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《政學》為香港中文大學政治與行政學系本科生統籌發行之學術性刊物，旨在提高香港本科生對政治學科的研究和探討。所收集之論文皆為資料性、具創意、特出，並由香港本科生撰寫。政學的編輯委員會將竭力保持政學內論文之素質。希望將來政學能成為優秀的香港本科生論文集地。本刊十分歡迎各香港本科生投登具爭議性或挑戰性之論文。

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Notes on Contributors
論文作者介紹

Lee, Siu-yau

is a student who majors in the Government and Public Administration at the Chinese University of Hong Kong (CUHK). He has just graduated in 2008. 為香港中文大學政治及行政學系本科生，剛於2008年畢業。

Chow, Kai-shing

is a student who majors in the Government and Public Administration at CUHK. He has just graduated in 2008. 為香港中文大學政治及行政學系本科生，剛於2008年畢業。

Leung Chi Yan

is a student who majors in the Government and Public Administration at CUHK. He has just graduated in 2008. 為香港中文大學政治及行政學系本科生，剛於2008年畢業。

Au Nok Hin (區諾軒)

is a student who majors in the Government and Public Administration at CUHK, in the second year. 為香港中文大學政治及行政學系本科生，現為大學二年級。

Chan Lik Hang

is a student who currently majors in sociology at CUHK, in the second year. 為香港中文大學社會學系本科生，現為大學二年級。

Chan Lik Sam

is a student who currently majors in Journalism and Communication at CUHK, in the fourth year. 為香港中文大學新聞及傳播學系本科生，現為大學四年級。

Chu King Ting

is a student who currently majors in sociology at CUHK, in the third year. 為香港中文大學社會學系本科生，現為大學三年級。

Lam Wing Yat

is a student who currently majors in sociology at CUHK, in the fourth year. 為香港中文大學社會學系本科生，現為大學四年級。

Cheung Sze-yuen

is a student who majors in the Government and Public Administration at CUHK. He has just graduated in 2008. 為香港中文大學政治及行政學系本科生，剛於2008年畢業。

Kan Ching Yeung**蔡嘉敏**

was a student who majors in the Government and Public Administration at CUHK. 曾為香港中文大學政治及行政學系本科生。

Cheung Man Kit

is a student who currently majors in Government and Law at the University of Hong Kong, in the third year. 為香港大學政府及法律課程的本科生，現為大學三年級。

Capacity as Freedom? — Foundation of Amartya Sen's Capacity Approach

Lee, Siu-yau

Abstract

This article serves as a preliminary research on the capability approach, which was proposed by Amartya Sen in the 1970s. Beginning with an argument that nearly all theories are egalitarian in some senses, Sen proposes that people and social arrangements should be evaluated in terms of capabilities—actual freedom for people to achieve valuable beings and doings—but not utility or resources (Sen, 1980/1995). However, due to Sen's reluctance in providing a complete theory of justice or even a list of basic capabilities, the apparently simple capability approach turns out to be abstruse when people try giving it a deeper examination. In this article, therefore, I step back and closely examine the various concepts used in or related to the capability approach. The ultimate goal is to explore what is really meant by "capability". As a remark, I also argue that Sen's notion of "capability as freedom" is ambiguous because it collapses the distinction between capability and functionings, which, as a consequence, would lead to problematic implications on justice. This potential problem has made important with the growing concern on developmental issues.

There are three sections in this paper. In the first section I explain the scope of Sen's capability approach, which is based on his response to the question "equality of what?". In the second section, I look closely into the different core constitutive parts of the capability approach, namely functionings, capabilities, and freedom. Through articulating the different concepts of the capability approach, several characteristics of the approach are identified. Finally, with a better understanding of the capability approach, in the third section, the ambiguity of his theory are spelled out as criticisms. These criticisms will then leave room for further research.

Introduction

In the 1970s, Amartya Sen's proposed the capability approach on social arrangements, suggesting that human beings and social systems should be evaluated in terms of capabilities—the extent of freedom people have—but not utility or resources (Sen, 1979).¹ Since then, this approach has been developed and applied in different areas

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of political philosophy and economics, such as equality (Cohen, 1993, Sen, 1992), international development (Sen, 1999), measurements of disadvantages (Wolff & de-Shalit, 2007), justice (Sen, 1992; Deneulin, 2006; Nussbaum, 1993; 2006), well-being (Sen, 1992; 1993), gender studies (Hinton, 2006; Cahill, 2006), and freedoms (Alkire, 2002). Practically, the capability approach supports the work of the United Nations Development Program. Since 1990, the United Nations has published a *Human Development Report* annually, documenting the level of development of different countries with reference to the capabilities that people have. Without doubt, Sen's theory has become vastly influential in both political philosophy and economics. However, there are rising disputes over different readings on his theory. This is partly because some scholars have simply misinterpreted Sen's theory when they were trying to apply it.² However, I think it is also true that these disagreements and misinterpretations are largely caused by the ambiguities, or perhaps contradictions, in Sen's theory. Be it deliberate or not, Sen has been reluctant to provide a clear and complete account of his capability approach, leaving a large room for others' wild speculation.

In this article, I will step back and closely reexamine the various concepts used in or related to the capability approach, with the ultimate goal to explore what is really meant by capability. As a remark, I also argue that Sen's notion of "capability as freedom" is ambiguous because it collapses the distinction between functionings and capability. There are three sections in this article. In the first section I explained the scope of Sen's capability approach, which is based on his response to the question "equality of what?". Understanding the meaning of equality and Sen's dissatisfactions over other existing approaches shall provide a helpful background for articulating the concept of capability. In the second section, I look closely into the different core constitutive parts of the

I have also profited from the discussion in the Ploughing Reading Group on Equality on 29th December, 2007. After the reading group, revisions were made on the drafted article. I would also like to express my thanks to the valuable comments that were given by the participants of the Friday Seminar on 22nd February in which this article was presented.

¹ In this article, unless otherwise specified, I will use the terms "capability approach", "Sen's approach on equality", or even "Sen's theory/ approach" interchangeably which all refers to the capability approach Sen suggests. In short, the capability approach denotes that the goal of both human development and poverty reduction should be to expand the capability that people have to enjoy 'valuable beings and doings'. This definition will be introduced and revisited often in this article.

² For example, some scholars think that Sen treats capabilities as well-being. This is not right. I will explain it in detail later.

approach, namely functionings, capabilities, and freedom. Through articulating the different parts of the capability approach, several characteristics of the approach are identified and problematic interpretation about the concept of capability will be ruled out. Finally, with a better understanding of the capability approach, in the third section, the ambiguities of his theory are spelled out as criticisms. I argue that treating capability as freedom is problematical because it could lead to conclusions that are contradictory to his criticisms on other theories.³

I. The Foundations of the Capability Approach

In what follows I will first explain the scope of the capability approach. Although Sen says that his capability approach has “far-reaching consequences” on many moral enquires, it was initially a response to an egalitarian question about “equality of what?”. And its claims are rooted on its criticisms against two other dominant approaches (in his view) to that question. Together with the latter parts, this section will eventually settle a number of fundamental issues that Sen treats as crucial in formulating his approach.

Equality and Social Justice

In what sense should people be judged to be equal in the subject of morality? This is the primary concern of Amartya Sen in his famous Tanner Lecture “Equality of What?” in 1979. In relation to this question, he proposes that equality should be measured with reference to the capabilities that people have (Sen, 1995: 327). However, this does not mean that equality is the only concern of Sen’s theory (ibid: 330). In his later work, Sen claims that the capability approach is a moral theory that is relevant to justice and various social arrangements like development (Sen, 1990: 112-113; 1992: ch.1). For Sen,

³ It is worth noting that after twenty years of development, the capability approach, as mentioned, has been developed by many scholars. One of the most prominent figures is Martha Nussbaum. Since 1980s, drawing on her work on Aristotelian ethics, she has written a series of essays that deepened and systematized Sen’s theory in philosophy. However, as a primary study of the capability approach, I will focus on Sen’s account only.

there is a connection between the plausibility of a moral theory and equality. He thinks that virtually every plausible ethical theory has to demand equality in some areas (Sen, 1992: 18).⁴ Therefore, his project, which primarily is a response to the question “equality of what?”, is actually relevant to many different areas of moral enquiries such as development and justice (Sen, 1995: 330).

To argue for this notion, Sen has to establish a linkage between ethical reasoning and equality. Sen has provided two reasons to support the connection between them. At the theoretical level, Sen argues that ethical reasoning, especially on social arrangements, in order to be plausible, *has to* be impartial. To put it in Scanlon’s words, the theory has to be credible from the viewpoint of others, making them unable to reject it reasonably (Scanlon, 1982; Sen, 1992: 17). To explain this idea more clearly, it would be helpful to employ some ideas of the Golden Rule in ethical reasoning. The rule demands that if one thinks it is alright to do something to others, then he/she also has to consent to the idea of the same thing being done on him/ her under similar circumstances (Gensler, 2001).⁵ Therefore, in order to advance or reject a moral theory of social arrangement reasonably, one has to employ reasons that are plausible to everyone who is directly or indirectly involved.⁶ And Sen seems to think that there is a linkage between impartiality and equality in which they provide a “shared background to all the major ethical and political proposals” (Sen, 1992: 19). In fact, sometimes Sen simply uses “impartiality” and “equal concern for all” so indistinctively that make scholars like Sabina Alkire to believe that they are identical in Sen’s view (Alkire, 2002: 5).⁷ Therefore, a plausible theory *should* require equality in one or the other way; though Sen adds later that it is not a definite requirement (Sen, 1996: 395).⁸

⁴ Sen often uses the economic jargon of “space” to bracket off the area in which different theories of justice require equality, or impartial treatment of persons (Sen, 1992:130). To avoid confusion, unless otherwise specified, in this article I will not use “space” in this way.

⁵ For example, if you think that stealing is normally permissible, then you will have to consent to the idea of people stealing from you in normal circumstances. Otherwise, you are being inconsistent in making your claim and therefore you are not making your claim reasonably.

⁶ A similar idea has actually been propagated by Rawls in which he says “A conception of justice cannot be deduced from self-evident premises or conditions on principles; instead, its justification is the matter of the mutual support of many considerations” (Rawls, 1999: 19).

⁷ Sen, however, does not endorse this view. See: Sen 1996.

⁸ Here we can see that Sen would like to take a safer position on this issue. I believe what he wants to say is that it is *possible* for us to connect justice and equality. I will come back to this point later.

The second reason that Sen provides, which is surprisingly more often cited by other scholars, is actually noting more than an observation. Sen finds that nearly every plausibly defensible ethical theory about social justice, or broadly speaking—social arrangements, *is* demanding equal treatment of individuals in some significant areas (Sen, 1992: ix, 130, 148). Traditionally, these areas are confined to the distribution of income or other kinds of commodities only. That is why Rawls (who focuses on basic liberties and primary goods), Ronald Dworkin (who proposes “equality of resources”), and so on have been commonly treated as examples of egalitarian. However, Sen thinks that even if a theory vigorously argues against equality in such areas, the elements of equality can still be found elsewhere if we give a deeper reflection on that theory. For examples, apparent inequalities in income distribution allowed by libertarianism are actually rooted in an egalitarian ideal that all persons should have equal moral standing and natural rights not to be used to benefit others (Darwall, 1995: 1; Nozick, 1974); while for utilitarianism, in aggregating individual interests and desires for making social choices, it insists on equal weight on every person’s utility. That is, no one’s utility is counted as more important than others in the process of aggregation—everyone is counted for one (Kymlicka, 1989: 5). In this sense, it could be true for Sen to say that nearly all plausible moral theories on social arrangements are “egalitarian” in some sense.⁹ Philips has put this idea nicely by saying that “even the most vigorous defense of inequality typically starts off with some statement of egalitarianism” (Philips, 1999: 2).

Given that basically all ethical theories on social arrangements have to be/ are egalitarian in some essential ways, Sen thinks that it is therefore “quite misleading” to ask “why equality?” (Sen, 1992: ix, 12-13, 130). On the other hand, he also suggests that the question “equality of what?” could provide a peculiar way in understanding the disputes amongst different moral or normative theories because those disputes are probably related to a different understanding of what should be equalized amongst people, what shouldn’t (ibid: 21). And his theory—the capability approach—will therefore has

⁹ It should be noted that in making this claim, Sen probably has defined “egalitarianism” very loosely. For Sen, basically any theories that give treat treatment to people in any area will be counted as egalitarianism. In fact, normatively speaking, for equality to be a moral or political ideal, it must committed to some basic notion of *equal worth of all persons*, which is not totally identical to the idea of *equal treatments* (White, 1997: 61).

“far-reaching consequences” on other moral, or even practical, enquires like development and can be treated as a clarification and criticism for the theory of justice (ibid; Anerson, 2006: 17).¹⁰

Here one possible but minor disagreement has to be settled before I move on. Some scholars like John Kane (1996) may disagree with the connection between justice and equality proposed by Sen, arguing that there is simply no convincing route from impartiality to equal treatment as a basic and self-evident principle of justice (Kane, 1996: 377). This could be true, but I believe it is very much depending on how one defines justice. For example, David Miller argues that equality is a necessary component of justice because the former is a distributive principle and the latter, for him, is about “how the good and bad things in life should be distributed among the members of a society” (1999: 1). Justifying either position requires a lot of work. For me, what we have to get out, for the time being, is the range of questions that Sen’s approach deals with. And he doesn’t really need to prove that *all* theories of justice *have to* be egalitarian in one way or the other in order to apply his theory to other social questions.

However, it is important to note that Amartya Sen does not aim at providing a complete theory of justice. His approach is “incomplete” (Sen, 1995: 330). For examples, he does not provide a list of basic capabilities or explain how capabilities should be distributed and measured exactly (Sen, 1992: 49; 1995: 330). In some sense, he only wants to eliminate some clearly unsuitable options of equality and point out what the right option is *roughly* about (Alkire, 2002: 10). Sen leaves a large room of his theory for others’ interpretation for these areas are very controversial and not easy to get them right (that is what he calls “the fundamental reason” for incompleteness) and it is impractical to keep waiting until everything is clear (this is the “pragmatic reason”) (Sen, 1992: 49). There are other fundamental issues for us to deal with for the time being.

¹⁰ For example, in the light of his capability approach, Sen argues that “the object of public action can be seen to be the enhancement of the capability of people to undertake valuable and valued ‘doings and beings’” (Sen, Drtze., 1989: 12). Later, as he became clearer that capability is freedom, he proposed the idea “development as freedom” (Sen, 1999).

The Nature and Concerns of Equality

I have just outlined the relationship between equality and justice. I explained why Sen chooses to start his enquires of social justice through considering “equality of what?”. The concept of equality, therefore, characterizes the structure and methodologies of Sen’s theory. In this section I will first present the nature of equality. After that, I will explain how Sen’s theory could be related to the concept of equality.

By definition, equality signifies a comparative relationship that obtains between two or more distinct persons or things by virtue of their having been jointly measured by a *relevant* standard of comparison and found to be indistinguishable by reference to that standard (Westen, 1990: 39). To put it in another way, the concept of equality consists of three elements: 1) Plurality (i.e. there must be more than one subjects), 2) Difference (i.e. the subjects involved are distinguishable in one or more respects), and 3) Comparison. Missing anyone one of the above three elements will render the concept incomplete. For example, it is meaningless to discuss equality between two entities that are identical in all aspects (i.e. lack of difference), for then they would not be two entities but the same entities (Capaldi, 2002: 1).

Sen put his emphasis on the second feature of the concept of equality—the diversity amongst individuals. He criticizes that many theories have failed to take this into account genuinely (Sen, 1979: 307; 1992: ch.8). In fact, it has been a long tradition of the contract theorists to hold that human beings are roughly equal in terms of basic power, moral and physical capabilities, and needs (Nussbaum, 2006: 29). Hobbes, for example, says that nature had “made men so equal, in the faculties of body, and mind” (Hobbes, 1651/1991: ch.13, quoted from Nussbaum, 2006: 30) because even the physically weakest person is strong enough to stand a chance killing the strongest person and no one could exert absolute domination over everyone in the state of nature. This assumption of the participants of the social contract has somehow been followed by later scholars in this tradition. Locke, for example, also says that human beings are “born to all the same advantages of nature, and the use of the same faculties” (Locke, 1960: ch.2 para.4, quoted from Nussbaum, 2006: 30). Rawls, who claims that his theory is an abstraction of the social contract tradition, also assumes that participants in the original position are free,

equal, and rational (Rawls, 1999: xviii; 110-112). For sure, precisely, there are differences amongst these theories, but I think it is true to say that the general practice is to highlight the similarities amongst individuals.¹¹ And basically, those who are mentally or physically disabled would not be considered in their theories. The main reasons behind such notion/ assumption are usually to suggest the injustice of existing hierarchies or the cooperative relationship between human beings in a contract (Nussbaum, 2006: 29; Freeman, 2006: 16).

Sen, however, is very cautious towards such claims. Instead of starting off his theory with a rhetoric notion like “all men are born equal”, he maintains that human beings are “*thoroughly diverse*” (Sen, 1992: 1). These diversities could be broadly classified into two categories: external characteristics and personal characteristics. The former refers to the artifacts of social conditions like inherited fortunes, gender, economic and political systems in which one is living in. The latter, on the other hand, refers to personal characteristics like age, sex, proneness to illness, physical or mental disabilities (ibid).¹² Amartya Sen thinks that because of these diversities, equality in one area will inevitably lead to inequalities in other areas (Sen, 1996: 395). For examples, if we insist in equality in private property rights, then we will probably have inequalities in income; and equality in happiness (assume it can be measured) could lead to inequalities in resources distribution since people have diverse taste; and even if we, like Michael Walzer (1983), try to uphold equality in access to different “spheres” of social good in the society, inequalities in resources will still exist amongst people who have diverse goals or interests.

Given that different equalities could not be simultaneously guaranteed, Sen proposes that the values that a theory treats as central/ core could be identified by observing the

¹¹ For example, Hobbes assumes that everyone is selfish who only care about their own interests; while Locke and Rousseau assume that men are controlled by some moral constraints (Freeman, 2006: 16). Here it is worth noting that I am not saying that the traditional contractarians think that men are the same. As I said before, equality presupposes the subjects it concerns are different. What I want to suggest here is that between the similarities and differences amongst people, the traditional contractarians focus on the former.

