must have a legal basis; that all cases, criminal or civil, are normally heard in open court; and that there is an established body of statute and case law so that people know broadly what they can and cannot do all these contribute to a system that we sum up in the phrase the rule of law.

Hong Kong has long prided itself on its independent, rational and fair legal system. Businesses could be assured of fair and transparent legal proceedings, while the people could be assured of respect for their civil liberties and human rights. In fact, the well-developed, private market-oriented legal system is provided by the preservation of the existing laws and judicial system of Hong Kong. However, after the handover, a number of incidents have cast doubts over the integrity of the rule of law, causing widespread anxiety and fear.

In theory, the rule of law embraces the supremacy of edict. Everyone should be equal before the law. Such a notion becomes doubtful, however, when the Secretary of Justice, Ms. Elsie Leung Oi-sie, decided not to prosecute the local branch of the Xinhua News Agency (Xinhua is the mainland government's official news agency) for an offence as defined under the Special Administrative Region's Personal Data (Privacy) Ordinance. Ms. Emily Lau, a member of the HKSAR Legislative Council, filed a complaint against Xinhua for disregarding her request to gain access to her own data within 40 days as stipulated by the Ordinance. Xinhua only replied to her after 10 months that it had no relevant file. Although the Privacy Commissioner had recommended to the Secretary of Justice that the agency has breached the provisions, the HKSAR government refused to act upon such a recommendation. Given the politically sensitive status of Xinhua in Hong Kong,
The significance of this incident lies in the inexplicable reasoning behind the HKSAR's government refusal in prosecuting Xinhua, in view of the fact that it has prima facie breached the Ordinance. In addition, given the vague definition of State in the Adaptation of Laws (Interpretative Provisions) Ordinance, it is arguable that the news agency could possibly fall within the definition and be exempted from the application of any ordinance of HKSAR unless expressly provided. Xinhua thus would enjoy a privileged status. If this is indeed the case, universal equality before the law would cease to exist.

The Sally Aw incident further shed suspicion on selective prosecution by the HKSAR government. The Independent Commission Against Corruption agency wished to prosecute Miss Sally Aw, director of a newspaper company in Hong Kong, for fraud in relations to false inflation of circulation figures of the Hong Kong Standard newspaper. Three of her senior staff were prosecuted and convicted, and are now in prison. Ms. Leung, however, decided not to prosecute. Her decision was made on two grounds firstly, that there was insufficient evidence to bring about a charge against her; secondly, and more importantly, it would be contrary to public interest to do so. According to the Secretary, prosecution against Sally Aw would adversely affect the restructing of the newspaper company, and that it would be very likely that the company is compelled to cease operation, further inducing an increase in the unemployment rate in Hong Kong. Furthermore, a negative message would be sent to the international community if the company's closure were to be publicized. Ms Aw is a member of the Chinese People's Consultative Conference, and is also a friend of the HKSAR Chief Executive, Mr Tung Chee Hwa. It is conceivable that the decision to drop the prosecution was due to the close ties Ms. Aw enjoys with the mainland authorities and Mr. Tung. Although this is certainly up to speculation, the legitimacy of law is essentially connected with the principle that impartiality of law must be seen to be done. Based on the arbitrary and somewhat unconvincing reasoning of the Secretary, this can hardly be seen to be achieved.

Indeed, the reasoning of the Secretary was barely adequate. The rule of law should not entail concern over public interest, as everyone should be equal under the law. The spirit of the rule of law is certainty and predictability of the legal system. The explanation given by the Secretary of Justice does not provide sufficient distinction as to what people can and cannot do. If this explanation were considered to be correct, does it mean that a director of a company would not be prosecuted so long as the closure of the sufficiently large firm would push up the unemployment rate of Hong Kong? It seems that there is a law for the rich and well-connected, and another law for everyone else. Once again, the notion of equality under the law has been severely impaired. In the end, this was the unfortunate message that was sent to the international community.

Apart from the allegation of selective prosecution, the rule of law after the handover is also challenged on other grounds. The subservience of the HKSAR government administering of the Basic Law to the mainland jurisdiction is one of them, best reflected in the HKSAR government's failure to press for rendition of Cheung Tze-keung to the Special Administrative Region. Cheung, a Hong Kong citizen, was alleged to have committed a series of severe criminal acts, several of which occurred in Hong Kong. Nevertheless he was tried and convicted of the death penalty in China. His trial was a mockery by Hong Kong standards. Had he been convicted in Hong Kong, he would never have been sentenced to death for the crimes he had committed. The Secretary of Justice refused to assert the jurisdiction of HKSAR over this case. Ms. Leung claimed that there was no rendition agreement between Hong Kong and China, despite the fact that fugitives have been transferred back to Hong Kong in the past.

