

Rude awakening



Zhou Xun says China's history may explain mainlanders' reputation today for being pushy. Hard times have taught that those who didn't push to the front didn't survive

Earlier this month, Thierry Gillier, the founder of French fashion house Zadig & Voltaire, announced to the world that its new boutique hotel, due to open in Paris in 2014, would not welcome Chinese tourists. This shocked and angered many Chinese on the mainland and overseas and Gillier was labelled a racist.

There were, however, a few divergent voices criticising the Chinese tourists themselves as being tasteless, noisy, rude and pushy. Happy Snail, a blogger on the mainland, pointed out that his countrymen often ignore warnings and try to take photos in art galleries, and talk loudly in restaurants. He warned his compatriots to change their "bad habits".

Now I am no self-hating Chinese, but I can understand the unhappiness with loud and rude Chinese tourists. Two weeks ago, I was catching a public bus in Sichuan (四川) province. After having spent 20 years in Britain practising how to queue, I naturally stood patiently waiting for the bus to turn up. When the bus pulled into the stop, the waiting crowds rioted.

It was like a contact sport. Two men nearly knocked me down as they pushed forward to get on the bus. Others followed them. Hopelessly I cried: "You are not civilised, you are so rude." No one paid the least bit of notice. By then the bus was completely full and the door closed on me.

Watching the bus leave, I felt angry, but I knew from experience that anger would not get me on the bus, or anywhere, in China. I also knew that to teach people in China manners would not make them less rude or less pushy. Growing up in communist China, one of the first phrases we learned at school was "to be civilised". But in this case the brainwashing did not take hold.

Could the rudeness of Chinese be cultural, someone once asked me. Of course not. Rudeness has nothing to do with Chinese culture. I have fond memories of travelling in Taiwan and was impressed by how polite Chinese people in Taiwan were. So how come mainlanders behave differently and have the reputation of being rude, pushy queue jumpers?

A few years ago, while researching the great famine of Mao Zedong's (毛澤東)

China, I learned that being pushy at the time was an essential strategy for survival. Faced by the great calamity, selfishness became the norm. One person's gain was always another person's loss.

In the communes' collective canteens, I was told, only cadres and those strong enough to push to the front of the queue could get enough to eat, and those left behind died of starvation.



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In the archives I researched and during my interviews with survivors, I constantly came across documents or heard stories of how, just to secure the odd mouthful of food, desperate people were always ready to steal from one another, or even commit murder.

Time and again within many families, there was violent strife over food. One grandma in Sichuan died of starvation

because her own grandson had stolen her food ration.

Now, 50 years after the famine, with the economy booming in many cities and a staggering growth in gross domestic product, it seems that Mao's vision of the Great Leap Forward has finally come to pass. China in 2012 feels like a different world to the 1960s. Yet the consequences of the famine continue to cast a long shadow over the country.

The gap between rich and poor is ever widening, and even in the world's second-largest economy, the less-privileged masses still struggle to survive.

After 60 years of life under communism, ordinary people live by the hard lessons beaten into them during the famine: the only way to keep going, to have access to goods and services, is to steal, to cheat, and, most importantly, to always stay one step ahead of the system.

"The party does not care," people say. "If we don't help ourselves, no one is going to help us. OK, you don't approve of people jumping queues, but if we don't jump the queue, we will get nothing." Travelling across China, this is what I hear over and over. Rudeness was a means of survival in communist China then, and remains so today.

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In for a tweet

Amy Wu is about to take a group of young students to the US, and wonders how reality will match their media-gleaned perceptions

In less than a week, we will be in Washington and part of the US presidential election brouhaha. "We" includes six members of Generation Y, most of whom have never been to the US, and me. We are headed there as part of a university-sponsored trip to observe the electoral process and how it is covered by the media.

These young people have worked hard to join this trip. They are smart and iPhone savvy. In this age of Facebook and Google, they can access information and Lady Gaga, Captain America and *Gossip Girl* in a snap. They are psyched for this trip, and have been doing internal jumping jacks and high-fives during our weekly meetings to discuss how we will blog, Facebook, tweet, video and *weibo* our journey for the student newspaper.

I've seen this kind of excitement in nearly every cross-cultural adventure among newbies to any country. These students romanticise America in a way I romanticise my own homeland when I've been away too long. Maybe years later, when they are older, they will understand that America, however geographically beautiful, however portrayed by Hollywood, has its dark side.

The American fantasy is very much alive in glossy magazines, in film and in music – it permeates the overall image of what America is in the eyes of many.