¹² It is worth noting that these categories are made simply for the sake of presentation. The boundary between them may not be strictly distinctive. These two categories may not be exhaustive as well. It is possible to find diversities that cannot be classified into the above two categories.

area of equality of that theory, which is known as “basal equality” (Sen, 1996: 395).¹³ This is because, as said before, maintaining equality in that area will lead to other inequalities. It would be implausible for a theory to maintain equality in a specific area if it is not the most important one. The former thus functions as a justification for the existence of the latter in a theory (ibid). Therefore, Sen believes that the question “equality of what?” is of crucial importance in a theory of justice; it serves as a peculiar way of investigating and scrutinizing different moral theories. By figuring out how different theories approach this question, we can in turn identify what are the central values and their justification of each theory.¹⁴

Another important and related concern of equality is that the “choice of combining characteristics”—the relationship between different individuals’ advantages (Sen, 1992: 73). For example, for utilitarianism, individuals’ utilities are *summed up* and only the *total* or *average* utility of the society will be considered and *maximized*; while for libertarianism, important rights are identified in individual basis and cannot be violated in any circumstances. Again, the “choice of combining characteristics” will result in equality and inequalities in different areas/ aspects. And as equality is closely related to justice, the “choice of combining characteristics” has to be evaluated closely as well.

In short, Sen argues that theory on equality can be applied into many different areas of moral enquires, including justice. And because of the fact that human beings are very diverse, Sen thinks that there are at least two important areas of concern from the egalitarian perspective in analyzing a theory of justice: the choice of areas of equality and the “choice of combining characteristics”. With all these in mind, we could now turn to present his criticisms towards Utilitarianism and Rawls’ theory of justice.

Sen’s Critique on Utilitarianism

¹³ For example, if a theory maintains that everyone should have equal voting right, then we will say that voting right is the “basal equality” of the theory.

¹⁴ Alternatively, it can also be treated as how a theory treats the advantages in a society.

As I mentioned before, Sen's capability approach is largely a response to the deficiencies of the existing accounts of the question "equality of what?". These accounts are Utilitarianism and the Commodities Approach. Sen argues that each of them is problematic for different reasons (Sen, 1995: 330). In this section and the next, I will evaluate Sen's criticisms against these approaches. This will set the background for understanding Sen's own theory. For the sake of clear presentation, the capability approach is introduced here shortly before I present Sen's criticisms. The fundamental insight of the capability approach is remarkably simple. It argues that a person's advantage should be evaluated in terms of his/her actual freedom to achieve valuable beings and doings as a part of living (Sen, 1992: 49; 1993: 30). Simply put, Sen proposes evaluating the social position of an individual in terms of his/ her life prospect. Sen believes that his approach could fill the loopholes of utilitarianism and the commodities approach.

Let me deal with Sen's argument against utilitarianism first. There are many forms of utilitarianisms. For our purpose, what we need to deal with is only the utilitarianism that Sen refers to. Basically, utilitarianism is a combination of the three components: **1) Consequentialism:** The rightness of actions is strictly judged by the goodness of the consequent state of affairs defined impersonally; **2) Hedonism/ Welfarism:** the goodness of states of affairs is judged by individual utilities, which are defined as happiness or other mental status, in the respective states of affairs (Sen, 1992: 53);¹⁵ and **3) Sum-ranking (summation):** The goodness of any set of individual utilities is judged by their sum total, the higher the total/ average utility, the more desirable is the result (Sen, 1984: 278; Crocker, 1992: 600;).

Regarding the problem of consequentialism, Sen thinks that it is problematic for the utilitarians to value only utilities in evaluating a consequence, while other values like love, rights and freedoms are disenfranchised and being valued only to the extent that they contribute to pleasure or happiness. (Sen, 1992: 54; 1999: Ch.3). The problem here is that happiness or other end-state psychological feelings, though valuable, is not the

¹⁵ Sen does recognize that some forms of utilitarianism do not focus on mental states but on achieving desirable status, which is objectively determined. However, he thinks that under the summation requirement, ultimately, the intensity of desire has to be used (Sen, 1992: 54).

only value that is important for one's life. The process matters, too (Nussbeam, 2006: 73). Using Bernard Williams's analogy of traveling, we go to travel not just because we want to go to the destination, it is the course of travel that matters (Williams, 1982). This analogy suggests that end-state experience cannot be the sole important values in our live. Taking it as a basis of valuation will render the theory of justice rather misleading. But as I will explain in section two, Sen is sympathetic to a broadly conceived (i.e. loosely defined) consequentialism (Sen, 1982; Sen, 1999: ch. 3).¹⁶

Another criticism that Sen makes against utilitarianism, which is also related to the choice of area of equality, is that under the utility-based valuation, unjust inequalities will be produced because human's psychological statuses are dependent of their backgrounds and personalities. A thoroughly deprived person, leading a reduced life, does not necessarily appear to be badly off in terms of happiness compared to a rich person. The deprived person may have been got used to what he/she has and very often make great efforts to take pleasure in small mercies and to cut down personal desires to modest proportions (Sen, 1999). The extent of a person's deprivation, then, may not at all show up in the metric of desire fulfilment, even though he or she may be quite unable to be adequately nourished, decently clothed, minimally educated, and properly sheltered (Sen, 1992: 54).

In terms of the choice of combining characteristics, Sen argues that utilitarian summation fails to recognize the importance of individuals' rights. Under the principle of summation, individual's liberties and rights could be deprived for the sake of maximizing total utility of the society. And it is very possible that utility are distributed unevenly in a society, provided that cost of sacrificing the utility of the minority could benefit the majority (Sen, 1999, Ch. 3).¹⁷

In short, in relation to the question "equality of what?", Sen thinks that utilitarianism is problematic in: 1) setting a single valuable end for people to seek for, 2)

¹⁶ He has tried to modify consequentialism so that it can accommodate rights-respecting actions in the states of affairs to be evaluated (Sen, 1982; Sen, 1999: ch.3). Actually, his theory does shares some loosely defined consequentialist ideas. I will explain it in Section two.

¹⁷ I am not going to provide a full account of criticism on utilitarianism here. This is neither the main objective of Sen's nor my project. In fact, utilitarianism is such a comprehensive and systematic theory. For a detailed account of criticism, see Williams, 1982; Rawls, 1999.

using mental statuses as a reference of advantages/ disadvantages, and 3) using total utility to evaluate social arrangements.

Sen's Critique on Rawls's Primary Goods Approach

The above criticisms that Sen made against utilitarianism are not his invention. They have already been put forward by many liberals, with John Rawls being the most influential one. In fact, Sen has been greatly influenced by Rawls. He once said that the capability approach is “an extension” of Rawls's theory (Sen, 1995: 329). However, Sen is not satisfied with theories that use resources as a reference of a person's social position, including (but not limited to) Rawls's primary good approach. In what follows I will present Sen's criticism on Rawls's primary goods approach. Here it is worth noting that his criticisms have not been directed only toward Rawls but other theorists like Ronald Dworkin who also use resources as a reference of equality; and most of the criticisms presented below are relevant to them as well. But for the purposes of argument and clarity, I will focus on Rawls only.

In *A Theory of Justice*, Rawls provides a systematic and comprehensive account of social justice, aiming at replacing utilitarianism with his two principles of justice.¹⁸ Using Sen's system of analysis, in dealing with the question “equality of what?”, Rawls proposes that the reference should be on the amount of primary goods that people own. According to Rawls, there are five types of primary goods, namely: basic liberties (freedom of thought and liberty of conscience, and etc.), freedom of movement and free choice of occupation, powers and prerogatives of offices and positions of responsibility, income and wealth, and finally, the social basis of self-respect (Rawls, 1995: 124-125). Rawls holds that these goods are fundamental and desirable to every rational person, whatever else he/she wants (Rawls, 1999: 79).¹⁹ In other words, these goods provide

¹⁸ To make things clear, the two principles of justice are: 1). Each person is to have the most extensive total system of equal right to the most extensive total system of equal basic liberties compatible with a similar system of liberty for all. And 2) social and economic inequalities are to be arranged so that they are both: a). to the greatest benefit of the least advantaged, consistent with the just savings principle, and b) attached to offices and positions open to all under conditions of fair equality of opportunity (Rawls, 1999: 266).

¹⁹ It is worth noting that Rawls has revised his position on primary goods as he realizes that the list of

people with freedom to execute their life plans and participate in public affairs (Rawls, 1995: 194-195). Under Rawl's principles of justice, these goods are used to determine a person's position in a social arrangement and to judge if resources in the society are distributed justly. Unlike utilitarianism which has a predetermined ultimate end-state good—utility—to evaluate the goodness of a social arrangement and choice, Rawls just measures the *means*—the amount of primary goods—that people have in developing their own life plan.

Amartya Sen has been greatly influenced by Rawls. He thinks that Rawls's theory is important in shifting the focus of equality of the overall freedom actually enjoyed by people, rather than being confined to the outcomes achieved (Sen, 1992: 86). He thinks that in providing primary goods to people, what Rawls has in mind is actually to provide the freedom for them to develop and achieve the goods in their life. However, at the same time, he believes that using primary goods to evaluate equality fail to achieve this goal (ibid: Ch. 5). The point that Sen put forward is that Rawls fail to recognize the fact that equality in the amount of primary goods, which are *means* to freedom, does not necessarily guarantee equality in the *extent* of freedom. This is because different people, with different characteristics, will react or benefit to the same amount of primary goods differently (Sen, 1992: 34-35). For examples, a housewife who needs to take care of her child may not actually enjoy as much political freedom as a teenage, even if they are given the same income and voting right; and a handicapped elderly, in order to move around freely, may need more resources than ordinary people (Sen, 1999: ch.3). Therefore, although it is Rawls's original intention that individuals' freedom can be protected through distributing primary goods, Sen argues that he fails to do so as primary goods are merely *means* to freedom, they cannot guarantee everyone to enjoy the same *extent* of freedom (Sen, 1992: 34, 37).

Someone may wonder if Sen, in criticizing Rawls for not focusing on freedom *as such* directly, have misunderstood Rawls' position. This is because “freedoms” and

primary goods are inclined to liberal life-styles only (Dimock, 2000: 195). Realizing this difficulty, Rawls concedes in his later writings that primary goods are not neutral towards any consequences they produce. The primary goods should be treated as something that are required by individuals to be free and equal in participating in social cooperation—leading an autonomous life (Rawls, 1985: 245). However, this change will not affect our project in this article.

“opportunities” are components of the list of primary goods that Rawls proposed. A quick answer is needed before I present Rawls’s reply to Sen—they are of different conceptions of freedom. The conception of freedoms in Rawls’s primary goods list belongs to negative freedoms/ freedoms in institutional sense, which is basically defined as the “absence of interference from others/ law”. (Berlin, 1986: 96; Rawls, 1999: 177). On the other hand, what Sen asking for is what he calls “actual freedom”. It requires not just the absence of interference but also the ability to *exercise* the valuable end specified by that freedom.²⁰ Therefore, in Rawls’s theory of justice, saying that everyone should have equal freedoms of speech will only mean that everyone should be free from institutional (legal or social) constraints in expressing their views. There is, however, no guarantee that everyone can truly exercise this freedom (even if they wish to) as some of them may lack knowledge or time. But for Sen, “freedom of speech” may require the government to provide individuals with the necessary resources to engage in public discussion (e.g. limit working hours, better civic education, and so on) (Sen, 1992: 31). In the remainder of this paper, unless otherwise specified, “freedom” or “liberty” will refer to “actual freedom” that Sen proposes.

Now let us resume to Sen’s criticism that Rawls’s primary goods has failed to reflect a person’s freedom directly. Rawls did reply to this challenge in 1988. He explained that his theory of justice is of deontological nature which does not specify the good independently from the right (Rawls, 1988: 259; Rawls, 1999: 26). That is, as said before, unlike utilitarianism, his theory does not have an independent conception of good that is presupposed for people to fight for. Every person is free to hold and develop their own conceptions of the good. To ensure this plurality can be maintained, the government should only provide the means for people to achieve their own goal, instead of capabilities (ibid; also see Berlin, 1986: 96).

Sen understands and seems to agree that there are diversities in human conception of a good life; nevertheless, he argues that Rawls’s approach simply fails to recognize how disadvantageous people are, no matter what conception of good they holds (Sen, 1982:

²⁰ This “actual freedom”, to Rawls, is know as “worth of liberty”, which is separated from liberty itself (Rawls, 1999: 179; also see Freeman, 2006: 60).

83). To illustrate the point, he compares an ordinary person and a person with say, physical disability. Suppose they are both given the same set of primary goods, Sen argues that the disabled will probably convert less freedom, which are necessary for achieving many goals in lives, from the goods than the ordinary person even if their conceptions of good life are different. This is because the disabled, in order to function probably, may need a completely different set of goods that can fit his special needs in order to have the same freedom—capabilities—to achieve some variable ends, no matter what that end is (ibid; Sen, 1999: Ch.4). If that is so, the same primary good will result in different ability amongst people to achieve their goals. In short, Sen endorses that basic principle that Rawls proposes, but argues that making comparisons of the primary goods that different people have is not quite the same as comparing the freedoms actually enjoyed by different persons. The former focuses merely on the inputs, but the latter is about what people can *actually* do. This is a different perspective that requires us to take the *consequences* of what goods can really do into account; merely expanding the list of primary goods will not be sufficient (Sen, 1992: 82).

The Foundations of the Capability Approach

To conclude, this section provided a background of the capability approach. I first outlined the relationship between justice and equality. I explained how Sen, through answering the question “equality of what?”, could eventually proceed to provide insights to other moral questions. I also pointed out how his approach is structured around the concept of equality, which includes identifying what is being equalized (“basal equality”) and how the benefits are calculated (“choice of combining characteristics”). I then used this system of analysis to present Sen’s critique of the two dominant approaches in morality.

It can be noted that Sen’s capability approach is largely a response to the weaknesses of the other approaches. We can now have some basic ideas of this approach. We would foresee that, in terms of basal equality, the capability approach will not merely choose to evaluate people mental states or resources. And we can also see that the

capability approach will try to reconcile consequentialism and individual freedom. In the following section, I will go to deal with the various concepts of the capability approach.

II. The Capability Approach

This section will present and explain the various concepts of Sen's capability approach, which is the central task of this article. To begin with, let me present the fundamental insight of this approach again. It concerns with evaluating a person's advantage in terms of his/her actual freedom to achieve valuable beings and doings as a part of living (Sen, 1992: 49; 1993: 30).²¹ Here "valuable beings and doings" are "functionings". And "capability" is a set of functionings that are available to an individual. These apparently simple concepts and relationships are to be discussed in greater details in the following sections.

Functionings

"Functioning" is the most basic constituting element of the capability approach. So let me first clarify the nature of functioning before proceeding to discuss the concept "capability", which is closely related to functionings.

For Sen, living is basically about "beings and doings" (Sen, 1993: 31). Here beings and doings refer to different parts of the state of a person, such as achieving self-respect (an example of "doing"), being in good health (an example of "being") (ibid), being educated (another example of "being") (Sen, 1985: 46). "Beings and doings" are not necessarily valuable. They are just neutral terms and thus could denote negative states (e.g. being harmed). For those beings and doings that enhance human's well being, they

²¹ In fact, Sen has used different wordings to define capability approach in different occasions. These differences will be discussed later. The basic definition that I give here is modified for the sake of presentation.

are known as “achievements”, or “valuable functionings” in Sen’s theory (Sen, 1985: 46).²²

To present the concept of “functioning” more clearly, let me present an analogy of bicycle riding that Sen frequently uses to distinguish functionings from commodities and utilities (Sen, 1985: 10, Crocker: 1995: 153-154). In riding a bicycle, the bicycle itself is a mere commodity. It is a means for the rider to perform the action riding. Similar to what I said in the previous section, the commodity cannot ensure everyone to be able to exercise the same ability (riding). A handicapped kid, for example, will not get out from the bicycle as much as a healthy youth does. Cycling, on the other hand, as both process and result, is an “achievement” or “functioning” of the rider. While riding, the cyclist may or may not be enjoying himself/ herself, satisfying some desire, or getting something out of the activity. These psychological feelings are utility.²³

It is worth giving a deeper analysis on the nature of functionings. Firstly, functionings, as of achievements, need not to be intentionally or actively carried out by an individual (Sen, 1993:43-44, Crocker, 1995: 154). Valuable functionings could be guaranteed by the action of others. For example, a handicapped person who can get access to a building should be treated as a valuable functioning, be it the result of assistance of others or not.²⁴ It is because of this nature of functioning that Sen thinks capabilities are valuable (I will discuss this in next section). Secondly, functionings are the *ends*, not means. A valuable functioning is valuable because it is valuable *as such*, using the Platonic notion, it is “desirable by itself”. This nature characterizes the capability approach with some consequentialist, or in Nussbaum’s words, “outcome-oriented”, ideas (Sen, 1992; Nussbaum, 2006: 83).²⁵ Sen thinks that this gives his

²² Please note that Sen often uses “achievements” and “valuable functionings” interchangeably. For example, in his article “Capability and Well Being”, there was one section titled as “Why Capability, not just Achievements?”, in which Sen was actually replying the suggestion that equality should be evaluated against functionings, but not capabilities (Sen, 1993: 38). Here we can see that Sen simply treats “achievements” and “valuable functionings” as the same thing.

²³ Another example will be food supply and nutrition level (i.e. being nourished) in which the former is commodities and the latter is functioning/ achievement (Sen, 1993: 43). I will come back to these distinctions again later.

²⁴ Another example is babies being nourished by their parents (Sen, 1993: 43).

²⁵ However, according to Sen, it is not exactly the same as consequentialism. Instead, he calls it as “goal right system” (1982). In fact, it is worth noting that consequentialism requires an impersonal criterion of good to judge the outcome (Scheffler, 1994: 1-2). It is not sure if Sen, without trying to provide an account

capability approach credits over other deontological approaches that focus on commodities, including Rawls's primary goods approach (Sen, 1992: 16-19). Again, all these will be discussed in greater detail after I presented the concept of capability.

Capabilities

Let us start with the simplest definition, "capability is a set of functionings" (Sen and Drtze, 1989: 13; Sen, 1993: 31). This is a simple enough definition. But given the central role of capability in the capability approach, a clearer definition is surely necessary.

Unfortunately, this task is made very difficult by Sen's inconsistencies in defining the concept and redundancy in providing a complete list of capabilities (Wolff & de-Shalit, 2007: 36). Literally, the term "capability" refers to "ability", "power", or "skill" that one has in doing something. And Sen does define capability as such in some places where he says capability is "a person's actual ability to achieve various valuable functionings as a part of living" (Sen, 1993: 30). However, this is probably not what Sen really has in mind. In fact, as Crocker rightly points out, Sen often uses 'ability' in this context in a way that is similar in breadth to his use of the term "capability" (Crocker, 1995: 160). And as I mentioned before, for Sen, functionings of which humans are capable of are not necessarily achieved by intentional/ active actions. Rather, they can be states of being (e.g. being healthy) that are not totally related to skills at all (ibid; Sen, 1992: 64-65).²⁶

Instead, the most appropriate reading of capabilities in Sen's theory is that they are "the freedoms (people) actually enjoy to choose the life they have reason to value" (Sen, 1992: 81). And given that life is composed of a set of functionings (beings and doings), the concept of capability can therefore be defined as *freedoms that people actually enjoy*

on how different functionings could be compared, will agree with this notion as well.