The failure to press for rendition of Lee Yok Fai was based on similar reasoning. Lee Yok Fai, a mainlander, has committed murder in Hong Kong. The Secretary of Justice refused to seek for a transfer of the suspect back to Hong Kong for trial. However, the justification given by the Secretary was based on a wrong interpretation of the Chinese Criminal Code, which deals with crimes committed outside Chinese territory and therefore has no application to Hong Kong. If the interpretation were right, it would mean that any "Chinese citizen", including HKSAR passport holders, could be prosecuted in China for any crime alleged to have been committed in Hong Kong. Most Hong Kong citizens visiting the mainland would be at risk of arrest and trial for any alleged crimes in Hong Kong, with the HKSAR government being unable to step in. This would mean the end of the "one country, two systems" model that has served to be the fundamental pillar of the relationship between the HKSAR and mainland China. Although this may be a rather extreme view, one thing was certain - the separation of jurisdiction of the HKSAR and that of the mainland is increasingly difficult to be distinguished. It seems that the HKSAR government is more willing than ever to give in to mainland jurisdiction, compromising the impartiality and autonomy of our own legal system.
As discussed previously, the rule of law entails that the government can be put to trial by independent courts of law, thus operating as a check upon the actions of government. However, instead of being tested by the court, the HKSAR government seeks legal justification whenever it deems appropriate to do so. When the Court of Final Appeal (the HKSAR equivalent of the US Supreme Court) closed the Ng Ka Ling case, the Secretary of Justice bowed to political pressure from Beijing, which requested that the Court's judgment had to be rectified. The HKSAR government has refused to acknowledge and respect the finality of judgment made by the Court of Final Appeal, the highest judiciary organ within Hong Kong. Indeed, this phenomenon is unprecedented in the world of common law, and it may be said that the HKSAR judicial system is subject to the erratic winds of prevailing political realities. The HKSAR government has endeavoured to place itself above the legal system of the region in order to serve its own ends.

Incidents in the last twelve months have put the integrity of the rule of law under intense scrutiny. The HKSAR administration is more ready to rule and act by law than before. Furthermore, there seems to be a tendency for the government to tighten control of public assembly and demonstrations. For instance, the Public Order Ordinance has often been used by the government to control or even prohibit public meetings or demonstrations. The rule of law can only survive if the law does not deteriorate into a tool of oppression for the government according to its momentary caprices. While there is no particular incident showing that the HKSAR government alters and redefines law for such purposes, it often construes law in a broad manner such that the rights of individuals are effectively curtailed when no obvious harm against public order has been created. Arbitrary interpretation of law as such is not much different from a redefinition at all. This runs counter to the creed that executive discretion has to be contained and be exercised in a fair and equitable manner. Indeed, the integrity of the rule of law seems to have worsened after 1997. All these incidents show that the HKSAR administration tends to be less tolerant of critical views or ideas. It seems that the government cannot identify the distinction between rule of law and rule by law. While the rule of law effectively includes the need to rule by law for the maintenance of the legal system, other fundamental legal elements such as human rights, tolerance and freedom of expression must be considered as well.

The future indeed is worrying. The lack of a sufficient level of legal literacy among government personnel is a cause for concern. The absence of a legal consciousness among the Hong Kong populace is much more pronounced than in that of most Western democracies. Worse still, legal support for decision makers is dismal. For example, Ms. Lui Yuk-lin, a regular anti-China protestor, was dragged off by the police after being refused access to the flag-raising ceremony on National Day. Can the administration right its wrongs and implement the correct law-respecting approach in the first place, instead of creating such blunders that could only further dent the political legitimacy of the government? It has at times put efficiency and expedience before the rule of law in policy making. The supremacy of the rule of law must be observed by any government, including that of the HKSAR. Unless the administration stops compromising the sanctity of the rule of law, the authority of the already embattled government would continue to suffer. Most of all, the ordinary Hong Kong citizen stands to lose the most.

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**Kim Jong-il**

- by Lisa KIM

Political dictatorship 101: deify the man in charge. “Official” documentation would claim that North Korean dictator Kim Jong-Il entered this world accompanied by a double rainbow and a new star, atop Paektu San, a mountain on the Chinese-North Korean border. His mystical entry into the world bears some resemblance to popular shamanist myth of Tan’gun, the founding king of Korea from whom all Koreans are progeny, who descended upon Paektu San form the heavens. Mysticism aside, Paektu-san has become an integral part in the formation of Korean political and social identity. In the history of Korea, the beauty, strength, and majesty of Paektu-san and its resonance amongst the Korean people have been the inspiration for political speeches, protest songs, numerous works of art and poetry. The first lines of the South Korean anthem proclaim: “until the waters of the east sea are dry and Paektu San is washed away, may God watch over our land forever. Our Korea man-seh!” Thus the falsified details of Kim Jong-II’s birth, by default, have made their own prequel to the history of the Korean people. Kim Jong-Il has replaced Tan’gun, and the progenitor and first ruler of the Korean race has become the current “Dear Leader,” whose dominating army and starving people have been oversimplified into the genius term “axis of evil,” by own “dear leader,” ol ’ Dubya.