Here in Hong Kong, Hollywood films are a hit at the box office, and Mark Zuckerberg is living proof to my students that the American dream is very possible. Come up with a smashing idea – or rather, snatch someone else's idea – become a billionaire, and get married. It's a very Disneyesque ending. Has Hong Kong or mainland China churned out a social media 2.0 smash hit yet? No.

"Do you watch *The O.C.*?" a young woman asks me. "Is California really like that?" I've watched enough *Friends*, *Desperate Housewives* and *Modern Family* to differentiate between entertainment and reality.

The kids want to shop at Banana Republic and Macy's; they want to check out the Humvee-sized shopping carts at supermarkets. They ask me if it's true that most Americans eat pizza and hamburgers for dinner every day ("no" unless every day is Fourth of July). The spark in their eyes burns bright.

So I bite my tongue and keep quiet about the other America: the friends back at home with MBAs and PhDs from top universities struggling to find a job; the Grand Canyon-sized gap between the haves and have-nots as seen through wealthy communities that I've lived in that stand shoulder to shoulder with housing projects; the struggle for Chinese and other minorities to gain clout, status and voice in what remains in many places a white man's world; racism and discrimination between class; the airports, roads and buildings that could be called "quaint" but are really just falling apart; the extreme poverty in rural areas where families struggle to survive on charity. I wonder if the homeless people on the streets will stun them when they look closely at the landscape.

I remain quiet because in the end I hope that they will have an experience that is independent of mine, independent of what is portrayed in pop culture or by gossip. They will observe, and have their own stories to share when they return.

Amy Wu is an American-born Chinese writer and commentator now living in Hong Kong

No road map for political reform without an independent judiciary

The release of China's white paper on judicial reform could not be more timely. Calls for change are ringing loud as the Communist Party prepares to hold its 18th national congress. The white paper's release this month places judicial reform squarely at the heart of political reform.

Judicial reform will strengthen China's rule of law. Not only is it necessary for political reform to work, but it also provides the legal safeguards that would protect reforms in other areas. The flagrant abuses uncovered in the cases of Gu Kailai (谷開來), Wang Lijun (王立軍) and Bo Xilai (薄熙來) bring home the critical importance of the rule of law.

Judicial reform is complicated, but important to judicial independence. As the white paper says, the rights of People's Courts and People's Procuratorates [prosecutors' offices] to exercise adjudicative and procuratorial powers independently and impartially in accordance with the law should be safeguarded. These rights are the foundation for the rule of law, as provided under the constitution and related laws, and also a key element for judicial independence on the mainland.

The judiciary is the final safeguard for people seeking social justice. Judicial powers are based on credibility, which in turn derives from judicial impartiality. This depends on the professionalism of judges and will increase lawyers' responsibilities.

According to legal principles, the rule of law empowers the judicial authorities to prevent the abuse of powers, privileges

Hu Shuli says the need for judicial reform has never been stronger, as demonstrated by the cases of Bo Xilai, his wife and former police chief



and discretion. Therefore, before judicial independence can exist, judicial powers should be free from manipulation and erosion by power and money. This is the bottom line of the rule of law.

But this bottom line has always been lost in China. While imperial autocracy existed in China for thousands of years, law was considered a means of proletarian dictatorship in the pre-reform era. Under the circumstances, the tradition of rule of law was lacking and the concept of it was very weak. Things like this were often heard: "When a *People's Daily* editorial is so powerful, what is the use of so many laws?" or "Procuratorial organs ought to make arrests and prosecutions at the will of party committees".

While these are biased opinions and assertions, the call by lawyers and scholars for independent judicial powers were regarded as subversive bluster. Following the Cultural Revolution, people started to see the importance of the rule of law, and advocates of reform and the opening up proposed developing democracy and improving the legal system.

The legal system has been shaped by 30 years of reform. While the days of there being no law to depend on have long gone, evasion of laws and lax enforcement are still common. This is because judicial independence is not well

respected. Because of this, there have been cases of local municipal committees and governments helping public security officers force the accused to confess in court; judges succumbing to higher authorities and dismissing defence lawyers; and local courts helping local government officials force residents out of their homes.

The Bo case illustrates the serious consequences of the absence of independent judicial powers. Bo, as party chief of Chongqing (重慶), had a reputation for being tough on crime. The organisation of his government was unusual, with political and legal committees and even higher government officials co-ordinating with public security bodies, courts and prosecutors to supervise how cases would be dealt with.