²⁶ In fact, Crocker has provided an in-depth comparison among different possible interpretations of the concept capability. See: Crocker, 1995: 160-162

to choose among different valuable functionings. Similar ideas are put forward clearly by Sen elsewhere in his later writings in the 1990s. The following are two examples:

“if the achieved functionings constitute a person's well-being, then the capability to achieve functionings (i.e. all the alternative combinations of functionings a person can choose to have) will constitute the person's freedom – the real opportunities – to have well-being.” (Sen, 1992: 40)

“the freedom to lead different types of life is reflected in the person's capability set” (Sen, 1993: 33)

Therefore, I think it is right to say that Sen does treat “capabilities” as something like opportunities for functionings or “freedoms” to achieve functionings. The most evident example, however, is in his later work *Development as Freedom* in which he consistently argues that the appropriate evaluation criterion of development or poverty is the “extent of actual freedom” (actually, that is why he defines “development as freedom”) (Sen: 1999, Ch. 3). All these reveal the fact that Sen does treat capability as freedom.²⁷

Realizing that capability is being treated as freedom allows us to have a more coherent and systematic understanding of the whole project that Sen is working on. Recall his arguments against Rawls's theory in which he complains Rawls for not being able to deal with the *extent* of freedom directly. Here we can see that Sen's capability approach is trying to fill this loophole by treating capability as freedom. The question here is in what sense does capability, which is “a set of valuable functionings”, be related to freedom?

Capability can represent freedom because the set of functionings serves as real *choices* that are available for people to choose from. In other words, in addition to functionings, capability provides freedom to the people. With equal capability, it is

²⁷ However, this doesn't mean that Sen thinks freedom is exactly identical to capability. The former is a more general concept (Sen, 1992: 81).

possible for two persons to lead two completely different lives because each of them has chosen a different set of functioning. It is also possible, on the other hand, for two people who enjoy the same functionings to have different set of capability. For example, a rich man who is fasting may be achieving the same level of functioning as a poor elderly (both are being hungry). But they are different in terms of capability as the former has the option of not fasting while the latter doesn't. In this sense, capability approach, unlike utilitarianism, seems to be able to accommodate the possible diverse conceptions of goods of different people in the society.

On the other hand, Sen thinks that capabilities, unlike primary goods, can consider the outcome/ consequences better (Sen, 1982: 15). Recall that functionings are valuable beings and doings that an individual can achieve; they are the ends for human beings want. Capabilities, by including a list of functionings that is reachable to a person, can therefore provide freedoms that can somehow guarantee a person's ability to reach valuable results. Under the capability approach, for example, if we want to ensure that the elderly have the same capabilities as the youth so that we can say that both of them are equally better off/ disadvantageous in the society, we will have to examine what they can really do or be (the outcome). For those who cannot achieve certain beings and doings (e.g. the elderly may have more difficulties in moving around) that we think are important, we will be able to say that they are having a smaller range of choices in their capability set, even if both groups of people have the same resources. More resources may have to be distributed to those people to the extent that they can have those functionings in their capability list (Sen, 1999: ch.4). For example, if the elderly cannot move around freely and we believe that it is the capability that everyone should have, then the society may need to allocate more resources, like wheelchairs, to give them such capabilities.²⁸ In this sense, we can see that the capability approach is not the same as Rawls's primary good approach. The former, as Nussbaum says, is "outcome-oriented", the latter, on the other hand, is "procedural" (Nussbaum, 2006: 84-85).²⁹ They are treating the problem from different perspectives, and therefore Sen says "neither primary

²⁸ It is worth noting that Sen himself has not committed to the precise way of distributing resources in the society.

²⁹ Sen, on the other hand, said his capability approach belongs to "goal right approach" in 1982. But this term has not been used in his later writings.

goods, nor resources more broadly defined, can represent the capability a person actually enjoy” (Sen, 1992: 82).

An overall comparison among the capability approach, utilitarianism, and Rawls’s theory of justice is needed to shape the distinctiveness of the capability approach. In terms of the choice of basal equality, utilitarianism uses end-state total utility as a reference, while Rawls use the possession of primary goods. Sen criticizes the former as merely implausible and the latter for having the right focus (freedom) but has wrongly assumed that means to freedom is the same as the freedom as such. In response to these weaknesses, Sen chooses to evaluate equality in terms of freedom that people enjoy in achieving valuable beings and doings in their life. In terms of structure of the theory, utilitarianism presupposes a single end-state goal, which is characterized with mental states, to evaluate the goodness of a social arrangement. Utilities are summed amongst all individuals. While for Rawls, his theory is deontological and does not have a presupposed ideal for the people to seek for in their lives. Instead, primary goods are given to them so that they can develop their life plan freely. Sen again disagrees with both ways. He proposes that we do have to make sure that people can actually have the capabilities to achieve valuable functionings. But on the other hand there cannot be only one goal for people to seek, like what the utilitarian suggest. That’s why capability is a set of functionings, not a single functioning. And capability is thus treated as freedom. With all these differences, Sen concludes that “freedom can be distinguished both from the means that sustain it and from the achievements that it sustains” (Sen, 1992: 86).

List of Basic Capabilities and Incompleteness of the Capability Approach

Thus far I have already presented the important concepts and structure of the capability approach. I argued that the best way to interpret the concept of capability in Sen’s view is to treat it as actual freedom to achieve valuable functionings. I also tried to articulate the concept of capability through comparing it with utilitarianism and Rawls’s theory. But perhaps the best way to understanding what is really meant by capability is for Sen to provide a complete list of valuable capabilities. After all, many things can be

treated as “capabilities” in theory. Having the choice to go watching a film is a capability (film watching is treated as functionings in this case), leading a healthy life is also a capability. But which one is more important? It seems that Sen cannot provide us an answer here. Without doubt, a list of basic capabilities is necessary to build a comprehensive theory. However, Sen has been reluctant to provide such a list by himself. The only exception is the “list” that he has contributed to in the United Nation’s annual *Human Development Report*. However, it is highly operational. And as he says, it has been influenced by other matters, such as the availability of data, and the policy appeal of results. And therefore it is unnecessarily limiting and error prone for us to extrapolate the capability approach from these exemplifications of it (Alkire, 2002: 97).

Sen says it is his intention to keep the capability approach “incomplete” (Sen, 1992: 46-49). According to Sen, the theory is not a complete theory of justice. It does not deal with indexing and identifying a universal list of basic capabilities and functionings that is important for all people. Sen says there are two benefits to keep this theory incomplete. The first reason is the “fundamental reason” (ibid: 46). Sen is very doubtful about the possibility in getting an unambiguous and complete ordering of capabilities, given the competing value systems in the world (Sen, 1992: 49). Therefore, he once expresses his worry toward Nussbaum’s attempt in constructing a list of central basic capability which is rooted at Aristotelian virtues because it may be “tremendously over-specified” of human nature (Sen, 1993: 47; also see Nussbaum, 2006: 76-77).³⁰ Another reason is the “pragmatic reason”. He argues that the capability approach need not be an all-or-nothing approach (Sen, 1992: 48). Although it is very difficult to get consensus on a complete list/ order of valuable capabilities and functionings, it does not mean that keeping complete silence is a better way in dealing with all these pressing political and economic problems around the world (ibid: 49). The present capability approach, at least, can expose the weaknesses of other moral approaches in handling the developmental problems.

³⁰ However, Sen does think that the capability list should be made universal in his later work *Development as Freedom* (ch.10). I believe there maybe a little shift in his position.

I believe the above reasons are reasonable; however, it is also because of this “deliberate” incompleteness, Sen’s approach is ambiguous and controversial. More importantly, by not going to the details, the implicit tension in the theory can hardly be revealed. I will leave my criticisms in the last section.

III. Capability as Freedom?—A Critical Evaluation

Without doubt, the capability approach has provided some important inspirations to many questions in political philosophy. In what follows, I argue that the idea of capability approach would be problematic once its ambiguities are being spelled out. But it is worth noting that these evaluations are not fundamental; instead, they are limited, compared to many suggestions proposed by Sen. In fact, I believe Sen’s capability approach has provided an inspiring new route for political enquires that is worth further investigation. My criticisms just provide some rooms for further development in this approach.

To begin with, let me first put forward an argument that has been mentioned by a number of scholars. The criticism is that the capability approach should focus on human well-beings directly, instead of merely freedom (Alkire, 2006: 13; Arneson, 2002: 31; Wolff and de-Shalit, 2007: 37). It is our most instant reflection that for some criteria to be selected as the basis of evaluating human status and living, it should be directly related to the qualities that are *directly* related to a good life, which is well-being, achievements, or functionings, but not freedom.³¹

Sen has replied this criticism in a number of articles (Sen, 1992; 1993). Basically, he provides two reasons to support the use of capability as the basis of equality. The first one is that “capability as actual freedom” suggests that individuals can have access to the valuable functionings (Sen, 1993: 39). For example, if I have the capability to buy a car, I can buy one whenever I want. In this sense, capabilities have instrumental values to the individuals concerned as they connect individuals to the valuable things in life. And a

³¹ The purpose of raising this argument is to expose the ambiguities of Sen’s approach. It doesn’t necessarily mean that I agree with it personally.

higher capability often means higher achievement. The second reason is related to the intrinsic values associated with freedom. Sen, without detailed justification, argues that a life that is being able to choose and act freely maybe directly conducive to well-being. In other words, a good life is a life that have choices (ibid.).

I found both reasons to be insufficient. I shall deal with them one by one. Regarding the first reason that freedom is instrumentally valuable, a similar critique that he uses to criticize Rawls applies. Given the diversities amongst human beings, the same set of capability will turn out to be different levels of well-being (Deneulin, 2006: 32). Freedom does not necessarily lead to well-being. Suppose everyone in the society has the capability to be nourished, a person, however, who are born in a religious tradition may choose to fast to a very extreme condition. Suppose, again, “being educated” is made a common capability in the society and everyone are given aplenty of opportunity to receive education that are tailored to suit their need (as long as they wish to receive education—suppose it is possible), a student who is born in a rural family and believe that education is useless (because of peer influence, whatever), is very possible to choose not receiving education. In these cases, both of them will be described as equal to other members of the society in terms of capability as they are facing the same set of (real) choice. However, in the reality, they are leading a more deprived life.

Someone may try to thicken the concept of “actual freedom” that having it means the agent will also have a strong enough motivation to exercise that freedom/ capability. If that is so, then the problems that I suggested above will not exist. While this is hardly possible in reality, it is also not what Sen has in mind. In fact, Sen does know that it is possible for two persons, given their different backgrounds, to come up with very different level of achievement, even if they share the same set of capabilities. And sometimes, he adds, more freedom can actually lead to a fall in the level of well-being (Sen, 192: 62).³²

³² Sen provides an example for this possibility. Imagine a doctor who is ready to sacrifice herself to go to work in a terribly poor country, but is prevented to do so because she don't have enough money. If, for some reasons (e.g. salary rise), her capability increases, she will go to the poor country. In this case, having a higher capability (as she are now given more choices) leads to a decrease in well-being. (Sen, 1992: 61-62)

If that is so, then it would be very implausible for Sen to rely merely on the instrumental value that freedom has to justify his notion “capability as freedom”. It is because as an instrument, freedom simply cannot always reflect or guarantee one’s actual well-being effectively. Here some may argue that the value of capabilities is not to guarantee a desirable level of well-being being achieved by an individual. Instead, it is freedom that matters. This leads us to consider the second reason that Sen proposed—freedom is intrinsically valuable to one’s life. Apparently, it would be more plausible if we treat freedom as one of the important components of a good life. This seems to allow Sen to escape from being charged that equal capability cannot guarantee equal level of well-being is achieved for a life that is led by individual’s choice are meaningful and good, even if sometimes we may not be able to make the best choice that will decrease our enjoyment in other areas.

This is a seemingly reasonable response. After all, Sen is right in saying that freedom has its intrinsic values and a life that has freedom is worth living.³³ However, given the importance of capability in Sen’s theory, it is necessary to examine this concept more deeply. And a deeper examination reveals that Sen seems to have overlooked the fact that human’s choices are often the product of luck, structural discriminations, or injustices (Deneulin, 2006: 32). In allowing inequalities being produced because of maintaining equality in “capability”, which is “actual freedom of a person”, Sen cannot avoid providing a deeper justification of the central importance of freedom and the related issues about justice in his approach. After all, freedom is only one value amongst many, and if it is an obstacle to securing of other equally important ends, or it interferes with people’s opportunities of reaching these ends, we shall consider making it away (Berlin, 2001/1995: 285). This holds true even if Sen choose to keep the capability approach “incomplete”.

Moreover, treating freedom as a component to a good life also exposes a potential ambiguity that lies in the distinction between functionings and capabilities. Recall that functionings is the valuable beings and doings in life, if now Sen treats freedom to

³³ However, this probably needs more justification, which Sen has failed to do provide. But even if I accept this notion, my following argument will still be valid.

choose as something of intrinsic value, then the conceptual boundary between “capability as freedom to achieve functionings” and “functionings as valuable beings and doings in life” will collapse as the former now becomes something valuable in itself. Freedom now can be treated as one of the many functionings (Crocker, 1995: 159).³⁴ The relationship between capability and functioning is very vague in this sense. Could freedom both be capability and functionings? I believe it is not impossible. However, Sen must, again, justify why it is only freedom, but not other valuable functionings, can have this supremacy, even if his theory is “incomplete”.

Fundamentally, we have to treat this potential problem seriously because the notion of equal actual freedom is far from unproblematic. Using *actual* freedom as a reference of equality could imply that the government has to provide unequal resources for different individuals in order to give them equal capabilities. This seemingly plausible notion could be murkier if we consider examples rather than natural disabilities. For example, imagine a society that is committed to equal capability in reasoning, in order to make sure that this capability is “reachable” or “actual”, the government may need to provide good education to its citizens. But there must be people in the society who are lazy. In this case, is it fair for the society to allocate more resources (e.g. teachers) so that those people can have this capability (Freeman, 2006: 62)? For sure, this is not an easy question in the whole debate of equality. However, it will be even more difficult to solve given the unclear stand “capability as freedom” that Sen proposes.

Conclusion

In this article, I stepped back and closely examined the various concepts that are used in the capability approach. As a preliminary study, a large portion of this article was dealing with concept clarification. I have argued that Sen’s capability approach is distinctive yet ambiguous, which is most evident in the way he defines the concept of capability. In the first section, I have outlined and articulated the concept of capability in Sen’s theory. I began with explaining the concept of equality that serves as an initial

³⁴ Sen actually defines this as “refined functionings” (Crocker, 1995: 159).

enquiry of Sen's capability approach. I suggested that Sen's theory can be applied to moral questions that are not directly related equality. Then I examined the various components of the concept of equality so as to construct a framework for my later analysis. After that, I began to present Sen's criticisms on utilitarianism and Rawls's theory of justice. I explain how his criticisms could be hints for us to understand the capability approach. The importance of capability approach was also revealed. This came to the second section in which I went on to explain the various concepts in the capability approach. I argued that the best way to interpret the concept of capability in Sen's view is to treat it as actual freedom to achieve valuable functionings. I also try to articulate the concept of capability through comparing to utilitarianism and Rawls's theory. Finally, in the relatively short section three, I present my criticisms against a possible problem of Sen's capability approach as a little remark. I argued that treating capability as freedom could lead to conclusion that Sen himself could not accept plausibly. And it would also collapse the distinction between the concepts capabilities and functionings.

For sure, after twenty years of development, the capability approach has been applied and modified a lot. Many problems and possibilities have been revealed. It is impossible for this article to deal with all of them. What I have tried to do was just to outline the core ideas of this approach, especially the concept of capability. My criticisms were, as said before, neither comprehensive nor able to reveal all the problems of the capability approach.

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Egalitarian Ethos and Economic Incentive

Chow, Kai-shing

Introduction

Equality is a mysterious concept: when we try to equalize something, some other things would be unequal. In Rawls's two principles of justice, what he wants to equalize is the equal status of person by a Kantian conception of equality¹. When the principles aim at equalizing this task, the difference principle still allows economic inequalities, including inequality of outcome, for these inequalities can provide the greatest benefits to the least advantaged. In this essay, I shall not exercise how far the Kantian conception of equality and Rawlsian conception of person are valid. What I want to argue is that, even if they are correct, it does not follow that inequality of resources can be justified. To be consistent with his moral commitment, Rawls should require a strict egalitarian society which aims at the absolute equality of resources. However, he did not intend to do so.

This essay will have three parts. In Part I, I shall distinguish and examine four arguments and justifications of inequality of resources proposed by Rawls. They are 1) compensation argument, 2) consent argument, 3) incentive argument and 4) social use argument. I shall show that the main argument should lie in the incentive argument.

Since the incentive argument attracts a lot of critiques, especially from G. A. Cohen², therefore, in Part II, I shall examine what the main critiques are and discuss what makes him dissatisfied with Rawls's justifications. The main argument made by Cohen is to challenge the incompatibility of the egalitarian ethos come from the difference principle and the nature of difference principle, which urges the individuals to be market-maximizers.

¹ John Rawls, "Kantian conception of equality", ed. Samuel Freeman, John Rawls: *Collected Papers*, (Cambridge, Mass. : Harvard University Press, 1999), pp.254-66, at p.262 (hereafter, I shall refer to this book as *CP*)

² The main work of G. A. Cohen on the incentive argument is "Incentives, Inequality and Community," *The Tanner Lectures on human Values*, vol. 13, ed. G. Peterson (Salt Lake City: University of Utah Press, 1992) pp. 263-329 (hereafter, I shall refer to this article as "Incentives")

Finally, in Part III, I shall argue against Cohen's that he understand difference principle wrongly. I shall first show that Rawls will like to admit that egalitarian ethos does exist in his well-ordered society. Thus, I shall show that difference principle would still not conflict with the ethos, once we truly understand how difference principle works.