Strip away the personality cult perpetuated by the North Korean regime and you get a second-generation...
dictator- the symbolic leader of one of the world’s last standing communist states. Portrayed as playboy with permed hair and shoe lifts by the South Korean media and as the next Hussein by the North American press, Kim Jong-Il’s real biography can be as contested as can be any information coming from the “contemporary hermit kingdom.” Born in 1941 in Siberia during Kim Il-Sung’s exile, the younger Kim studied political economics at the national university named after his father, and in 1980 was announced as the successors to Kim Il-Sung’s regime. Without any previous military experience, the younger Kim took control of the North Korean military forces in 1991. Kim Jong-Il officially took to the pedestal in 1994 when Kim Il-sung unexpectedly died from a heart attack “owing to heavy mental strains,” in the midst of peace talks with south Korea and the united states. In 1997 Kim Jong-Il was named general secretary of the Korean workers party and in 1998, the chairman of the national defense commission and the supreme commander of the people’s armed forces.

Although a bearer of multiple impressive titles, one starts to wonder how much genuine influence Kim Jong-Il possesses, and to what extent he is merely a tool to uphold his father’s legacy. In 1998 the North Korean constitution was amended to affirm that Kim Il-sung be “president for eternity.” Indeed it is Kim Il-Sung’s huge statue resting on Mansu hill in Pyongyang. It is he who is credited with “creating” the political ideology of juche, which demands total loyalty to the leader and emphasizes self-reliance as the tool to complete the revolution. Meanwhile Kim Jong-Il is said to have kidnapped beautiful women and acclaimed film directors, collected sports cars and foreign liquor to build up his own haven of luxury. He is said to have stowed away about $4 billion in Swiss banks, collected villas in Europe, Russia, and China while allowing 3 million North Korean “proletariat” to starve to death. While 13 million North Koreans continue to suffer from malnutrition, it only seems to be in the rare instance of international press coverage that the state provides food to the masses, perhaps in Kim’s attempt to bite his thumb at Dubya’s accusation of being truly evil.

Ultimately Kim Jong-Il is a ruthless and powerful leader whose attempts to create, or even repair, this supposed communist “paradise” has found skeptics worldwide. It is only by default of his father’s legacy and the falsification of his creation that this dictator has any realistic semblance to a legend in North Korean society. It is because of widespread doubts regarding his rationale and conscience that Kim has gained global notoriety.

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Did you know......

Kim is credited for having his father Kim Il-sung’s personal philosophy of Juche extended. Juche means self-reliance in Korean. His other claimed feats include writing six operas in two years, and personally designing the huge Juche Tower in Pyongyang.

*Source: www.nationmaster.com*

The North Korean Nuclear Crisis: Implications for the Future

- by Elliott VELOSO

“The only winnable nuclear war is the one we prevent.” Anonymous

“I think it’s a bloody miracle that one of these eggs has not gotten loose in the last 40 years. The subject of control over nuclear weapons is so awful a problem that there aren’t any real solutions to them, and you can’t relax about it at all.” William E. Colby (1920-1996). Former Central Intelligence Agency Director.

On October 16, 2002, the Democratic People’s Republic of Korea, led by the dictator Kim Jong-il, stunned the international community by announcing that it was now in possession of nuclear weapons and the facilities to construct them. These actions, in violation of numerous international and regional treaties, have been decried as blatantly aggressive towards North Korea’s neighboring countries as well as destabilizing to Asia as a whole. As multinational negotiations between North Korea, South Korea, the United States, Japan, Russia, and China break down and fears of a nuclear standoff loom in the horizon, the question for all concerned is clear: Will North Korea disarm its nuclear weapons, or will Kim Jong-il employ them as tools to coerce aid from China and the west? As developing nations scramble to stockpile nuclear weapons, the North Korean nuclear missile crisis has become the latest instance of nuclear proliferation throughout the globe. Is North Korea’s nuclear brinkmanship a portent of international relations to come, or an isolated instance of a rogue nation flexing its military might?