As a result, police powers expanded, the system of checks and balances collapsed and people in power acted above the law. It was under these circumstances that Bo's wife became a murderer, former police chief Wang a protector of crime while Bo abused his power. In fact, the three literally comprised the most powerful triad gang in Chongqing.

In the wake of Bo's case, President Hu Jintao (胡錦濤) underscored the importance of the rule of law in national and social governance at a meeting on July 23. Premier Wen Jiabao

(溫家寶) backed this with a call to develop socialism, democracy and the rule of law as well as the protection of social justice on September 29.

This showed that the party was determined to make China a country that respected the rule of law and would develop the methods to achieve this. It was, in short, a call for judicial reform. During the 16th party congress a decade ago, strategic efforts were made to forge ahead with such reform, and achievements have been made, despite twists and setbacks.

Following this upcoming congress, we should expect the central government to continue to propel economic, political, cultural and social reforms, in which judicial reform will play a crucial role.

While the white paper has pronounced targets for judicial reform, law professor Ji Weidong has proposed a systemic approach to how reforms can help a government uphold the rule of law. This involves making the judicial authority independent and superior to the executive authority. Its role would be to safeguard the constitution, scrutinise legislative and executive authorities and rectify their mistakes.

Ji's well-planned approach sheds light on the top-level design and overall planning of China's reforms in future, and should be given greater attention.

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Resolve to retire polluting vehicles must not waver

Lisa Genasci applauds the government for pledging long-due action

We might finally have an administration that cares about cleaning our filthy air. Indications are that the new administration led by C.Y. Leung will act to finally stem the choking smog that represents Hong Kong's No 1 public health crisis and is a major impediment to the city's competitiveness.

Last week, in his first address to the reconvened Legislative Council, the chief executive said improving air quality was among his top objectives. In a move that already stirred optimism about the government's determination to protect public health, Leung last month named environmentalist Christine Loh Kung-wai undersecretary for the environment.

It was also encouraging to see, a day after Leung's address, Secretary for the Environment Wong Kam-sing calling roadside pollution the city's greatest problem, and that a basket of initiatives to improve the city's air quality would be introduced next year. These, he said, would aim to comply with World Health Organisation standards rather than the outdated air quality measures still in use.

Among the initiatives being considered are "carrot and stick" policies that include removing some 60,000 heavily polluting diesel vehicles from our roads.

Such measures are urgently needed. Some older vehicles have been on the road for as long as 20 years and should be refused registration if they don't comply with vehicle emission standards.

While atmospheric pollution might have improved somewhat – due mainly to lower emissions from the city's power stations – the concentration of roadside emissions remains unacceptably high, and it is these emissions that affect us the most.

Wong has said that 80 per cent of roadside pollutants come from outdated commercial diesel vehicles.

Retiring obsolete commercial diesel vehicles will improve our air and our health. It's also worth remembering that research from the Hong Kong University of Science and Technology showed that, 53 per cent of the time, pollution that affects us most comes not from across the border, but from our own roads and ships on the harbour.

Indeed, the recent flurry of positive announcements from the government came amid a string of bad air days and public health warnings to moderate outdoor activity.

According to Hong Kong University's Hedley Environmental Index, which measures the cost of pollution, yesterday was a "clear day" (one that complies with WHO air quality guidelines) in Hong Kong. The last such day was September 22, which means that our air stayed bad for more than a month.

According to the index, there have been only 59 clear days so far this year. The polluted days represent a cumulative HK\$33 million in health-related and other costs.

Beyond the direct cost to our economy, surveys of business executives regularly point to our

smoggy air as a real obstacle in recruiting and retaining workers – whether foreign or local. Patience is wearing thin.

By now we have heard from doctors and scientists that our dangerously high level of pollutants raises the risk of such conditions as bronchitis, asthma, pneumonia, headaches, lung cancer, stroke and heart attack.

So we should applaud the suggestion of phasing out outdated commercial diesel vehicles, despite what I imagine will be heavy lobbying from the transport sector.

As Wong pointed out, mainland China is phasing out diesel vehicles more than 15 years old, so why should we be any different? The government's carrot will include subsidies to soften the blow of replacing vehicle fleets.

It is encouraging that the administration has also spoken about retrofitting Euro II and III franchised buses with selective catalytic reduction devices to reduce nitrogen oxide emissions and might even tighten emission standards for LPG and petrol vehicles as well.

Here's hoping that our new government will finally act to protect our health.

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