I

Difference principle requires that social and economic inequalities are acceptable if and only if they are to the greatest benefits of the least advantaged.³ As Rawls treated people equally, those who benefits least have a veto power that they can reject any distribution that they do not prefer.⁴ Certainly, the worst-off cannot decide to acquire all the wealth in the world because, at that time, they are not the worst-off anymore and, now, the worst-off have a veto power to reject such proposal. Therefore, in the Original Position, if the candidates in it consider a particular point of time only and ignore the situation and benefits they may gain afterwards, "the greatest benefit of the least advantaged" would refer to an equal distribution, that they all get the same amount and no one is worst-off or better-off. If the distribution is not an equal one, the worst-off would use his veto power to reject it and request for an egalitarian one, under the constraints in Original Position. Moreover, as Rawls always emphasizes, we should regard citizens as free and equal moral persons. Therefore, we should start from equal shares.⁵ Equality of resources is what Rawls claims that "this state of affairs provides a benchmark for judging improvements."⁶

However, Rawls believes that an equal distribution is *just* a benchmark and an unequal distribution of wealth can still be justified. Concerning these inequality of resources, Rawls may have four arguments for them. These four arguments are not mutually exclusive. But some are dependant on others. I shall examine them one by one.

³ John Rawls, *A Theory of Justice*, (Cambridge, Mass :Belknap Press of Harvard University Press, revised edition, 1999) p.266 (hereafter, I shall refer to this book as *TJ*)

⁴ John Rawls, *CP*, p.262 and John Rawls, *TJ*, p.131. And it only applies in the Original Position and basic structure in real society.

⁵ *Ibid*

⁶ John Rawls, *TJ*, p.55

The first one is a compensation argument. Strangely, different with the other arguments, it merely concerns the gifted person.

Those who have been favored by nature, whoever they are, may gain from their good fortune only on terms that improve the situation of those who have lost out. The naturally advantaged are not to gain merely because they are more gifted, but only to cover the costs of training and education and for using their endowments in ways *that help the less fortunate as well.*⁷

It seems that Rawls would allow the gifted persons to get more because it needs to compensate the higher costs of their training and education. Since the talented may have paid a huge amount of money for their training in their young age, they are *entitled* to earn more, rather than to equalize wealth and income so as to compensate and cover their possible past expenses in training and education. However, I do not think this argument is significant, if any, for Rawls to justify social and economic inequalities. Consider:

It was a Rawlsian well-ordered society. Difference principle prevailed and the basic structure treated people equally. Paul, a gifted thirteen-year-old teenager, was pursuing a doctor degree of nanotechnology in Harvard University. Besides studying, he also did a lot of nanotechnology experiments to invent some top technologies. Although the government redistributed appreciable amount of wealth to him in a fixed period of time, he nearly spent all of it in doing the research. Therefore, unfortunately, in his whole teenage, he was the worst-off in the society. But things had been changed after he graduated. He became a famous inventor and the richest man in the society. He loved and enjoyed what he was doing so that, no matter how many rewards or how much income he got, he would still continue his research, even he was the worst off, in term of wealth, in the society.

In this case, even if the government does not give more resources to Paul, his productivity would not be affected. Then, is Paul entitled to get more than others?

⁷ Ibid, p.87, italic is mine.

In Rawls's compensation argument quoted above, the society should not allow Paul to get more because this inequality of resources would not "help the less fortunate as well". Then, in what sense did a Rawlsian society try to compensate Paul? Paul did use up his income in training when he was young. However, unfortunately, since Paul is a workaholic that he would pay all of his effort regardless how much he gets, for the worst-off, there is no difference on whether giving the extra resources to Paul or not. Owing to the principle of "the greatest benefits of the worst-off", Paul would not be allowed to get more. Nevertheless, it contradicts with the aim of compensation argument, which wants to give more resources to the gifted as they spent a lot in the past. In the beginning, Rawls uses the compensation argument to give the extra resources to the gifted persons as they *deserve* them. When he adds one more provision that such compensation needs to help the less fortunate as well, it seems that Rawls will give a higher priority to the least advantaged. For him, no matter how much you spent in your training, if your endowments cannot benefit the worst-off, you will still not be compensated. Therefore, this is not a significant reason in justifying economic inequalities. I shall ignore it.

The second argument for inequality of resources is a simple one. They are justified because the worst-off, who have the veto power in the Original Position, still accept such inequality. Let me call it consent argument. This argument seems to be powerful because the worst-off also accept that the inequality of resources is good for them and they, therefore, are not willing to reject them. What makes it attractive is that, by the worst-off's acceptance, their own choices justify the economic inequalities morally. The power behind this argument is to respect the autonomy of every human being in making their own choices. Nonetheless, I think the consent argument mysterious. Who and what make the inequality of resources necessary? The least advantaged would accept the inequality because their welfare is maximized: no other scheme can further improve their situation. However, why can the wealth of the least advantaged not be improved by equalizing it? Who bring about it? Certainly, the welfare of the worst-off has to *depend* on the better-off. It may be that the better-off have to possess above-average income in order to work (or work harder) so that the least advantaged must accept such inequalities. Otherwise, they would suffer. Or, it may be that the better-off have to possess above-average income because, without these inequalities, they are not able to enhance the

welfare of the least advantaged. These are the third and the fourth argument suggested by John Rawls in justifying social and economic inequalities, namely, the incentive argument and social use argument respectively. Thus, we can see that the consent argument is not a fundamental reason for economic inequality because its justification totally relies on the incentive argument or the social use argument. The reason that the better-off can get more, even the least advantaged themselves agree such distribution, will be unjust if the incentive argument or the social use argument is unjust. At least, it violates the fundamental moral principle suggested by Rawls. Therefore, the consent argument can be justified only if either one of the two arguments can be justified.

The third argument for justifying inequality of resources is incentive argument, which is widely mentioned in his books.⁸ In *A Theory of Justice*, he explained explicitly:

Supposedly, given the rider in the second principle concerning open positions, and the principle of liberty generally, the greater expectations allowed to entrepreneurs encourages them to do things which raise the prospects of laboring class. The better prospects act as *incentives* so that the economic process is more efficient, innovation proceeds at a faster pace, and so on. I shall not consider how far these things are true. The point is that something of this kind must be argued if these inequalities are to satisfy by the difference principle.⁹

Rawls believes that the inequalities act as an incentive to encourage the better-off to work harder and, as a consequence, benefit everyone in the society. From the first- person point of view, the talented *may* really need the extra income as incentives to work harder and contribute more. If they can only get an equal amount of wealth with the untalented, they *may* lose the incentives and, consequently, they may not work as productive as they actually can. I do not know how far this assumption is true in an ideal society described by Rawls. But it happens in our society indeed. Then, in this sense, it seems that how much and how hard they are willing to work, partly, depends on their motive: if some

⁸ See John Rawls, *TJ*, p.68, John Rawls, *CP*, p.257 and John Rawls, *Justice as Fairness: a Restatement*, ed. Erin Kelly, (Cambridge, Mass: Harvard University Press, 2001), p.77

⁹ John Rawls, *TJ*, p.68, italic is mine

incentives are given to the talented, they would work harder; otherwise, they would not. Such argument has its difficulties because the wealth gap would be totally dependant on self-interest of the better-off. Their willingness of working and contributing the society determines the whole distribution of the income and wealth in the society. It is not allowed in our intuition as we do not accept that the distribution of wealth is dependent on the decision of the gifted person and, more importantly, why they have such a power is totally arbitrary. Consequently, the actual outcome of inequality of resources would be very uncertain; it may be very large. Cohen provides a more detailed criticism on this point. I shall examine his argument and how Rawls deals with it later. It is better for us to move to the last argument.

The fourth argument to justify social and economic inequalities is a social use argument, which is rather an instrumental one. The justification of inequality of income and wealth is to enhance the total efficiency and effectiveness of exercising the resources. The inequalities guarantee the overall productivity in the society would be satisfactory. Rawls assumes that social and economic inequalities are necessary, or highly advantageous, because “perhaps they are a way to put resources in the hands of those who can make the best social use of them.”¹⁰ Rawls believes that since the better-off, who are usually the talented persons,¹¹ are much better in managing capital in a more efficient way, they should get more for the welfare of everyone in the society, and so inequality of resources are justified. However, it is plain that this inequality must be constrained by the difference principle. Then, the above-average income is necessary for the talented to increase the total wealth of the society. It is not related and, somehow irrelevant to their incentives: it is an incentive-independent reason. No matter how hard the talented work, if they do not have the above-average income, they are not able to increase the total wealth of the society and the benefits of the least advantaged, consequently, are worsen. It is a total different reason to justify economic inequalities,

¹⁰ John Rawls, *CP*, p.257

¹¹ It is true that, in some cases, the richer people are not the talented persons. They may get the high social class simple by luck, rather than they are really talented. However, in general, in a well-educated Rawlsian society, those who can earn much money, most of them, are gifted and talented people. The exceptional cases are not important here.

comparing with the incentive argument. In the incentive argument, it is intention-relative while the social use argument is intention-independent.¹²

II

Cohen distinguishes the intention-relative argument, which is the social use argument, as a *strict* reading of difference principle and the intention-independent argument, which is the incentive argument, as a *lax* reading of difference principle. He writes that,

in (difference principle's) *strict* reading, it counts inequalities as necessary only when they are, strictly, necessary, necessary, that is, apart from people's chosen intentions. In its *lax* reading, it countenances intention-relative necessities as well.¹³

In the lax reading of difference principle, inequality of income and wealth is justified even it is intention-relative. The incentive argument and the social use argument I mentioned before belong to the lax reading and strict reading of difference principle respectively. In the incentive argument, since the individuals might need more resources to enhance their incentives to work harder, in which such a state of affair is intention-relative, it is the lax reading form. In the social use argument, the inequality of income and wealth is justified only if those extra resources of the better-off are for the social use. It is distinctive from the incentive argument because it is not related to their incentives. Not the better-off's *own decisions* make the extra resources of them necessary to promote social use, but the circumstances, in which the better-off are not responsible to, make it happen. It can be classified as the lax reading of difference principle. Importantly, we must notice that this two reading is not mutually exclusive. They are both adopted in the

¹² Here I adopt the classification made by G. A. Cohen. See *Incentives*, p.311

¹³ *ibid*

Rawlsian conception of justice. Rawls, at least, has these two ways to justify economic inequalities.

The main argument made by Cohen is to challenge the incompatibility of the egalitarian ethos come from the strict reading of difference principle and the nature of the lax reading of difference principle. I shall examine these two components one by one and see how Cohen argues that they are not congruous.

What is egalitarian ethos? Cohen claims that in the strict reading of difference principle, all intention-relative actions, or outcomes, cannot justify inequality of income and wealth. That means that the wealth you earned which is under your intention cannot justify being yours. As many economists illustrate that the possibility of withdrawing labor when taxes rise too high, Cohen writes that “for the strict difference principle to prevail, there needs to be an ethos informed by the principle in society at large.”¹⁴ As Rawls argues that his principle is applied in a well-ordered society, Cohen follows his ideal society, arguing that, outside the Original Position, if the talented accept the strict reading of difference principle wholeheartedly, there would be an egalitarian ethos in their minds. When wage bargaining exists in the workplace, the talented, be more specific, the employers, would see the poorness of the employees so that they would not exploit the least-advantaged. It is because they know the egalitarian ethos require them to realize that all intention-relative extra resources cannot be justified being theirs. Consequently, in the strict reading of difference principle, the *natural* distribution of income and wealth among the people will not be too dispersive.

However, in the same time, the nature of the lax reading of the difference principle requires the individuals to be a market-maximizer, aiming at maximizing the greatest benefits he may gain in the market. They *ought to* enhance their productivity as great as possible. As the difference principle applies in basic structure *only*, individuals are not required to act according to it in their daily life. On the contrary, the talented have to work hard to increase the overall productivity in order to achieve reciprocity, which Rawls claims that his theory is a justice as reciprocity. It becomes more acute in the

¹⁴ *Incentives*, p.315

incentive argument. In it, people are told that they are allowed to get more resources as an incentive, which is justified. Inevitably, Cohen then argues that people in the well-ordered society would find the incentive argument hard to handle. On the one hand, the sense of justice motivates them to act according to the egalitarian ethos; on the other hand, incentive argument, or even difference principle in broad sense, requires them to maximize what they can get. Cohen believes that they are incompatible with each other.

Moreover, in the intention-relative situation, people themselves choose not to work hard because they do not have enough incentives in a society with an equal distribution of income. So, Cohen believes that, Rawls set the incentive argument to satisfy the talents' self-interest. But, importantly, the better-off can vary their productivity according to exactly how high the incentive is. If this is true, whether the difference principle is indeed a moral argument is in doubts as it is merely a bargaining conception: "justice is itself a compromise or balance between self-interest and the claims of equality."¹⁵ For we think of the appeal to justice as one that must be open to the weak, if self-interest of the talented is in such an important position in the Rawlsian conception of justice, justice, in this sense, as Thrasymachus in Plato's *Republic* says, is "nothing but the advantage of the stronger".¹⁶ The better-off, in the incentive argument, play a crucial role to determine how wide the gap of wealth is. The least advantaged will accept the distribution indeed. Individuals will arrive at the same conclusion of how to give the greatest benefits to the least-advantaged about their relative bargaining power and hence agree on the appropriate terms.¹⁷ However, on the one hand, it contradicts with the egalitarian ethos. On the other hand, it seems that the incentive argument is partly depended on some morally arbitrary bargaining power.

III

¹⁵ Cohen, *Incentives*, pp. 313-5

¹⁶ Plato, *The Republic of Plato*, 338c, translated, with notes and an interpretive essay, by Allan Bloom, (New York: Basic Books, second edition, c1991), p.15

¹⁷ Here I borrow Brian Barry's criticism on justice as mutual advantage. See Brian Barry, *Justice as Impartiality*, (Oxford: Clarendon Press; New York : Oxford University Press, 1995), p. 40

G. A. Cohen emphasizes the importance of ethos in our daily lives. As I mentioned before, he believes that if people truly accept Rawls's principles, they would certainly have such an ethos, and consequently, act on it. But the incentive argument allows, or even guides, the talented to be market-maximizers, who aim to maximize their self-interest legitimately. In facing such a dilemma, I believe, Rawls is willing to accept this point that there *may* be an egalitarian ethos in the well-ordered society. He states that the well-ordered is designed to advance the good of its members and effectively regulated by a public conception of justice.¹⁸ It means that all people in the well-ordered Rawlsian society would recognize and act on the two principles of justice, because of the sense of justice. As Rawls puts, "its members have a strong and normally effective desire to act as the principles of justice require."¹⁹ As a result, the difference of income and wealth between the rich and the poor will be narrowed in their daily decisions.

If so, since egalitarian ethos and the lax reading of difference principle are incompatible, Cohen writes that "Rawls "must give up either his approval of incentives to the exercise of talent or his ideals of dignity, fraternity, and the full realization of the persons' moral natures."²⁰ The egalitarian ethos is caused by these moral natures. Otherwise, Rawls' conception of justice, in Cohen's word, is just "a *bargaining* conception".²¹

However, I do not think that Rawls really aimed at striking a balance between incentive and moral equality. As I mention before, Rawls would agree that that egalitarian ethos may happen in people's behavior. Then why does Rawls propose the incentive argument? The most probably answer, I believe, is that even he *does not know* whether the talented need incentive to work hard or not. So the difference principle he sets *have to satisfy* both situations: we may need incentives to work, or we may not need. Let us reconsider what Rawls said about incentive in *A Theory of Justice*:

¹⁸ John Rawls, *TJ*, p.397

¹⁹ *Ibid.*, p.398

²⁰ Cohen, *Incentives*, p.322

²¹ Cohen, *Incentives*, p.325

“The better prospects act as incentives so that the economic process is more efficient, innovation proceeds at a faster pace, and so on. *I shall not consider how far these things are true.*”²²

He mentions that he does not care if people need incentives or not. If we do not need it, then the differences between the rich and the poor will be minimized that the government does not need to do too much for redistribution. That is great because such distribution is consistent with Rawls’s premise concerning the Kantian conception of equality. However, if, unfortunately, some people really need incentives to work hard, then Rawls would probably say, the difference principle can provide the best solution. Otherwise, the worst-off would be worsened. Consider the second case, which we do need incentives to work hard.

Suppose that there is a two-person world. Peter and John are the only two persons. At time 1 (T1), income and wealth are equally distributed that it is a benchmark as what Rawls stipulates. Both of them get 50 units. Peter is a smart person and soon he earns much more money. John is relatively poor at that. At time 2 (T2), the natural distribution is D1 in the figure below:

	<u>T2</u>			
	D1	D2	D3	D4
Peter	220	200	180	150
John	80	100	120	150
Expected total units at T3	700	600	500	400

²² John Rawls, *TJ*, p.68, italic is mine.

In the natural distribution, the total amount of wealth is 300 units. Now, we are going to determine which redistribution suits difference principle best. If we only count at T2, then, surely, D4 should be chosen because it gives the greatest benefits to John, the least advantaged. However, the situation is more complicated that we must consider the situation at T3. If the talented really need incentives to work hard, the total wealth under D1 would be highest and that under D4 would be lowest. That means that, at T3, the least advantaged would get much less if we use D4. Therefore, we have to give up equalizing resources as D4.

In this case, I assume that people need incentive to work hard. However, in another case that people do not need any incentives to work, the distribution chosen by difference principle will be totally different. Again, Peter and John get 50 units as a benchmark. They cooperate and come to natural distribution, D1. Then at T2, they decide to redistribute the social primary goods.

<u>T2</u>				
	D1	D2	D3	D4
Peter	220	200	180	150
John	80	100	120	150
Expected total units at T3	700	700	700	700

But in this case, since Peter, the talented, does not need any incentive to work hard, no matter how many units you give him, he would still work as hard as he can. Therefore, the expected total units at T3 in any distribution would be the same. Then, when we commit to equal status of person and difference principle, D4 should certainly be chosen. We may even argue that, if Peter abides by egalitarian distributive

requirement, he would not exploit the least-advantaged that give them more resources in wage bargaining. The natural distribution will be very close to D3, or even D4.

What makes difference principle superior is that it suits well in *both* worlds where people need extra incentives to work or not. No matter which situation takes place, the difference principle can still provide a principle that benefits the worst-off most.