By examining how the crisis came about, it becomes clear that the North Korean program took decades of planning and development. A study issued by
Monsoon

globalsecurity.org, an independent international security monitoring organization, notes that the first evidence that the North Koreans were developing a nuclear program could be found as early as the 1980’s. In 1985, the United States announced for the first time that intelligence data proved that a secret nuclear reactor was being built 90 km north of Pyongyang near the small town of Yongbyon. As a result, in 1985, under international pressure, Pyongyang signed the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), and international agreement created by the United Nations in 1968 that restricts the proliferation of nuclear bomb making materials and promotes safe used of atomic energy. In a sign of things to come, however, North Korea refused to sign a safeguards agreement with the International Atomic Energy Agency (IAEA), a requirement of the NPT, ensuring that the IAEA could never enforce the treaty (http://www.globalsecurity.org/wmd/world/dprk/nuke.htm). Despite these setbacks, however, efforts were taken to improve relations when South Korea convinced North Korea to sign the Joint Declaration on Denuclearization on December 31, 1991, which stipulated that both nations would never “test, manufacture, produce, receive, possess, store, deploy, or use nuclear weapons and forbade the possession of nuclear reprocessing and uranium enrichment facilities.” The treaty led to the creation of the North-South Joint Nuclear Control Commission (JNCC), which was tasked with inspection and identification of nuclear weapons in the Korean peninsula. In addition, North Korea also signed a nuclear safeguards agreement with the IAEA, which it was supposed to do in 1985 when it signed the NPT. As a result, UN inspectors were allowed in for the first time.

Despite the passing and implementation of these treaties, however, the 1990’s saw a gradual ignorance on the part of the North Koreans with the nonproliferation treaties it signed. In March of 1993, North Korea precipitated a crisis when it announced it would withdraw from the Nuclear Non-Proliferation Treaty in 1993. It was only after emergency talks with the Clinton Administration that North Korea agreed to “suspend” its withdrawal in June of 1993. Further negotiations in 1994 led to an agreement. In exchange for an promise from North Korea to freeze its nuclear program, it was granted two new pressurized light-water reactors (which are considered less capable of producing weapons-grade plutonium) 3.3 million barrels of oil to meet its energy needs until the first new reactor became operational. (http://www.eia.doe.gov/emeu/cabs/nkorea.html) KEDO, an international consortium led by the U.S. government (with South Korea, Japan, the European Union, and others), was established to implement the agreement. Fred Kaplan, contributor to Slate’s Opinion and Commentary, noted that while this arrangement worked well, it fell apart when a North Korean submarine was caught of South Korean waters and when President George W. Bush made it clear he did not want to continue the KEDO policy upon entering the White House. Finally a complete breakdown was triggered when North Korea revealed that it never stopped its nuclear weapons program in violation of the NPT. This statement was in response to Bush post-9/11 address on terrorism, where he accused North Korea, Iran, and Iraq of forming an “axis of evil.” (Fred Kaplan. Dec 31" 2001. Slate Opinion and Commentary, http:///slate.msn.com/id/2076213/) As a result, relations in the Korean Peninsula have cooled considerably, with the United States, China, Japan, and South Korea engaged in potentially futile diplomatic negotiations to promote disarmament.

Although a terrible international crisis, it is not the first time that international treaties restricting the development of nuclear weapons have been ignored. On May 11, 1998, India carried out three underground nuclear tests at the Pokhran range. In retaliation, on May 30, 1998 Pakistan tested one more nuclear warhead with a reported yield of 12 kilotons. The international community decried the tests, but sanctions were never placed on the nations for their violation of the NPT. The surprise tests clearly revealed that the end of the Cold War has seen significant leaps in weapons development, and India, Pakistan, and North Korea are not alone in their desire to enter this once exclusive club. South Africa, Saudi Arabia, Iran, Brazil, Argentina, and Israel have either illegally developed nuclear weapons or have the capacity to develop such weapons, and this does not even take into account the nations that possess biological and chemical weapons as well as various terrorist groups that are developing them as well. (http://www.globalsecurity.org/wmd/world/wmd_state.htm) All this evidence leads to a troubling conclusion: international nuclear control programs like

Did you know......

North Korea has the world’s fifth-largest military force, with more than 1 million active-duty personnel. In 2001, North Korea spent more than $5 billion on its military, more than 30 percent of the country’s GDP.

*Source: www.pbs.org/frontlineworld/stories/northkorea/facts.html*
the IAEA and the NPT were woefully inadequate during the Cold War when it came to regulating weapons of mass destruction. In addition, development during that time was not due to the fact that these nations lacked the capacity, but with the fact that they did not have the need to due in part with the protection they were given by the US and the USSR. Given the present international climate, it appears that in these dangerous times it is all the more necessary to establish new international policies regarding WMD regulations that apply in a post-Cold War world. Fred Kaplan concurs with this conclusion, noting that “in the longer run still, the United States - if not Bush, then whoever follows - must devise a [new] nuclear proliferation policy, because North Korea, though unique in many ways, does point a scraggly finger toward the future.” In the 1960s and ‘70s, many arms-control scholars warned that 20 or 30 countries would acquire nuclear weapons in the next decade. It did not happen, not because those countries were unable to do so, but rather because the Cold War was an international security system. The United States and the U.S.S.R. each extended the deterrent of its nuclear arsenal to its circle of allies. With the U.S.S.R. vanished, this “nuclear umbrella” has folded up as well, and it will become harder and harder to keep particularly insecure powers from building their own nukes - especially since, as North Korea is now demonstrating, you only need a few nukes to be suddenly taken seriously.” (Fred Kaplan. Dec 31st 2001. Slate Opinion and Commentary. http://slate.msn.com/id/2076213/)

In conclusion, the North Korean Nuclear Missile Crisis, rather than a special case, is merely a portent for things to come unless international regulations are revised and enforced properly. Although the world is a far different place than what it once was during the height of the Cold War, the dangers of nuclear crisis are just as real today as they were forty years ago. Before he was to face the greatest nuclear crisis the world had ever seen, John F. Kennedy warned in 1961 that “today every inhabitant of this planet must contemplate the day when the planet may no longer be habitable. Every man, woman, and child lives under a nuclear sword of Damocles, hanging by the slenderest of threads, capable of being cut at any moment by accident or miscalculation of madness...mankind must put an end to war or war will put an end to mankind.” His words ring no less true now as they did then.

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**Buried Beneath an “Ethnic Identity”**
- by Rita TRIVEDI

I was walking across my college campus this past week, caught up in the whirlwind of new classes and assignments, when I was stopped by yet another student who exclaimed, “Oh! Why haven’t you joined the South Asian Students Association? You look like you’re from there…” The student was not South Asian. As the exchange continued, it became clear that she assumed that I would naturally gravitate towards that particular group because of my background. This was only one of many such encounters that make me wonder how my Indian identity affect how others view me, as well as the implications of generalizations of the Indian community itself.

The individuality of both individuals and specific ethnic groups seems to be getting buried beneath daily racial classifications: on applications for school or work, census forms, standardized tests...What does it mean when I check off “Asian/Pacific Islander” or “Indian Subcontinent”? Am I then grouped with someone from Thailand or Sri Lanka? Or even a student as far away as China? While attempting to recognize and track diversity, such categories actually deny it to me.

Is my group identity as an Indian necessarily incompatible with my identity as a person? Often it seems so, for the group identity carries so many automatic associations that they overwhelm my acquaintances before my own identity can be established. This seems to be less often the case when a person’s ethnic background is less physically obvious. Perhaps ethnic understanding and appreciation could be better served if I did not announce (verbally or, though it is impossible, physically) my Indian heritage. That way, it would remain what it is: part of my identity without unwarranted assumptions made before knowing who I am as an individual.

When I express this view, I am sometimes accused of trying to deny my background or feeling shame in my heritage. Nothing could be further from the truth. I am who I am as an individual in part because of the customs and concerns of the community in which I was raised. But I want to broaden the view of what it means to “be Indian” beyond what is commonly known or assumed. I am constantly amazed when I meet people who think most Indians chant, bow to idols, live in poverty, or hate Muslims. My cultural identity is much more to me than that, but that part of me is buried beneath the top layer of ethnic generalizations.

When I am seen as a member of a specific ethnic group, I become a stereotyped subject. Also, by overgeneralizing the dominant part of my identity, I appear to have a special agenda that is somehow incompatible with participation in a wider society. My Indian identity,
however, does not stop me from enjoying an American movie or visiting non-Indian friends. My political views are not dependent solely on “Indian issues” or that I am primarily interested in furthering the clout of my ethnic group. Just like Indians in India, I support some of the official goals of my community and disagree with others. I am just as ready to work for and support reform of schools in America as I am for increased primary education in India. But I will not support Hindu fundamentalists and activists – despite being an observant Hindu myself – in the same way I refuse to support attempts at religious conversions in America.

To overcome this gap between the identity of the group and that of the individual, I am trying to work within the Indian community to expand its own sphere of relevance and action. Rather than approach a goal or project as an “Indian issue”, I frame the point as more inclusive—illustrating why it may be important to all people. This is a way to show that the basic needs and hopes of any given ethnic group are irrelevant to the world at large.

I hope that this approach will form links between the currently inward-looking Indian community and the society at large. The Indian community can stop to see itself as a special interest group and actually could increase support for their cause by demonstrating that there is room for many different views and mainstream goals within the “Indian” label.

I imagine that my view could be described as common ethnicity. I embrace my background as it shapes my world-view and am happy to share it with others, but I reject it as a labeling trait. I am more than “Indian”, for such a claim would only increase the myriad of perceptions surrounding the term and surrender individuality in the name of pride in diversity. Instead, through my everyday actions I try to show that there is no way to pin down “Indian-ness”. So-called Indian concerns can be included as part of a more general set of goals for all community members. I am just as responsible to that broader community as to my smaller ethnic one.