But Cohen would reply that, from the first-person point of view, the talented still find the conflict in either behaving as a market-maximizer or an egalitarian. For Rawls, he would require that the talented should act according to his sense of justice. If the talented wholeheartedly believe that we should treat people as equals and our talents are undeserved, he will act so in his daily choices. (Sometimes they may not do it as stated above) The difference principle does *not* give any place for people's chosen self-interest; it would not allow people to act only on their chosen self-interest. However, we cannot obviate the possibilities that someone would act unjustly even if he believes in the Rawlsian moral premise entirely. This is simply their unchosen *stubborn fact*. They simply cannot work hard without incentives even though they believe in Rawls's conception of justice deeply. This stubborn fact is not chosen, and not responsible, by him that he does not have any solution to deal with it, unless getting some above-average social primacy goods as incentives. This stubborn fact may exist in both the talented and untalented. But the talents have this ground in justifying getting more because they can benefit the least-advantaged too. Of course, Rawls does not have intention to show that people have this stubborn fact. He would "not consider how far these things are true". If it is untrue, that men do not have such stubborn fact, then the inequalities in the society would be very small *naturally*. If it is true, one who has such stubborn fact, we cannot do anything on it. It is simply *unchangeable*. Therefore, by examining the characteristics of difference principle, incentive argument, or even whole difference as such, does not encourage people to be a maximizing incentive seeker. On the contrary, the sense of justice existing in a well-ordered society would encourage people to treat others as equals. But when there is a stubborn fact, the difference principle can probably deal with it. As a result, I believe that the difference principle can serve best to justify this inequalities for helping the disadvantaged by providing incentives if they really need it.

Cohen may still argue that even if there may be some stubborn fact existing in someone's mind. The resulting inequality of income and wealth is still unjust. As we know that the moral belief underlying is to treat people as equals, the best conception of justice should not give position to the arbitrary self-interest even though it is aroused from unchosen stubborn fact. We can only say that it is a *second-best* conception of justice and a principle for handling people's injustice.²³ However, what is important is that such "the most just conception of justice" is *unachievable*. Such stubborn fact, if any, is determined that we cannot do anything to change it. No matter how uncontroversial is the conception of justice we believe, those with this stubborn fact will still not entirely act on it. Then how can we claim that an unachievable conception of justice is the most just theory? Being an unavoidable fact, what we can do is to redress it in a basic structure level.²⁴ Cohen would argue that it should apply in people's everyday behavior, rather than in basic structure only. But it arises many scholars challenge that justice does not mean controlling and the importance of reasonable pluralism would be violated in such a society.²⁵ I would not discuss where difference principle should apply. It exceeds the scope of this essay.

IV

I have shown that Cohen's problems in challenging Rawls's internal conflicts of his moral ideal on the persons and difference principle, especially, the incentive argument. Indeed, if the difference principle is like what he describes, his arguments are valid. There is a tension between the two parts. However, I try to defend Rawls's difference principle that the difference principle can deal with different situations properly. Under

²³ Cohen, *Incentives*, p. 326

²⁴ Cohen argues that if we cannot achieve an unachievable most just theory, justice cannot be the first virtue of social institution. Of course, it involves the different understandings on the meaning and the implication of justice. However, no matter justice should be the first virtue or not, it exceeds the scope of this essay. See, *Incentives*, p. 327

²⁵ See David Estlund, "Debate, Liberalism, Equality, and Fraternity in Cohen's Critique of Rawls", *The Journal of Political Philosophy*, Vol. 6, no. 1, (1998), pp.107-12, Andrew Williams, "Incentives Inequality and publicity", *Philosophy and Public Affairs*, Vol. 27, No.3. (Summer 1998), pp. 242-6 and Samuel Freeman, *Rawls*, (New York, N.Y. :Routledge, 2007), p.124

the moral ideal of persons by Rawls, egalitarian ethos exists. However, its existence cannot guarantee that individuals do not need more incentives to work hard. There might simply have some stubborn facts from the talented. Of course, it might not exist. Rawls does not have any standpoint at this point: he just leaves it free to discuss. Nevertheless, his difference principle serves both the situations best. If my interpretation of difference is correct, the conflicts raised by Cohen melt.

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文化保育運動分析——嘉咸街街市重建

Au Nok Hin, Chan Lik Hang,

Chan Lik Sam, Chu King Ting, Leung Chi Yan, Lam Wing Yat

引言

回歸後的香港人見證社會漸刮起的文化保育浪潮。近年來，更越演越烈，不同層次的討論亦如雨後春筍，在不同的媒介講述這個香港人越見顯著的議題。這一代人思考問題的座標跟回歸前的香港人相比的最大分別，在於我們在經濟上有所追求之外，亦積極對這城市的身份進行探索。我們關切香港的城市生活、多元文化、城市的歷史與其混雜的景觀，這也是香港自成一格的城市特質。不難明白，近年的城市重建計劃就是對這種文化醒覺的一個機遇、一個挑戰。但是，這種醒覺從何而來？而又通往何處？城市規劃的倡導者 Jane Jacobs 於 1961 年出版的《美國大城市的死與生》影響著半個世紀的城市規劃。其時代意義在於啟蒙城市的公民，面對由上而下的城市規劃，個人是有權利並有需要自發地站起來對抗和參與的。Jacobs 對美國城市規劃價值觀的批判，在國際有深遠的影響。近代城市的發展充分證明當年面對的問題於過去數十年間在世界各地不斷重演，不同的政府還是以大規模的重建去扼殺市民珍惜的都市生活方式。Jacobs 所批判的科學規劃及夷平式都市再生，近年已開始改變社會對城市規劃舊有的看法。一些大城市，如倫敦、巴塞隆納、巴黎、馬德里以至澳門的城市更生，正朝向多元、人文的有機模式發展，即是把城市看成有機體，讓城市生活在細節上能夠自我衍生、互相融合，達到一個細緻、活力而多元化的局面，這正是近年世界城市發展的文化潮流。但把目光放回香港，政府單向策動的大規模舊區重建，完全忽視甚至違反這種人文價值。由回歸初年的衙前圍村、大磡村、利東街，以至近年深水步的重建計劃，也表現出政府的霸權式的經濟發展主義。以這次報告所研究的中環嘉咸街為例，這個有 150 年歷史的露天街市，面臨重建危機。市區重建局嘗試用新式高樓把這個充滿活力和歷史的有機社區取締，這等同把自我衍生出來的香港特有文化徹底消去。

這篇報告，就以社會運動的角度，分析民間組織如何捍衛自己追求的城市生活的價值，如何抗衡政府重建方案的威脅，包括他們的目標、策略和動員等。這運動對應了現代公民參與城市規劃的新方法，也是未來香港城市發展共識的參考。

文化保育的生成過程

在了解嘉咸街的文化保育運動以先，我們必須了解整個香港文化保育運動的生成過程。香港文化保育運動的生成，可追溯至回歸後的十年間。我們把香港的文化保育的生成過程，分為三個階段，分別是：

1. 1998 至 2002 年
2. 2002 至 2006 年
3. 2006 年至今

1998 至 2002—經濟價值及技術問題

透過於文獻分析及研究，我們發現在 1998 至 2002 年的報章論述已包括文化、文物、古蹟保育、重建、環保等多方面議題。然而，重心並非文化及歷史價值，而是經濟價值及技術問題。

技術問題是指清拆重建的處理方法是否恰當，重建後的發展面貌如何等，其時帶有很濃厚的發展主義色彩。例如，當時已經開始談及利東街重建問題，所關注者不過為土地發展公司如何發展，並沒有將眼光放於其歷史價值。（《明報》。1999.2.2）即使是殖民地時期的遺物，同樣也只限於關注其處理手法，例如大磡村的英軍直昇機場重置、山頂官舍重建，只談及如何安置、安置成本等。（《明報》。1999.3.9）

經濟價值則包括如何就清拆建築物作出賠償的安排、喪失旅遊價值等。報章論述似乎只從經濟角度出發。衙前圍村的重建，在今天同樣是熱門討論的議題，但當時所關注的，卻是政府跟村民合約賠償的問題，由此可見輿論中缺乏保育的考慮。（《明報》。1999.8.6，《明報》。2001.12.19）

2002 年—市區重建局成立

另一階段開始的標誌，便是 2002 年市區重建局（市建局）的成立。市建局進行大規模收樓，重建的議題在此階段被大大擴闊。數年間，隨著香港地少所引致的發展潮流底下，雖未能即時提高公眾對文化保育的意識，但因重建事件日多，埋下了日後保育議題的種子。

在此階段重建所關注的，依然是賠償問題。深水埗福榮街和福華街、灣仔莊士敦道、大角嘴櫻桃街都是 2002 年重建項目之一。報章的報導，似乎仍未離開賠償問題。（《明報》。2002.1.9a，《明報》。2002.5.24，《明報》。2002.6.29）我們理解這些地區之所以一直關注賠償，原因是舊樓的業權複雜，故談賠償實難避免。

然而，重建事件漸多，加上舊有議題一直持續下去，我們開始看見討論重點的轉變。例如當時談及利東街重建，關注的是社區網絡的破壞。（《明報》。2004.2.10）雖然上述的福榮街依然主要關注賠償，但另一個關注點，就是失去社區網絡令居民營商困難。（《明報》。2003.7.14）

報導中關注歷史價值、文化價值愈來愈多。當時油麻地警署重建，報章指其歷史價值難以取締。（《明報》。2002.1.9b）此外中環天星碼頭的清拆也在當時開始計劃，報導的重點已轉為天星碼頭作為香港的地標，其歷史價值是非常重要。（《明報》。2002.2.21）。

延至 2005 年，社區自主的討論開始湧現。利東街的爭論一直持續，居民向市建局建議由他們自己去規劃利東街的未來發展，然而最後卻被市建局以缺乏學術根據，「不夠專業」為由拒絕接受。（《明報》。2005.7.23）我們可以從中看見，重建問題逐漸發展，論述的框架得到逐漸擴大。

2006 年—文化保育運動的成熟期

由 2006 年開始，可謂是文化保育運動的成熟期。論述由賠償、經濟價值為主轉，變成文化保育、歷史價值為主。輿論關注重建、清拆活動的著眼點已經是探討如何保育文化、保留歷史。

社會關注重點的轉變，當中的關鍵在於天星、皇后的保育運動。一群反對政府清拆天星的人士組成的「本土行動」，提倡本地的文化價值，反對香港的盲目發展。透過「本土行動」與評論者例如梁文道、朱凱迪、陳景輝等議論，以及天星、皇后的抗爭，整個運動帶來了不少的社會轉變。每當談及重建、清拆建築物，總會問：「究竟這個地方有沒有歷史價值、文化價值是否值得去保留？」（梁文道 2006，陳景輝 2007a，朱凱迪 2007）

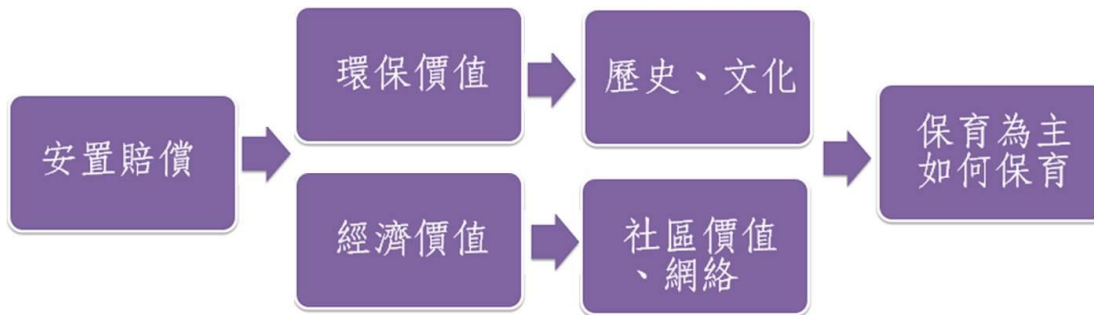
在 06 年的報章的資料搜集中，天星皇后的事件以後，每月都會有文化保育分子在報章撰文，強調文化保育的重要。此後保育的議題更是不斷地湧現，甚至將以往的重建議題套入保育的新框架。

那麼我們又怎樣把整個 H18 嘉咸街、卑利街¹的重建運動定位呢？我們認為可將之視為文化保育運動抗爭中的一部分。起初嘉咸街重建只談賠償方案，與以往的重建論述沒有太大分別，甚至政黨也以賠償為關注重點²。直至 2007 年 9 月，關注街市文化的組織 Savethestreetmarket 出現，開始處理 H18 重建的問題。這群人當中不乏曾參與天星、皇后保育運動的成員。³ 他們把保護嘉咸街街市運動定義為本地文化保育行動。故此，H18 重建的抗爭，遂成為文化保育抗爭中的一部分。

¹ H18 為前土地發展公司給與重建項目的編號，範圍包括卑利街、嘉咸街、結志街、威靈頓街、閣麟街、吉士笠街、士他花利街及乾秀里。

² 2007 年 6 月，民主黨、民建聯都曾舉辦講座，內容只集中於賠償安排。

³ 在我們與 Savethestreetmarket 成員的訪問中，他們表示曾經一同參與天星、皇后保育運動。



圖一：文化保育運動的生成

為何研究嘉咸街保育運動？

以「集體回憶」作為一系列文化及社區保育運動浪潮的論述，在天星與皇后的事件後引起公眾的廣泛參與及討論，成為社會及政府一個十分重要及需要處理的議題。縱然天星及皇后事件過後，保育及集體回憶的浪潮彷彿沒有退減的跡象，反而是更深入地轉移至社區重建的層面。例如利東街、H18 嘉咸街及卑利街等，形成了一場因社區重建而引起的社會運動。

社區重建運動的開展，不單是皇后及天星的保育浪潮的延續，更可能是香港形成重視人文價值及社區參與的「亞文化」（周八駿 2006），挑戰以「中環價值」為香港核心價值的社會運動的開展。我們希望透過以保護嘉咸街運動作為探討整個社區文化運動的分析。

另外，從初步透過傳媒的文字以及田野觀察，我們了解整個保護嘉咸街運動是由一群來自中產、文化藝術、外藉人士所組成。他們以採取較和平的方式，以及以文化藝術作為宣傳策略，並沒有大規模的示威及抗爭。不論是整個運動參與成員的結構，又或是其策略和方法，是有別於其他形式的社會運動，與天星與皇后的社會運動亦是顯而易見的分別。以上種種，皆是我們所感興趣及希望加以探討的。

最後，基於實際考慮，由於我們不單希望透過外圍的觀察及分析，更希望以田野觀念及參與的形式研究整個社區保護的運動，所以我們選擇了以保護嘉咸街運動

作為我們小組的研究題目。透過整個剛開始及進行中的運動，我們得以作更深入的分析。

研究問題及方法學

研究方法方面，我們主要是以以下三種方式進行。第一，包括文獻的分析，如重建及文化保育的歷史及背景、過往及近期學者的分析及評論、報章，以了解整個文化保育及保護嘉咸街運動的論述框架等。第二，由於整個保護嘉咸街運動在開展及進行中，我們透過田野觀察及參與，參與保護運動⁴，成為工作人員，並觀察各團體的互動。最後，我們透過與不同團體⁵進行深入訪談，以獲取更多的資料。

就分析整個保護嘉咸街運動中，不同團體於整個文化保育及保護嘉咸街運動中建構不同的框架。而這些框架，也反映了不同社會團體（Social Group）價值取向的歧異。

研究結果

讓我們從研究得來的資料回歸到原來的研究問題：**Savethestreetmarket** 如何動員？為何有那麼多中產和外籍人士參與是次運動？從研究中，我們發現**Savethestreetmarket** 主要透過框架來動員群眾。在這一點上，我們察覺到框架是極具對抗性。而透過分析框架的內容，我們也可以解釋到甚麼是次運動會有大量中產和外籍人士參與。

為什麼是次運動是一次文化框架建構的運動而非其他社會運動理論所介紹的運動產生現象？早期學者認為集體行為是非理性。（Rule 1988）但此理論並不適用

⁴ 我們參與了「嘉咸街市節 2007」。這個活動是由十一月三日開始，為期三星期。

⁵ 我們共進行了八個訪問，包括：一、中西區關注組成員羅雅寧；二、思網絡總監鄭敏華；三、H18 業主權益關注組成員新哥；四、民主黨中西區區議員阮品強；五、聖雅各福群會社工阿聰；六、嘉咸街／卑利街露天市集商戶；七、嘉咸街／卑利街住戶楊先生和陳先生。

於本次事例。在 11 月，Savethestreetmarket 組織了一個為期三星期的「嘉咸街市節 2007」，向市民宣揚露天街市文化正是香港獨特文化為主要目的。活動包括學者講座、工作坊、以街市貨品製作的時裝表演以及街市文化遊等。在 11 月 3 日的開幕禮上，籌辦者廣邀傳媒報導，也邀請到市建局主席張震遠出席儀式並發言。籌辦者在傳媒面前再次重申街市值得保留的價值，懇請當局再思考重建的手法，讓街市可在未來繼續運作。

在 Savethestreetmarket 事件中可以看到，整項活動是非常有計劃地進行。「嘉咸街市節 2007」為期多少天、有甚麼活動、邀請甚麼嘉賓或傳媒等問題，是精心安排的，絕對並非如早期學者所述。

當然，理性選擇理論亦不能解釋人參與是次運動的原因。Elster (1986) 假設人是會計算手段和結果 (Means-end Calculation)。但是，從與羅雅寧的訪問得知，Savethestreetmarket 的成員皆意識到清拆嘉咸街街市將會是一個不能改寫的事實。在這個處境下，Savethestreetmarket 的召集人和成員是基於一些上層結構的關注 (Klandermans 1986:21) — 亦即是是次運動所指的文化價值。

任何社會問題也不是一個客觀現象。(Klandermans 1992:11) 嘉咸街重建是一個客觀事實，但是重建背後所反映的是甚麼，則需要由人去定義及理解 — 也就是一個框架建構動員群眾的運動。

下文我們將透過介紹 Savethestreetmarket 的目標、活動，析論框架作為動員群眾的角色。在交代析論框架作為動員群眾的角色以先，先交代嘉咸街的重建背景、Savethestreetmarket 組成及與其他持分者的關係，從而瞭解框架建構的背景。我們嘗試解答三個問題：一、組織定位如何影響框架建構？二、社會運動組織如何利用框架建構的策略，達到他們的理念，又有否造成框架的對抗性？三、框架能否有效動員群眾？

嘉咸街重建背景

嘉咸街街市簡介

中西區是香港最早發展的地區，當中位於中環的嘉咸街街市更是香港開埠以來最早的露天市集，距今約有 150 年歷史。

由土地發展公司到市區重建局

土地發展公司（土發公司），於 1988 年成立，專門負責市區重建工作。1998 年，土發公司推出 25 個重建項目，可惜年來積累的財政問題使其陷於運作困境，最後宣告破產並由市區重建局取代。而 H18 重建項目就是 1998 年 25 個重建項目其中之一，該計劃並於 1999 年 11 月 9 日獲得城市規劃委員會核准。

2001 年 5 月 1 日市區重建局成立，完全取代土發公司。市建局乃一所專責加速舊區重建、促進復修保養欠佳的樓宇、修葺具有歷史或建築價值的樓宇，及透過改善舊區的環境促進經濟發展的法定機構。2002 年 6 月，立法會通過 5 年內向市建局注資 100 億經費，以便它推行各重建項目。受土發公司破產影響而擱置的重建計劃，亦由此而再展開。