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**Did you know......**

As of Spring 2003, 100 different countries are represented by 707 international students and scholars at Brandeis.

*Source: International Students and Scholars Office*
Lucky Two-Dollar Bill (Part I)

About the Author

Lilian Duval is a technical writer, a 9/11 survivor, and a former software developer. She lives with her husband George, a native of Singapore, in Ridgewood, New Jersey. She writes fiction in her spare time.

Synopsis: Lucky Two-Dollar Bill (Fiction)

Conrad, an Asian-American university professor, is nervous when he goes to visit his old guardian, Gee Kim, in his native Singapore. He has not seen her since he was a boy, and she is approaching death. He brings along his daughter Lexie, a college sophomore, who has not seen his father eye-to-eye. The visit changes the way they view their two cultures and each other.

“Wait. Sit for a while.” Conrad caught Lexie’s hand as she reached for the car door handle. He was in the driver’s seat to her right, which felt wrong. After three days of driving around Singapore on the left side of the road, he was still disoriented. Parking on the left challenged him. He had to concentrate when he made right turns across traffic.

Seven P.M., and already dark as midnight. Conrad swabbed his face with a limp, moist handkerchief and imagined the house in daylight, its silhouettes colored in. People visited their native homes and came back raving, “It felt just like yesterday.” As for him, he’d long forgotten these twelve-hour equatorial days. The sun glare let up at six, but the steam seeped into his clothing day and night. Fresh from the shower, wet hair remained damp. His starched white shirt stuck to his back like microwaved Saran Wrap. A torpid breeze was stirring nothing.

Lexie jerked her hand loose. “Why are we waiting?” she said. She twirled her rope of heavy hair. Improbably, it was caramel-colored, almost golden, barely darker than the blond of her childhood. Tanned all year round, she could have passed for Caucasian anyway, but her black eyes beneath epicanthal folds gave her away. She’d sacrificed spring break to substitute for her mother, who was tied up writing grant applications, and who resisted nostalgic trips down Memory Lane in any event. She always said she never looked back, never looked behind her shoulder.

“I’m trying to remember Gee Kim before I see her again,” Conrad told his daughter.

“Nervous?” Lexie stopped fiddling with her hair and turned toward him. Under the driveway lamps, the shadows deepened her smile lines into creases.

“She must be ninety-something by now. Wonder what she’ll think, all these years I’ve never come back to visit, and now I just drop in at the end of her life, and I hope she won’t conclude that I…”

“Dad.” Just “Dad,” then nothing but her stare in the front seat of their rented Toyota. Conrad was immobilized. The girl was a traffic cop. He was paralyzed, as if struck by a tranquilizer dart. He was assistant chairman of the department and would soon be chairman. His definitive textbooks were required reading at campuses around the world. Uncountable Web pages popped up when you Googled him. This was a trick she’d learned at age eleven or twelve, and now she had the technique perfected: putting him in check, as it were. Conrad couldn’t label the phenomenon. He was never prepared for it, and he froze involuntarily every time she did it.

“Don’t expect the worst of people.” Lexie’s austere look irked him; masculine, in a way, though her facial features were fine and delicate-looking. She was majoring in Social Psychology and Interpersonal Processes at Stanford, a surprise choice from a family of scientists, but Conrad hadn’t pressured her to join him in the biology department; was in fact relieved and grateful that she’d done the pragmatic thing and matriculated with the free tuition, although she’d moved out of the house and into the dorm after one semester. Because he found her aloof, even icy at times, he couldn’t picture her comforting depressed adolescents, or recovering addicts, or the down-and-out of any category, coming from the benevolent environment they’d nurtured her in, almost like bacteria in a Petri dish, and never seeming torn between two cultures while comfortable in neither, her biracial makeup notwithstanding. She wasn’t the kind of girl to go around performing random acts of kindness.

“You wouldn’t have been born if I’d had my way back then,” Conrad said. He was staring at the house. He could make out the row of tall white shutters on the second floor and the tiled roofs above them – brick red, he remembered.
“What?” Lexie tossed the sheaf of hair over her shoulder to her back.

He waved his hands to erase his words. “No, no, no, no, sorry, sorry, that’s not what I meant.” He came back to her. “I meant that I wouldn’t have ended up in America.”

Lexie crossed her arms in front of her silk blouse.

“It’s all right, you don’t have to listen. Let’s go in.” He fumbled with the seat belt, furled up between the door and his leg.

“Dad.”

He looked at her, the seat buckle still in his hand.

“Could you tell me first,” she said: telling, not asking him. She slouched and propped her brown, white-sandled feet on the dashboard.