H18 項目基本內容

計劃總發展成本近 38 億元，涉及 37 幢建於 50 至 60 年代的舊樓，包括 4 幢戰前唐樓，共影響 1,120 名居民。初步估計，收購和安置的支出約 18 億元。最後，回收呎價為 8508 元。H18 將會興建住宅、街市及社區會堂，地盤面積為 5400 平方米。範圍包括卑利街、嘉咸街、結志街、威靈頓街、閣麟街、吉士笠街、士他花利街及乾秀里。計劃也包括設置「老店街」以活化卑利街及嘉咸街。預計可提供面積約 13,500 平方呎的多用途社區會堂，以及近 17,000 平方呎的休憩用地。（市區重建局）

文化價值作為動員框架

文化價值的框架，是於天星及皇后事件中保育團體一直所重視的，並於社區重建項目，如保護嘉咸街運動中得到延續。但在「後皇后」的保育運動中，保育團體面對官方建構「發展就是有進步，反發展就是保守落後」的論述，故此建構另一框架，以「延續」並「更新」保育運動的論述。在後天星和皇后的階段中，保育團體建構了「公眾參與」及「身份認同」的框架。在保護嘉咸街運動及社區重建的項目中，提出了城市規劃及重建的設計，應由公眾與市建局共同商討及重新規劃，而非政府單向式的諮詢。引申至政治上，指出公眾應容讓參與更多在社會的政策制定中，是香港人「身份認同」的尋求過程，反映於對政治上普選及社會上社區的保存的追求中。（張炳良 2007）

在整個保護嘉咸街運動，保育團體以及在嘉咸街運作多年的小販商舖，他們在重建上的立場在很大程度上是接近——反對市建局就嘉咸街進行推土機式的重建計劃。然而，他們彼此的論述卻有很大的分別。保育團體的框架是重視社會的文化價值，強調保育在社會上具有歷史及文化價值的建築物及項目。對「集體回憶」的重視，便是文化價值的特點。若以陳景輝的說話，則是：「這場運動要扭轉的，正是香港根深柢固的功利觀念。」（陳景輝 2007b）另外，保育團體亦建構「反發展主義」的框架，以及反對「中環價值」代表的經濟掛帥、講求功利及效率的價值。

Savethestreetmarket 的組成

正如上文提及，H18 的重建計劃早在 1999 年獲城規會通過。由於土地發展公司的倒閉，這項計劃便不了了之。市建局和中西區區議會在 2006 年 6 月舉辦了諮詢會，收集公眾對重建計劃的意見。（《明報》。2006.6.25）重建計劃公開之後，一位居住於中環的外國人 Jay Foster，得悉嘉咸街將被清拆和重建的消息後，主動聯絡了中西區關注組成員羅雅寧，希望她可以嘗試阻止嘉咸街街市的清拆。與此同時，Jay Foster 是一名本地的藝術家，為了傳播保衛街市的訊息，他籌辦了一個本地的藝術展覽「High & Dry」。透過一份本地刊物《HK Magazine》的轉介，Jay

Foster 借用了長春社文化古蹟資源中心在西營盤的辦事處，作為「High & Dry」的展覽場所。這便是保護嘉咸街街市運動的起源。

在 2007 年 7 月，保護嘉咸街街市運動首次以 Savethestreetmarket 的名稱出現，在嘉咸街街市舉辦了「快閃黨」活動。同時，網上也設有網站 www.savethestreetmarket.com 以介紹這項運動。當時，「快閃黨」活動主要由 Jay Foster 及羅雅寧舉辦。及至十月，羅雅寧為希望引起社會更大的回響，開始籌備「嘉咸街市節 2007」。此時，Savethestreetmarket 不再是中西區關注組和 Jay Foster 主辦的運動，思網絡以及長春社文化古蹟資源中心也成為了核心成員。這種流動、鬆散的組織，正是新社會運動的特點。（Klandermans 1986：21）

值得注意的是，Savethestreetmarket 是由多個現有的保育組織所組成。所以當組織達到目標，這個「臨時」組織就會隨即解散。而 Savethestreetmarket 也可能會隨 H18 重建計劃的進行和完成，在數年後消失。

Savethestreetmarket 與其他持份者

在 Savethestreetmarket 運動中，除了保育份子外，我們發現有四類持份者，分別為市建局、H18 區內居民、街市小販，和各個政黨。以下我們會逐一探討他們的關係。

保育份子和市建局

首先，保育份子和市建局由初期的敵對演變成現在的協商關係。保育份子的短期目標，正如上文提及，是希望游說市建局放棄推土式的重建模式，重新計劃重建方案；市建局堅持重建 H18 區，清拆街市，自然成為保育份子的針對對象。但是，羅雅寧透露，自從二零零七年四月，張震遠接任市建局主席一職，市建局強硬的態度有所轉變。在「嘉咸街市節 2007」當日，Savethestreetmarket 邀請了張震

遠出席，他表示雖然嘉咸街不能不拆，但有需要時會與政府商討重發小販牌照，以重塑市集風貌。（《明報》。2007.11.4）

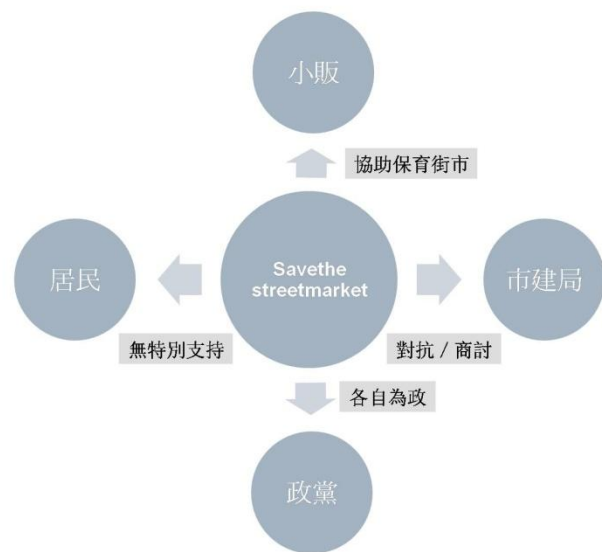
保育份子和居民

另外，從我們的訪問了解，H18 區內的大多數居民也希望搬離該區。對他們來說，嘉咸街街市並沒有保留的價值，因為衛生環境非常差劣，經常有老鼠出沒，而且區外的樓宇普遍殘破。只要市建局對他們作出有合理的賠償，他們便願意離開。我們其中一名受訪住客楊先生，更稱即使沒有重建計劃，他也會搬離該區。居民也曾經抗議，但抗議的內容和 Savethestreetmarket 完全不同。（《星島日報》。2006.7.31）顯然，對居民來說，重建計劃是一個經濟價值的問題，而不是文化價值的問題。所以，在 Savethestreetmarket 運動中，我們發現很少居民參與。居民並不支持是次保育運動，而是希望市建局立即展開收購工作。

保育份子和街市小販

街市小販可算是唯一一批與保育份子站在同一陣線的持份者。街市小販希望保留嘉咸街街市，但是他們的理據和保育份子所主張卻不盡相同。由於街市是小販謀生的地方，街市的清拆令他們失去經濟能力。重建的事實，在他們的理解之中，是一件「生與死」的經濟問題。這和保育份子所高舉的文化價值完全不同。所以，在

Savethestreetmarket 活動進行期間，街市小販也會支持，例如讓保育份子在他們的攤檔張貼海報。但是，他們不會參與運動的當中，因為這會令他們失去收入。在研



圖二：Savethestreetmarket 與其他持份者的關係

究期間，我們也留意到小販會因為 Savethestreetmarket 活動阻礙他們的生意而埋怨。

保育份子和政黨

最後，保育份子和各個政黨則各自為政。政黨多以區內居民的利益為依歸。居民關心甚麼，政黨也關心甚麼，所以各個政黨皆以「爭取合理賠償及安置」為他們的口號。羅雅寧向我們提及，在她籌備 Savethestreetmarket 的初期，政黨反游說她，勸她不要阻礙市建局的收購進度。就政治的角度而言，政黨的立場某程度上是隨著公眾所轉向的。

分析一：框架建構

從 Savethestreetmarket 的目標，我們可以看到他們建構的論述框架既融合長期及短期的目標，亦把提倡文化價值作為組織的核心目標。一個社會運動，以多個長期和短期目標為名，並不是異常的事情。有時候，為了組織的延續性，多個目標是必須的。（Marx and McAdam 1994：108-109）Savethestreetmarket 也不例外。其網站開宗明義寫著：

「www.savethestreetmarket.com 乃一個旨在挽救瓦解中的、極具歷史價值的中環露天市集的運動。此運動之主要目的，是確保一個可持續發展、富動感、安全而衛生的露天市集能得以保存，期望這個位於卑利街、結志街及嘉咸街的中環露天市集，能繼續為地區居民及遊客提供歡樂，在經濟上養活一眾商販之餘，亦可同時融入城市未來發展的脈絡之中。」

是次運動，實際上有三個長期目標：一、提高公眾對香港特有街市文化，以至其他本地文化的關注；二、希望透過舉辦不同的活動，向市民灌輸文化保育的意識；三、改變政府單以經濟發為唯一目標的發展主義。

然而，這三個長遠目標並非用以維持 *Savethestreetmarket* 的延續性。事實上，上述三個長期目標之中，第二個和第三個是組成 *Savethestreetmarket* 的保育組織的成立目標，亦即是思網絡、長春社文化古蹟資源中心和中西區關注組的目標。思網絡以推動可持續發展，「尊重人尊重環境，謀求平衡，從而昇華至社會整體提高生活質素」（引自思網絡網站）為宗旨；長春社文化古蹟資源中心以推動「保育歷史文化的教育活動和社區工作」（引自長春社文化古蹟資源中心網站）為目標；而中西區關注組則以關注區內歷史建築為首要工作⁶。

從這三個組織的角度出發，*Savethestreetmarket* 只是它們眾多運動之中，其中一個項目，用以維持它們自身的延續性。我們可見，組織既然只集中於提倡文化價值，站在重建運動來看，其他持份者所希望爭取的事項便相對忽視。

再者，組織本身的目標定位，影響著該運動的框架建構能否成功。*Savethestreetmarket* 把嘉咸街重建定義為市建局對文化價值的催毀，指出這一種文化價值是香港特有，眾人應珍重，所以群眾應該起來反對嘉咸街重建計劃。這無疑是一種框架，為一件事情定出問題所在（*Diagnostic Framing*）、解決方案（*Prognostic Framing*），以及反抗的原因（*Motivational Framing*）。（*Snow and Benford 1988*）*Savethestreetmarket* 動員參加者的主要途徑，便是透過這一個框架。這種框架設定能否動員群眾？下文將有詳述。

分析二：框架的對抗性

⁶ 中西區關注組沒有設立網站。在訪問中，羅雅寧指出當初成立中西區關注組是由於政府計劃買出前身為「中央書院」的荷李活道警察宿舍地皮。羅雅寧等人認為該位置有著歷史意義，不應用作商業發展用途。

不同背景和不同立場的社會團體，面對同一件事情，也可有不同的論述。所以各個社會團體可對嘉咸街重建建立自身的框架。

然而，上文提到，市建局、保育份子、H18 區內居民，和小販對今次重建的框架各異。市建局由上而下的框架明確地把嘉咸街重建連繫到經濟旅遊發展；保育份子認為是文化價值的抗爭，市民應有權參與社區計劃的權利；H18 區內居民和小販則把重建看作經濟利益的考慮。

在嘉咸街重建計劃初期，文化價值和經濟利益兩種不同的框架皆在報章上出現。當 Savethestreetmarket 出現後，有更多的媒體（尤其以海外和英文媒體為主）在報導嘉咸街重建事件時，大量渲染街市文化價值的一面。媒體，成為了 Savethestreetmarket 意識形態的廣播者（Gamson 1989）、對外界的揚聲器，把「保護嘉咸街街市等於捍衛香港特有文化」的訊息，散播到社會的各個階層。

Savethestreetmarket 的其中一個成功之處是得到外籍人士關注，使活動得到更廣泛的支持。首先，在活動初期 Savethestreetmarket 已經得到《HK Magazine》作贊助媒體，一直為活動的動向作宣傳和報導。《HK Magazine》是香港主要的免費英文雜誌之一，以期刊形式報導城市生活消息而吸引到大批外籍及中產讀者。因為同類型的雜誌寥寥可數，故《HK Magazine》特載的消息往往在其「目標讀者層」具有高度滲透性。幾乎所有 Savethestreetmarket 之活動和宣傳都得到《HK Magazine》報導和支持，此大大幫助了 Savethestreetmarket 的消息傳播。

除此之外，Savethestreetmarket 亦得到重要的國際媒體報導，例如 International Herald Tribune 以及 BBC online 都介紹了嘉咸街受重建的威脅，Reuters 亦報導了街市節的情況。據 Savethestreetmarket，他們和屬於這些傳媒的記者有網絡關係，故促進了這些國際媒體的報導。

因為傳媒的廣泛報導，一般社會人士可能會以為 H18 區內的所有人士，也支持文化保育，不希望街市重建。這亦是我們未作研究之前的看法。在田野觀念的過程中，與居民多接觸後，才發現居民希望儘快收樓、賠償和重建的意願。而小販，

雖然反對重建，他們會把問題指向市建局，但是他們認為可行的解決方案是更高的賠償，因為他們關心的是經濟得失。但這一切框架，在 Savethestreetmarket 和媒體的合力下，消失於輿論之中。

分析三：框架的有效性

當運動發起團體對某事件的框架和群眾對該事件的框架愈接近，群眾便愈易受到動員，這稱為框架校直（Frame Alignment）。（Snow at al. 1986）在嘉咸街重建運動中，我們發現 Savethestreetmarket 沒有得到區內的居民和小販的積極參與。這可以歸因於居民和小販對是次重建的框架和 Savethestreetmarket 所建構的框架截然不同。

從 Savethestreetmarket 的活動動員的群眾可見，以文化價值作號召多只能動員這群中產和外籍人士，大多住在中環、嘉咸街附近。他們收入穩定，嘉咸街街市的清拆對他們沒有經濟上的影響。所以，街市對他們的重要性便建基於他們對街市文化的關顧之上。根據馬思洛（1943）的需求階層理論，當人滿足了生理和安全需求，便會考慮更高的價值層次。這可能是中產和外籍人士較居民和小販關心文化的原因。其實，在討論新社會運動時，Klandermans（1986：21）已指出，這些運動多由新中產人士組成。今次 Savethestreetmarket 運動，也不例外。

在 9 月，Savethestreetmarket 動員了大約 70 多名不同國籍的運動支持者齊集在嘉咸街街市，以快閃黨形式進行了一個叫「街市閃一閃」的活動。內容十分簡單，就是讓每位參加者手持一樣從街市買回來的蔬果，然後在一聲令下集體把手中的蔬果往空中晃動，同時喚叫英文口號「Save the Street Market」和中文喊叫口號「街市幾錢？」，以表達保留街市的意願，整個活動歷時約 20 分鐘。

另一方面，Savethestreetmarket 的 Jay Forster 召集了香港的設計師和藝術家，一同以嘉咸街街市為創作主題的 High & Dry 展覽，展品由 9 月至 10 月於長春社文化古蹟資源中心展出，用不同的藝術形式去表達街市的獨特價值。但是以上的運動

我們卻鮮見本土居民的參與，可見這些活動沒有得到區內的居民和小販的積極支持。

住在 H18 區內的居民渴望生活環境的改善，因此他們支持重建。小販則視 H18 為餬口的地方。反觀 Savethestreetmarket 高舉的文化價值，與上述兩類人的日常生活太遙遠、太抽象，失去了經驗上的可通約性（*Experiential Commensurability*）。（Snow and Benford 1988）以這個框架，很難動員到小販們。亦正是這種非經驗性的文化價值，更可以影響到和嘉咸街沒有物質關係的中產和外籍人士。

就重建區的居民及小販商戶而言，他們所重視的，並非嘉咸街有多大的文化價值，亦非公眾參與的，而是重建的賠償及搬遷安排，以及生意如何經營。故此，他們所接納及認同的，並非「文化保育」的框架，而是「重建賠償」的框架。接受訪問的住戶楊生如此說：「我看不到（嘉咸街）有多大的價值。」以及「（市建局的）賠償已經很足夠，沒有甚麼理由不搬遷。」相反，縱然小販商戶接受同樣的框架，但卻是反對重建。因為在現有賠償的安排下，小販商戶得不到賠償，而重建又必定因住戶的遷走及重建的過程減少人流及其生意；倘若遷往其他地方，又因經營成本（如租金太貴）高昂而無法負擔。由此可見，嘉咸街重建項目的展開直接影響市集中小販商戶的生存，所以他們傾向支持保育團體的抗爭。

綜合而言，縱然不同團體因價值及利益的接近或相似而接受同樣的框架，但同時亦可因自身利益的不同，而作出不同的抉擇。

總結

綜合上述分析，嘉咸街保育運動所採取的策略，主要是透過推廣文化保育作為事件的主流框架，以不同的軟性行動方式製造視覺、聽覺（以至味覺）效果，藉此吸引大眾的注意力，並透過對傳媒的運用，加強和鞏固文化保育的框架，爭取支持。那末，究竟嘉咸街保育運動的定位和方式，對於香港文化保育運動有何意義？

我們應如何為運動在香港以至世界層面社會運動的發展確立位置？它對文化保育運動未來的發展，有何重要啟示？在以下篇幅裡，我們將嘗試透過將嘉咸街保育運動置於更大的社會和歷史向度，分析嘉咸街保育運動模式的形成和其所面對的挑戰，以至其對香港文化保育的意義。

嘉咸街保育運動背後的社會和政治脈絡

香港的特殊政治和社會背景，無疑為嘉咸街保育運動提供了必要的條件。在殖民統治期間，市民對文化保育的意識和參與程度並不高。雖然殖民政府在七十年代已設有官方的文化保育機構，但是其職能相對有限，透明度和公眾參與並不高，而且其保育重點也著重於具抽離、客觀數據式價值的文化、歷史古跡和建築。⁷ 直到香港回歸後，縱然政體更易，但在具體公共政策層面也沒有出現很大轉變。市民對公共事務的參與仍然偏低。