A perceptible breeze drifted through the open windows. Conrad inhaled the fragrance from the Alexandrine laurels bordering the driveway, as their starry white blossoms folded for the night. The ones that were still open sparkled like tiny Christmas bulbs under the lampposts. Locusts played scratchy music.

“Gee Kim was a tower of strength,” he began.

“Cliché.”

“After my father died, my mother asked Gee Kim – her older half-sister – to watch over my brother and me when she left for America with the baby, Angela. It was two years before we would join our mother in Boston. James and I spent every afternoon here with Gee Kim.” He gestured to the shadowy house. Someone shut off a light in a corner of the second floor.

“I was nine years old and James, ten. Gee Kim had exquisite, aristocratic features and impeccable posture. She was strong-willed and focused on her mission – she was sort of a piano teacher combined with a shrink. She demanded excellence with a no-nonsense approach, but was also compassionate. One scene I remember very vividly: a relative had come over and was begging and kneeling on the floor at her feet. He was desperate because he’d violated the smuggling laws. Gee Kim did not break down over his histrionics, but promised to bail him out, and she quietly took care of the matter. It was she who solved the problem, not Gee Koo, her husband. She had a matriarchal family – a gynarchy.

“Gee Kim took charge of our education. Every day after school, we would walk to her house and dive into our homework. We were never late. She gave us something to eat, and then we’d have to practice the piano. We had lessons every day, even though she knew we weren’t serious about music. She wanted to enrich us anyway. I was bored and wanted to play marbles instead. Now I’m glad she insisted.

“Dinner was always a sumptuous feast, and afterwards, our evening walk was another learning session, but this one, I looked forward to. Gee Kim walked us home every day and made it a point to tell us stories about British history, from King George I to Queen Elizabeth II. I adored her evening stories. It took half an hour to walk home on a dirt road with bamboo trees on both sides –”

“You didn’t stay with her?” Lexie said. She took her feet off the dashboard and turned to him.

Conrad snapped to awareness as if coming out of a reverie. “No, she didn’t have space, her house was filled – husband, mother, teenage son, grown daughter, piano students. We slept alone in a little two-room rented cottage.”

“My god. Dangerous.” Lexie babysat for families with children old enough to look after themselves, in monstrous houses with security systems. Parents would phone three, four times an evening to check in, especially after that Polly Klaas tragedy in Petaluma.

“It was different,” Conrad said. A light came on somewhere on the ground floor. “This was the 1950s. Kids weren’t being molested or getting kidnapped; if it happened, no one talked about it. Singapore was an isolated gem, a miniature civilization distinct from the rest of the world. The only real danger was James.”

“But you were just little boys.”
He sighed. Lexie, an only child, had missed the joys of being pummeled by an older sibling who despised you. “James was the favored older son. Our mother made him the center of attention.”

“What about Angela?” Lexie said.

“Girls were inconsequential.”

“Grandma doesn’t treat me that way at all,” she said.

“Well, she’s learned American ways after all these years, and besides, you’re the next generation,” Conrad said. “Back then, that Chinese favorite-son treatment was flagrant in our family. James could only conclude that he was born superior. He got the best toys, clothes, birthday presents, even the best food. When something delicious was on the table, he got served first. Whenever he beat me up, our mother didn’t react. But with Gee Kim – the next day, she could see marks on my face, bruises on my arms and legs. One time, she took me aside and ordered me to fight back. That night, I did. James punched me, but this time I flailed my fists at him so furiously that he crashed into the bed frame and left me alone. I was scared to death of defying him. But I couldn’t imagine disobeying Gee Kim.”

“Because she beat you too?”

“No. Never. Just that we couldn’t bear to thwart her. Even in our thoughts.”

“Wow.”

This was exceptional. Lexie wasn’t complaining about his style. Whenever he tried to teach her anything, or just elucidate something for her, she would chastise him for perorating as if to a graduate seminar.

Conrad turned to his daughter and draped his arm over the back of the seat. “Whenever a carnival came to the neighborhood, Gee Kim gave us money and let us roam around the attractions by ourselves. That was a thrill, even though James cheated me out of most of the money.

“Gee Kim knew that James was the favorite son and I was the black sheep, so she gave me extra attention. I remember one day crying for her when she was sick in bed, because I missed her so much. When she eventually got word that my mother had remarried and was all settled down in Boston and ready to send James and me to America, she noticed how depressed I was, and tried to comfort me.”

Lexie looked at Conrad. She started to speak, but stopped.

“We flew alone. One of our stops was in Chicago. This was the first time I ever saw Americans who weren’t white. In the Customs line for American citizens, I saw people of many colors, and they were speaking languages I’d never heard – this, I liked. There were only Caucasians in all of the American movies we saw in Singapore.

“By this time, I was eleven years old and starting to think about things. Like on the verge of daring to affect the course of my life. Being left alone for two years could have had something to do with it. When we finally landed in Boston, I dreaded seeing my mother again.

“I hardly recognized her because of her shape: her belly in a yellow dress stuck way out from under her ratty black coat, which she couldn’t button over it. No one had told us she was pregnant. I wondered if my new stepfather was going to be mean, since now he’d be having his own child. My little sister Angela was already three years old, standing there beside our mother and cradling her toy baby tiger, and she didn’t know me. I was longing to hug her, but I didn’t want to make her cry.”

For an instant, Lexie’s eyes squinted and her lips turned down, but she recovered her usual nonchalant expression.

“From the airport, we stopped at a restaurant in Chinatown. It was February and James and I were still wearing our short pants from Singapore. Our stepfather was pumping coins into the parking meter, and James started crying from the cold. Our mother took off her heavy wool coat and draped it over him. There would have been room enough in there for both of us.

“In the restaurant, she was talking about me to my new stepfather in Cantonese. I couldn’t really speak that dialect, but I understood enough to know that it wasn’t anything positive. I didn’t enjoy the meal, and instead wondered what my life was going to be like with them.”
Conrad leaned back in the driver’s seat and wiped the stale sweat off his forehead. “It was only five years later that I moved
out on my own, after I got an evening job mopping floors at Mass General Hospital. I rented a grungy cubbyhole in a
tenement, and stayed there till I finished high school. It was garbage, but it was mine.”

“Weren’t you lonely?” Lexie said.

“Being alone was better than being an outcast in a home where I was not wanted.”

Lexie sat up and pushed her hair behind her ears. “Can we go in now?”

Conrad curled one hand around the steering wheel. “There’s one more thing I want to tell you about Gee Kim. Not long before
we left for America, she called me to her bedroom alone, without James. She asked if I would like to stay with her instead of
going to America. I was ecstatic about the prospect, and hoped that she would adopt me.

“But after that, she never brought it up again. I don’t know whether my mother found out about it and put a stop to our plans,
because she never mentioned it either.” He ran both hands through his hair. “Our tradition was to conceal our emotions. Before
I knew it, I was on that plane anyway. And here I am.” Conrad cleared his throat. “And here you are.”

Lexie didn’t answer or look his way. She slid her hairband to the back of her neck, balled up her blondish hair, and wound the
band around the lump to make a stubby ponytail in the middle of her back.

“Oh, okay,” Conrad said. They left the car where it was, at the street end of the long driveway, and walked the rest of the way to
the house. As they approached, they heard someone playing a Bach minuet on the piano, imperfectly. The music stopped when
they rang the bell.

Gee Kim’s grinning daughter Pamela led them through the wide double doors of the portico into a capacious living room. An
indefinable stench assaulted Conrad. A decorative ceiling fan was blowing the bad smells all around him, and he struggled to
move forward and not backward out the door. The ceiling was at least twenty feet high, and half a dozen life-sized portraits of
ancestors in ornate golden frames observed them from the high walls. Two grand pianos side by side were surrounded by plush
furniture with claw-shaped legs. There were enough seats for twenty, yet Conrad remained standing because newspapers were
piled on nearly every upholstered surface except for the two piano benches.

A boy of about six ran from the kitchen through the living room, waving his piano book, celebrating the interruption of his
lesson. He was trailed, sluggishly, by two geriatric dogs of unknown pedigree. Conrad identified the source of the odor.
There had to be a way to limit this visit to a respectable half hour before he was overcome by the noxious stink. Lexie seemed
oblivious to the stench. Then again, he never could detect what she was thinking or feeling.

In one corner, a flight of maybe twenty-five wooden stairs rose to the second floor. He turned to Pamela. “Your mother –”

“She’s coming down. Takes her time these days,” Pamela said. She was holding a box of assorted cookies open in front of
Lexie, who was sharing a flowery stuffed chair with a stack of newspapers and magazines. He couldn’t think of chewing
anything in that fetid atmosphere, and glanced away from the box.

There was a stir at the top of the stairs and Conrad jumped up before he knew what he was doing. A colorless, withered hand
was reaching up to grip the banister. An apparition in a pale blue housedress followed the hand. In the ghost’s other hand was
a three-legged cane that wobbled before she placed it on each lower step. Her grayish hair blended into her wrinkled, mottled
skin as if in one continuous piece, not divided by a hairline. She was a parched leaf ready to crumble in the least puff of wind.
In the time it took her to negotiate one step, Conrad could have sprinted up and down the entire staircase, with time left over
to escape.

“Lucky Two-Dollar Bill” will be continued in the next issue of Monsoon.
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