與此同時，港人在回歸後的文化思維卻出現了變化。自回歸以後，港人對自身的身份認同一直處於模糊的狀態，這可謂政治上前殖民政府的去國族化，社會上港人的金錢至上、寄居者心態而導致的文化認同欠缺，加上心理上港人的恐共和對中國概念的歧視心態互相交織的結果。如是者，港人開始展現對自我身份追尋的願望，並開始重拾自身文化的價值。明顯地，這種新思維無疑令港人在文化保育層面出現了新的要求，並進而反思一直以來香港「中環價值」所代表的商業和工具理性至上的意識形態。

除了文化轉變外，嘉咸街保育運動的背景，還具備另一種政治面向。回歸後香港民主政治發展的停滯，加上港人因政治立場分野而出現的分化和爭拗，開始令港人反思民主的真正價值，與及下層民主（相對於投票、政黨式的上層民主）實踐的可能性。而隨著文化保育運動從抽離轉向實實化，其作為下層民主的試驗途徑便開始被充份發掘。

⁷ 古物及古蹟條例於一九七六年生效，同年古物諮詢委員會和古物古蹟辦事處成立。

事實上，嘉咸街保育運動並不是近期文化保育運動的獨立事件。如報告較前部份所述，隨著近年政府積極推動市區重建與及對城市版圖和地方功能的大規模改造，「城市縉紳化」的問題日漸明顯，有關文化保育和重建的議題也便隨著新規劃的推行而變得日益尖銳和逼切。

綜合以上所述，嘉咸街保育運動作為當前香港文化保育運動的其中一環，得到了不同的政治、社會和文化因素的支撐，並共同提供了重要的政治機會。由殖民管治遺留下來的由上而下的管治模式，與轉變中的香港社會發生了不可避免的碰撞，故此從另一角度而言，嘉咸街運保育運動的出現，也是以上諸多香港面向的一種體現。當然，要在微觀層面理解嘉咸街保育運動的定位和方式，我們便必須更確切知道運動在香港文化保育運動裡所處的位置。

香港文化保育運動境況和對嘉咸街保育運動定位／方式的解讀

總體而言，香港文化保育運動在過去數年間獲得了長足發展。由報告首章可見，香港的文化保育運動無論在數量上以至在運動的被重視程度均獲得提升。此外，在技術層面，保育的方式也逐漸變得多樣化，由最原始的單純有關「原地保留」可行性的研究到後來出現的「轉移地積比」，「保留部份建築」等方法逐漸出現，而對外國經驗的技術參照也開始成為重要的評估保育方案正當性的指標，成為文化保育運動與政府爭奪的重點之一。

不過最重要的，是隨著香港文化保育運動的推展，運動在內容和層次上獲得了拓展。其中一項較明顯的現象，是運動由初期的物質主導（如技術問題，賠償問題等）轉向後期的價值主導（如文化、歷史價值的高低，如何衡量，又或是過程是否符合程序正義、人民的真正意願，等等）。而另一項更重要的現象，則是運動覆蓋面和關注面的拉闊：從起步時只強調硬件式的「古蹟保護」與及與日常生活抽離的「文化和歷史價值」，到後來拓展到強調包含軟性因素的「社區保育」與及切身實

在的「集體回憶」。這一點必需強調，是因為它是嘉咸街保育運動形成的必要條件，也是直接規範運動最終定位和形式的其中一個因素。

嘉咸街保育運動發生的當前，是香港文化保育運動的高峰過後的相對沉寂期。自天星碼頭和皇后碼頭保育運動的抗爭完結，灣仔利東街的長期運動相對沉寂過後，香港社會的文化保育運動開始由激烈的抗爭浪潮局部轉向對文化保育運動的深化思考。在這幾場重要的文化保育抗爭運動中，很多過往未被提及的新論述相繼出現（例如集體回憶、社區參與等），而更重要的，是它們均有待確立和補充。對於不同的論述，社會上基本處於混沌狀態，更未有任何一套較為清晰完整的論述，可以完善地歸納（乃至涵蓋／收編）大量的爭論。

不同框架和論述在社會層面的爭奪，對香港文化保育運動有何啟示呢？對於現正運作或出現的文化保育運動而言，運動的沉寂期固然可能是不利的因素，但同一時間也是開拓另一路徑及重新就文化保育進行論述的良機。在既定諮詢機制失效，權力配置不平等等因素不能在短期內改變的情況底下，以軟性手法在體制內與操權者周旋，並嘗試透過爭奪社會的論述空間以達致長遠的有利地位，由論述轉變推動實質轉變，成為了另一條路徑，甚至可能比烈性抗爭（最少在短期內）變得更重要。而這正是我們所看到的嘉咸街保育運動的籌劃者們替運動擬訂的定位和方式。

首先，嘉咸街保育運動採納多元的框架，以文化保育（街市市集作為香港的獨特文化）作為最核心的價值。其次，運動目標並不局限於短期（保留街市），也包含長期（如教育市民，提高文化意識，抗衡官商的發展主義）。此外，運動籌劃人保持與運動牽涉利益的不同持份者維持不對抗的關係，以爭取最大支持，也不強烈地灌輸其文化保育的框架，避免政治化的指控。最後，運動對大眾傳媒的運用非常重視和具策略性，藉此爭取自身框架在社會空間的主導權。以上種種運動定位和方式，既是對社會現狀的回應，也是對文化保育運動另一種可能性的開拓，也可被解讀為籌劃者判斷的對當下政治機會的最有效運用。

思考—嘉咸街保育運動定位和方式的可行性

縱然嘉咸街保育運動的定位和方式具有其社會背景，但當這種方式被置於長遠文化保育運動的視角作分析，便不可避免面臨以下的挑戰。

首先，在嘉咸街保育運動中，嘉咸街街市雖然被籌劃者多番強調是「屬於市民」的，「公眾應有權決定街市的前途」。但是在運動實踐上，「街市作為香港市民共同財富」這一點只是被置於證成運動這項功能上，而並無在這方面突顯出具體的訴求。從運動籌劃者的組成和運動模式（如時裝表演，藝術展覽等）等範疇上，皆可發現文化保育作為精英份子的一種標籤傾向（以對街市文化的珍惜突顯了作為文化人的意識／覺醒）。運動在實踐上呈現的中產階級化，與及對其他持份者的（有意或無意的）忽略，不可避免會影響到運動的正當性（legitimacy），也帶出了文化保育是否必然由少數精英參與的命題，這在後面部份將再有論述。

其次，嘉咸街保育運動所呈現的文化先鋒隊(cultural vanguard)的性質，即由文化人或中產階級牽頭的文化保育運動，以空降形式與及由上而下灌輸文化保育文化價值的重要性，是否文化保育運動一條最有效達致成功的途徑？還是只會帶來社會的進一步分層，由不同階級的持份者保持不同的立場，各自為政，而非「文化」作為框架的普及化，以至將文化保育運動的性質再定義？

嘉咸街保育運動對與世界文化保育的接軌

關於文化保育的議題，在世界各地也有零聲的案例。但這些案例皆不是單單的文化保育運動。有的與種族問題掛勾，也有一些以「公眾參與」為主要框架。

在六十年代中起，美國多處發生了黑人運動。（Castells 1983:49-67）運動的起因之一是政府的市區重建政策。由於一連串的運動涉及了不同的訴求，有學者以「貧窮者」與「當權派」的爭鬥綜合這些運動。香港缺少比例龐大的少數族裔；而且香港的市區重建，受影響的以本地人居多，而往在舊區的不少是老人家和低收入人士，所以賠償問題一直成為焦點。

看一看歐洲的例子。從六十年代開始，西班牙馬德里亦出現了一系列的城市運動。（Castells 1983:224-241）那次運動的訴求，比美國黑人運動更多、目標及廣泛，當中包括了合理安置因市區重建而失去家園的居民、更多的公共空間，以及保留城市的歷史建築和文化等等。馬德里的城市運動不單反對「城市繙紳化」，更要求公眾有權參與政府的城市規劃。這點和嘉咸街運動有共通之處。

很多國際團體，如聯合國教科文組織的世界遺產中心，皆關心各地特有的文化和建築。近年來，也有團體以保護及創造公共空間為目標，如 Project for Public Space。這些組織都是回應政府因發展而妄顧城市文化和歷史的行為，與嘉咸街運動的理念相當接近。

嘉咸街保育運動的位置和對未來文化保育方向的啟示

嘉咸街保育運動分別在世界和香港所處位置的二元框架，有助於我們了解嘉咸街保育運動對未來文化保育運動發展的啟示。

在世界層面，反對重建的論述在經過數十年的國際經驗以後，出現了演變；在本港層面，嘉咸街保育運動則作為香港文化保育運動的延續，並在經過多年演變後，因應時局衍生出一種較新穎的抗爭模式。嘉咸街保育運動可被視為兩線發展之交匯點，結合了重建和文化兩項大元素。由此可見，嘉咸街體現了現代社會運動的一種可能面向：範式轉移，與及不同社會運動之間的連結和重疊，而不再具有清晰的劃分。

那麼，嘉咸街保育運動對於未來文化保育的發展，提供了一些甚麼具意義的面向和可能性？

一、「公共空間」的爭奪

雖然嘉咸街保育運動的籌劃者將運動的國際參考背景置於「公共空間爭奪」的

範疇⁸，但嚴格而言，籌劃者並沒有在操作層面將運動置於「公共空間」的論述，並不強調「公共空間」的開放，而基本停留在批判嘉咸街規劃背後所帶來的問題和損失。如報告序言所述，有關「城市公共空間」的論述和社會運動，在美國已獲討論和發展多時，故此隨著香港的社會運動對外國的參照層面由技術問題轉向運動的模式，可以預期有關運動在香港以至其他發展中國家將有發展的空間。

二、社區參與和民主規劃

如前所述，嘉咸街保育運動雖然跟當地持份者（如 H18 居民關注組）具有部分共同利益和協調聯絡，但整體而言，當地居民的參與是十分有限的。這跟早前灣仔利東街的保育運動有著本質上的分別。但是，有關社區運動（即由區內居民自發和參與的抗爭）的發展與及社區參與和民主規劃的論述，在香港仍未有穩健的立足空間，力量也十分薄弱，亟待日後的進一步推展。而隨著香港尋求邁向政治民主化，將下層民主的實踐結合文化保育和社區保育作為同一社會運動的價值根基，可說是未來文化保育運動的其中一個尋求持久性延續的方向。

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當政府管理遇上民間智慧－香港足球場空間的使用情況

Cheung, Sze-yuen

緒論

本文以香港足球場作為公共空間之個案研究，探討政府管理公共足球場的制度以及民間使用者在球場中建立的秩序。

當中，政府管理球場的視角與球場使用者對球場使用的理解將作出討論和比較；並嘗試探討政府管理制度的僵化，如何令部分民間使用者在使用足球場時出現障礙，而民間的智慧又如何為政府管理制度起著微調的作用。

引言

近期香港公共空間的討論日趨熾熱，政府與民間各界均就皇后碼頭和時代廣場等公共空間議題上有各自表述，存在著歧見。

其實，公共空間討論並不僅限於數個大眾被關注的地方。以下將以一個香港普通常見的公共空間——公共足球場作為個案研究，透過與球場使用者訪問，結合理論分析，從微觀角度探討公共空間議題。

此個案研究將分為三部分：首先，政府對公共空間抱著何種視角將會被討論。政府怎樣看公共足球場？為何又要對其進行管理？其管理制度又是如何？

其次，民間使用者對公共空間的理解將被探討。他們對公共足球場的看法和政府有何不同？在政府的管理下，民間使用者如何使用民間智慧建立另一套球場運作的制度去解決面對的問題？當民間使用者對公共足球場的期望出現轉變，政府的制度又如何因時代轉變而出現僵化，不能滿足民間使用者多元的期望？

最後，政府的管理制度和民間自然而成的運作秩序將被比較：政府經常介入公共空間進行管理，卻總是「好心做壞事」，其原因——制度上的僵化問題將被探討；而民間使用者的民間智慧，似乎可擔當替政府制度作微調的角色。

政府對公共足球場的視角的管理制度

作為政府管理範圍中的建築物，在極端現代主義下，政府希望以一種全知的視角對公共足球場作出完全的掌握和控制，令公共足球場可在其監察下，穩定地實現政府希望公共足球場達到的功能。

政府建立公共足球場的目的

公共足球場由來年代久遠，經過資料搜集後，政府檔案缺乏公共足球場相關資料參考，因此難以尋找當初政府為何興建公共足球場以及其管理哲學。但足球場在過往由市政局，再直至現在由康樂及文化事務署作出管理，我們可從中推測政府興建公共足球場的是為了休憩(Recreation)的目的。

在這種休憩功能觀的視角下，政府相信公共足球場是為了這種功能而生，同時對公共足球場作出管理令它可穩定地提供著這種功能。

當政府的休憩功能觀遇上障礙

根據受訪者陶伯表示，在其踢球的年代(1950-1960)經常有「惡霸」進入公共足球場騷擾民間使用者，黑社會在公共足球場的活躍阻礙了民間使用者使用公共足球場。對此政府作出控制，控制可見於政府管理公共足球場的制度。

陶伯指出，當時政府已發展了一套標準化和統一的宏大制度管理香港各個公共足球場。當中最主要的是球場預訂制度，民間使用者可以透過政府轄下機構(由過往的市政局到現在的康樂及文化事務處)對球場作出預訂，每人對足球場最多可預訂一節(2 小時)；此制度除了令民間使用者可預訂球場使用外，若果配合康樂及文化事務署的管理公共足球場文件《免費設施一般使用條件》(見附錄2)，正好可解釋政府如何希望透過此制度解決黑社會侵入球場的問題。

在《免費設施一般使用條件》中，其中一條規例規定：「租用人必須為設施的使用者之一」。政府希望透過預訂球場制度掌握使用者的資訊，從而瞭解球場的情況，球場出現任何問題可透過「租用人」的資料要求其負責，最終，不願被政府

掌握資料的黑社會分子會排除在球場以外；又基於政府本身已掌握黑社會分子的資料，在他們經預訂球場制度租用球場時已可作出有效的攔截。

為何要建立制度控制? 極端現代主義的意識型態

無可否認，管理制度的建立有助打擊黑社會對公共足球場的入侵，令公共足球場休憩功能得到維持；但若再對政府對公共足球場的視角進行分析，就可發現政府希望對公共足球場維持高度控制和功能觀的視角，其實是建基於極端現代主義的意識型態。

根據James Scott，極端現代主義是對科學和技術進步的強烈（甚至是僵化）的信念¹，認為透過科學和技術，自然和社會秩序會被有效地管理²。透過簡單化和理性化的工作，政府認為它可完全有效地管理社會，掌握一切，並把國家權力無限延伸。

這種視角正正是香港政府對公共足球場的視角，政府將國家權力延伸至公共足球場，對它進行簡單化和理性化的解讀，最終希望對其作出完全的控制和監察。

在預訂球場制度中，球場以致民間使用者均被簡化，例如球場上的活動，在預訂球場制度下被量化為每節的「兩小時」；基於大小，該區使用人數的多寡，全港的公共足球場間的使用情況均存在差異，可是卻被政府一刀切以劃一的制度管理；從中，政府抽取它認為有助控制公共足球場的資料，其他內容則被有意識地忽略。

同時，在理性化的工作下，社會各空間包括公共足球場被割裂成各個功能單位。根據國際建築師協會於1933年有關人類建築物指引的《雅典憲章》，建築可分為四種功能，分別是工作(Produce)，居住(Living)，文化休憩(Recreation)及交通(Transport)³。若果以這種建築物功能觀配合政府對公共足球場的視角，公共足球場

¹ James C. Scott, *Seeing like a state : how certain schemes to improve the human condition have failed* (New Haven[Conn]:

Yale University Press, 1998), 89

² Ibid.,89

³ Mumford, Eric Paul, *The CIAM discourse on urbanism, 1928-1960 Eric Mumford.*, 1958- (Cambridge,Mass. : MIT Press, 2000), 5

就是被視為「休憩」的功能單位；可能休憩不是最終目的，球場的設立是政府希望維持民間使用者的健康，令他們的生產力得到保持。

其實，以這種功能觀的視角對公間進行管理亦會出現問題，灣仔的修頓遊樂場可提供一個活生生的例子，遊樂場本身提供了休憩的功能，但在修頓遊樂場外圍有一個垃圾站，位於看台旁邊，坐在看台時亦不時嗅到垃圾的氣味。

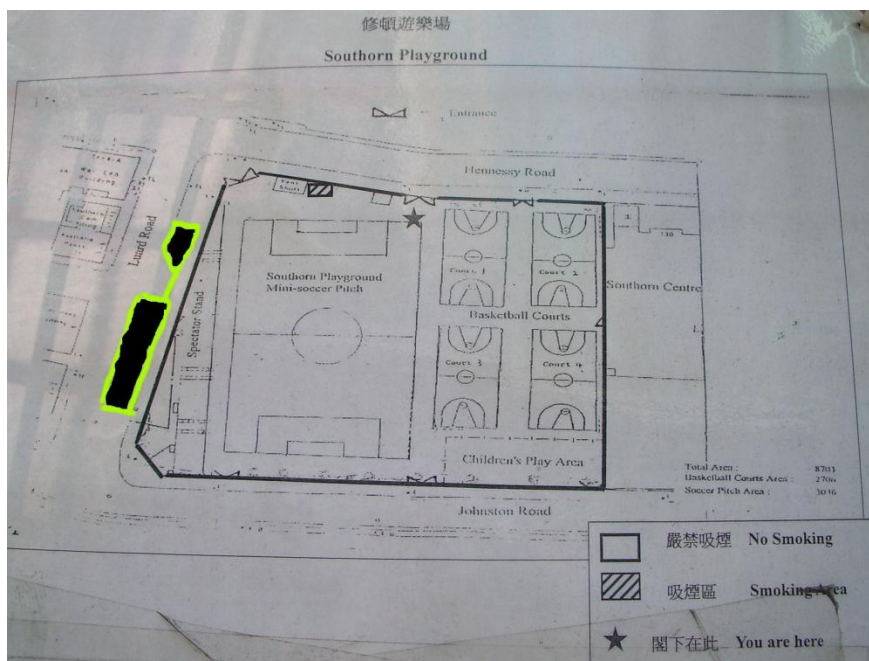


圖1-1 灣仔修頓球場平面圖(黑色填滿部分為垃圾站) (照片由作者提供)

政府同時建立遊樂場和垃圾站，試圖滿足康樂文娛及廢物處理功能，卻沒有考慮彼此間功能可能存在衝突，公共空間需要的協調在功能觀下被忽略。

民間使用者對公共足球場的期望

在分析了政府對公共足球場抱著的視角和因而建立的管理制度後，民間使用者又如何看公共足球場？和政府視角有何不同？

為瞭解民間使用者如何看公共足球場，筆者邀請了四位不同年齡的球場使用者進行訪問(見附錄1)，希望能獲得更多公共足球場由過往到現在的使用情況，以及不同年齡的民間使用者對公共足球場的不同看法的資料。

訪問結果顯示，政府功能觀的視角和球場使用者對球場的理解存在差異；同時隨著年紀轉變，各個年齡階層的民間使用者對公共足球場均抱持不同的期望，這些期望會令他們使用公共足球場的秩序出現轉變。政府統一、標準化的管理球場制度未能滿足多元的期望，出現僵化的現象。

對公共足球場的理解：平民娛樂

公共足球場在過往扮演著平民娛樂的角色。60 歲的陶伯表示足球在其年代(1950-1960 年代)是主要的娛樂，因為戰後資源缺乏，免費的公共足球場成為了很多人廉價娛的「場所」，亦是不少「工友」的聯誼工具；而約50 歲的阿亮(1960-1970 年代)及35 歲的阿恆(1980-1990 年代)亦表示在公共足球場踢球是當時主要的免費娛樂；22 歲的肥文認為在足球場踢球是可和其他使用者交流，促進踢球技術和尋找挑戰的活動。

政府的休憩功能觀未能有效解釋各民間使用者對公共足球場的理解，除了休憩外，民間使用者在公共足球場尚有其他考慮：缺乏金錢下的免費娛樂、朋友和同事之間的聯誼活動、尋求挑戰和交流的期望……等等均是民間使用者對球場抱持的想法。

民間使用者使用公共足球場時的智慧

在政府的宏大管理制度以下，民間使用者以民間智慧(Méiis)發展了一套適應性強的公共足球場運作秩序，克服他們在使用足球場時面對的問題。

陶伯表示，由於戰後缺乏其他娛樂，公共足球場不足以應付大量的民間使用者，當時民間發明了兩種方法解決問題，包括最常見的「跟隊」制度；另外他們亦會組織球隊，利用政府提供的預訂球場制度優先使用球場。

「跟隊」制度的發明

阿亮說預訂球場制度在他的年代(1960-1970)還沒有流行。那時候最常見制度是「跟隊」，和自己朋友或不相熟的人組成一隊後，便可在球場「跟隊」，數隊球隊在球場上輪流地，以勝負制度決定誰可繼續留在球場上比賽。

肥文則指出，不流行預訂球場制度時，他們踢球會有一種即興式文化，即想去踢球就會去踢球，有足夠人數夠兩隊後便「開波」。另外，他指出在一些面積較小的足球場，由於較易入球，所以一般會以兩球制形式決定勝負；而在一些面積大的球場、較難入球的則會設定為一球，但若果球場已有很多隊球隊在輪候，那麼即使較小的球場亦會以定為一球以加快輪候時間。

而根據筆者個人經驗，有些球場的「跟隊」制度還會有限時制，球場其中一些人會計時，到了一定時間兩隊仍分不出勝負的話，就會兩隊都下場，由正在輪候的兩隊補上，當然這些在準則下的設計要先需得球場上其他人的共識。

「跟隊」制度是一種基於實際情況，自我解決、自我完善的民間智慧。首先，它在公平的原則下解決了場少人多的問題，以優勝劣敗的原則運作，同時基於「波係圓既」和輪流制度，讓球技較弱的邊緣者亦有參與球賽的機會。其次，這個「跟隊」制度只有一個普世性的準則，卻可根據場地大小而作出有效的調節規則以符合實際需要。最後，這個「跟隊」制度是挑戰性甚高，汰弱留強的，因此球場使用者都會盡力而為，避免在輸球後重新輪候，因此踢球心態強亦會認真，往往可透過認真的球賽促進雙方，甚至多方的技術交流。

利用政府提供的預訂球場制度

而正如陶伯所言，除了流行的「跟隊」制度外，當時他們亦會組織球隊去透過政府提供的球場預訂制度優先使用球場，以避免因太多民間使用者而令他們不能踢球。

他指出，基於聯誼和需在下班後尋找娛樂的雙重目的，當時不少「工友」間會自行組織球隊去預訂球場，再透過報章刊登出已預訂的時間，尋找其他球隊作為友賽對手。



圖1-2 香港商報 1960 年6 月25 日 (照片由作者提供)

翻查 60年代的報章，正如陶伯所言，當時報章成為有預訂球場的人士溝通平台，提供了約賽和答覆約賽的功能；另外，透過當時報章，可發現民間使用者在使用公共足球場方面已發展得甚為成熟，民間使用者於政府預訂球場制度底下，建立足球比賽，發展出自己一套使用公共足球場的秩序。正如下兩圖我們可以發現報章作為一個平台，令民間舉辦的足球賽的訊息流通，在沒有政府的介入下，公共足球場的非正規的制度亦可正常運作。

圖1-3 香港商報 1960年6月25日(照片由作者提供)

圖1-4 香港商報 1960年6月25日(照片由作者提供)

陶伯解釋，雖然預訂球場制度把一些沒有預訂球場的球場使用者排除出去，但這卻有效地制止黑社會在球場的活動；而且當時預訂制度不是主流，和「跟隊」制度在互相配合運作，因此有沒有預訂球場的球場使用者都有使用公共足球場的機會。¹⁰

從以上可見，面對公共足球場不足的問題，民間使用者發明了「跟隊」制度，同時亦利用了政府的預訂球場制度，建立了一套民間使用公共足球場的秩序。根據James Scott，民間使用者根據自身經驗而發展出的一套實際知識，去適應球場問題，是一種稱為Métis 的智慧⁴，基於人們對不斷變動的自然和人類環境做出反應

⁴ James C. Scott, *Seeing like a state : how certain schemes to improve the human condition have failed* (New Haven[Conn]:

⁵，他們建立的知識會隨環境自我修補和完善。民間使用者在使用公共足球場時建立的秩序是通過實踐而來的，會隨環境變化而作出適應；同時基於球場的多元性，各個球場均有自己的一套運作知識，以適應球場特殊的背景。

政府制度的僵化

民間使用者對公共足球場期望的變化隨著民間使用者的成長，他們對使用公共足場的期望慢慢在平民娛樂中滲入了其他元素或已有其他變化，而這種變化，造成不同年齡階層的民間使用者之間出現多元性，政府原有的制度已不能配合這些民間使用者的多元期望，最終出現僵化。

陶伯表示現在由於年紀大及朋友少，已不能像過往般在球場踢球，而大部份時間只能在球場邊和朋友踢球；而阿亮則說由於年紀大，不會再在球場上隨意和不相熟的朋友踢球，以免被陌生人踢傷，因此選擇預訂球場和相熟的朋友踢球；阿恆指出踢球已變成了和同事維繫感情的其中一項活動，因工作關係而需與一班「伙記」定時和其他球隊踢友誼賽。他們的期望和新生代民間使用者不同，22歲的肥文希望在使用場地時，踢球帶來的樂趣是交流和挑戰，因此願意和不同的陌生人踢球。

隨著民間使用者對公共足球場期望的轉變，近年越來越多民間使用者傾向使用預訂球場制度，導致預訂球場情況盛行甚至出現濫用的情況。最後令政府管理公共足球場的制度出現僵化情況。

預訂球場制度盛行帶來的問題

肥文表示，預訂球場制度是在近5年才越來越盛行的，起初他沒有預訂球場，因此當有其他使用者預訂球場時，就會令他和他的朋友到了球場後才知沒有得踢球，這最後令他採取同樣方法，開始同樣預訂球場以獲得球場使用權踢球。問及預訂球場制度對他的影響，他認為這個制度破壞了傳統的「跟隊」制度。在預訂球

Yale University Press, 1998), 309

⁵ Ibid., 313

場制度底下，只有兩隊相約好的球隊會踢球，其他沒有訂場的球隊會被趕走；在這情況下，他過往即興式踢球文化沒有了，因為他有不少朋友害怕有人訂場而不願意再即興地踢球。進一步而言，他認為這制度會帶來兩個問題：

減少球場交流及踢球意欲減少

首先，肥文表示現在球場使用者沒有過往那麼多交流，現在的使用者在訂場後通常會和相熟的球隊友賽，而少了很多和陌生人踢球的機會，這對球場使用者而言沒有新的交流和新的挑戰。

其次，無論是對有訂場的使用者或是沒有訂場的使用者而言，他們的踢球意欲都會減少。對有訂場的使用者而言，除了少了新的交流外，由於沒有過往的輪候制度，令使用者的踢球心態不強，因為輸球都仍可在場上；而對沒有訂場的使用者而言，由於怕有人預訂場地，約人踢球出現困難，過往的即興性踢球文化沒有了，亦會因怕麻煩而不去訂場，因此踢球的意欲越來越小。

對團體有使用優先權的觀點

對於中年使用者而言，預訂球場制度應予以保留。阿亮預訂制度是需要的，因為一些團體可能要利用球場空間舉辦活動；另外他亦表示訂場可確保和熟悉的人踢球，因為和陌生人踢球時對手可能不留力，容易受傷。對於團體使用球場的問題，受訪者肥文表示團體往往有優先權使用場地，但團體可分為兩種，一種是利用球場作其他用途的團體，例如用作開辦滾軸溜冰班；另一種是團體預訂作比賽用途，例如有些團體預訂場地舉辦私人足球聯賽。他指出，團體比個人名義可早三個月預訂場地，有時會預訂了很多場地，最後令一些中學生沒有場地踢球；另外，不少年紀大的人會有自己的社交網絡，因此很容易便可以以團體名義預訂場地。他反映預訂場地制度其實令到社會成本上升，中學生要用不少時間去場地辦事處排隊。

球場商品化的問題

此外，受訪者肥文亦表示，在團體的滲入下，球場成為了一種商品，他說他在預訂球場時，會看見一些「阿姐」或家庭傭工排隊，利用他人複印的大量身分證預訂場地，他估計場地的場紙不是自用，而是會賣出去的，這是一種無本生利的生意。

受訪者肥文和阿恆均同時表示，近數年開始有一些團體以私人名義舉辦收費的足球聯賽，而這些聯賽是在免費的足球場地進行的，肥文指出，要參加這些聯賽，除了要自己個人交出場紙外，亦要付出行政費用，他繼而指出了有人利用政府提供的免費場地賺錢的問題。

除了收費的情況外，阿恆表示有不少團體舉辦免費聯賽，例如有不少教會可以團體身份比個人預訂多個場地舉辦比賽吸引年青人參加。

克服預訂球場制度盛行下的問題

針對預訂球場制度盛行的現象，肥文表示，他會以同樣預訂球場的方法去確保同樣有場地踢球，但其實這方法只能令他有場地踢波，可是卻沒有了過往「跟隊」制度所帶來的交流和挑戰，對此，他表示有不少球場已透過互聯網尋找對手，但他表示這方法仍不太流行及沒有過往跟隊制度那麼直接及簡單。

而阿恆則說不介意付款購買場紙踢波。他表示從前球場是一種免費娛樂，但現在生活指數上升，現在已新增了不少人造草的收費場地，他亦因工作關係而有一班「伙記」定時和其他球隊踢友誼賽，即使有人炒賣場紙，費用亦是他們亦只是會每人共同分擔。相反而言，他說願意以金錢維持自己踢球的場地供應穩定。

而正如之前所言，阿亮覺得預訂制度是好的，因為可以和相熟的人踢球，減少在和陌生人踢球時，對方不會「就住就住」而增加受傷機會的情況。而在預訂制度下，他可利用現時自己屬於的團體網絡預訂場地，不擔心沒有場地踢球的問題。

宏大視角下忽視了的多元期望

政府建立預訂球場制度，原意是為了對球場作有效的控制和監控，解決黑社會進入球場的問題；可是當黑社會的問題被解決後，隨著時代變遷，民間使用者開

始對公共足球場存在著多元性，這制度的存在反而對一部分人使用公共足球場做成障礙，政府沒有發現這個問題而進行改變，最後做成制度的僵化。

這種僵化是因為政府對公共足球場劃一而標準化的管理視角，它假定了民間使用者是無分別的個體，但問題是實際上民間使用者存在著兩種多元性：

首先，他們使對預訂球場制度的使用能力不同。對阿亮而言，他可以用其社交網絡，以團體名義優先使用場地；而有工作的阿恆亦不介意使用金錢購買場紙，但對較年輕的肥文而言，他相對地只有較少的購買力和社交網絡優勢去預訂球場。

其次，民間使用者對預訂球場制度的反應存在著多元性，陶伯由於年老體能下降，對如何踢球已有轉變，他不介意因沒有預訂球場而只在球場場邊踢球；而阿亮和阿恆則對預訂球場制度持正面態度，就阿恆而言，踢球已由過往的兒時娛樂，轉變為在工作網絡中和同事聯絡感情的其中一項重要活動，其考慮除了踢球直接帶來的樂趣外，工作網絡的感情聯絡其實亦是一個重要考慮，再加上現在有工作及收入，生活指數提升，所以他亦不介意付出金錢，但最重要的是有穩定的場地供應和他的同事能有既定的場地踢球，對阿亮而言，他考慮了和陌生人踢球「不會就住就住」的危險性，因此預訂球場制度可和相熟的人踢球，減少受傷機會；但對較年輕的一群如肥文而言，預訂球場制度的盛行破壞了原有「跟隊」制度，踢球帶來的樂趣——交流和挑戰被破壞。

隨著時代變化，民間使用者對公共足球場的使用出現多元性，政府的管理球場制度明顯沒有對此進行考慮，在這制度下，一部分的民間使用者會基於自己有較強的能力使用預訂球場制度；同時抱著和政府相似，穩定地使用公共足球場的期望，因而較易在政府的管理制度下在使用公共足球場上獲得滿足；但對另一些應用預訂球場制度能力相對較低，而且希望在不穩定狀態中使用球場的民間使用者而言，他們會被政府的管理制度排除出去。由此可見，民間使用者在公共足球場的使用上並非維持對等的關係，一些較有能力利用政府管理制度的民間使用者將會佔優。

這可說是政府極端現代主義視角下所帶來的問題，事實上公共足球場不單止是休憩的功能，同時進行公共足球場的民間使用者亦存在著多元性，政府對公共足

球場，以致民間使用者進行簡化，劃一的工作以便於管理，實在為部分使用者帶來問題。

總結：政府管理與民間智慧

政府以抽離地從上而下建立公共足球場的管理制度，在極端現代化的視角下，公共足球場被簡單化和理性化，但實際上球場是不斷變化的公共空間，同時亦不能被功能觀完全解釋，因此這種宏大的管理制度其實需由民間建立的秩序維持，民間使用者以民間智慧(Métis)發展了足球場運作的秩序，他們隨實際情況而對球場作出應，例如建立「跟隊」制度，解決戰後初期球場不足夠的問題，當中制度因地制宜，視乎實際情況而會有所微調；對於一些使用者希望穩定地使用球場的期望，民間使用者亦利用了政府的預訂球場制度，再透過報章等渠道建立網絡發展了一套穩定的比賽系統。

這些在公共足球場上的民間智慧對政府而言可能是混亂，難於管理和監察，但顯得混亂正正因為它是一種高度發展的秩序，「混亂」地支撐著政府建立的劃一而標準的宏大「制度」。

而隨時代變化，原本被忽略的民間使用者對足球場的期望出現多元的轉變，原有標準化和劃一的球場預訂制度卻未能滿足他們的多元期望，反而造成一部分民間使用者缺乏使用足球場的機會，似乎政府應該嘗試採納民間智慧，去為政策進行微調，利用民間智慧高度的適應性，解決管理制度僵化的問題。

正如受訪者肥文所言，康文署可以設計各個球場為有一段時間是不容許預訂的，在這段時間任何人都可以到球場，這時「跟隊」制度會恢復運作。考慮到團體，以及一些傾向預訂場地和熟悉朋友踢球的人士都要使用球場，不容許預訂的時間以外就可以供他們運用，在這情況下，各方面的期望都可在球場有限的情況下盡量給予滿足。

同時，基於團體舉辦活動的時間可能會較長，而且希望「跟隊」的球場使用者和希望「預訂場地」的使用者的使用時間可能會相同，因此康文署可以把一些球

場定義為可以預訂，另一些球場定為不可預訂，以避免在一些黃金時間又再出現球場競爭的問題。

附錄

附錄一

受訪者背景

名字	年齡	職業
陶伯	60 歲	退休
阿亮	約50 歲	小型貨車司機
阿恆	約35 歲	公務員
肥文	22 歲	學生

附錄二

免費設施一般使用條件

1. 租用人必須為設施的使用者之一。
2. 所有使用者均須穿著適當的服裝及運動鞋，並須遵守《遊樂場地規例》及管理人員的一切指示。
3. 在進場前及使用設施期間，使用者或須向登記櫃檯出示身份證明文件(即香港身份證、護照、回港證及貼有持證人照片的學生證)，以供查核。
4. 所分配的段節／時間結束後，使用者必須離開有關設施。
5. 任何已預訂段節的團體，如不到場但又未能提供合理解釋，則康樂及文化事務署有權不再接受其預訂。
6. 在天文台懸掛8 號熱帶氣旋信號或管理人員因安全或場地運作理由認為康體設施不宜使用時，有關設施即會關閉。
7. 在使用設施期間，如設施遭到任何損壞，租用人須負責支付修理費用；此外，如有任何設備、器具、裝置或其他財物遭到損壞或破壞(正常耗損除外)、失竊或被移走，租用人亦須支付修理、修復或重新購置有關物品的費用。
8. 如租用人或其授權的人士在使用康體設施時因本身的疏忽而引致任何人士傷亡、蒙受損失或財物損壞，以致有關人士向康樂及文化事務署提出訴訟、申索及要求，租用人須向康樂及文化事務署作出補償，並須負上全責，以保障康樂及

文化事務署無須承擔責任。

9. 任何人士如違反《康樂及文化事務署免費設施一般使用條件》或《遊樂場地規例》，康樂及文化事務署可將之逐離有關設施。在此情況下，有關預訂將會自動取消。

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“Can they understand the meaning of friendship?”: China’s and Taiwan’s Quest for Allies in Africa

Yeung, Kan-ching

“ In 1965, in order that the Second Bandung Conference could be held on schedule, Beijing gave hasty diplomatic recognition to a military coup in Algeria, abandoning its friend and ally, the deposed president Ahmed Ben Bella, who was then placed under house arrest by the revolutionaries. The Tanzanian president Julius Nyerere, surprised by the Chinese’s overriding concern for its own geopolitical interest as to forsake a former ally, exclaimed in exasperation, “Can’t they understand the meaning of friendship?” (Snow 1994: 298)

Proclaimed friendship between states often belies the reality of strategic calculation and crafty manipulation. This paper explores the political ambitions underlying China’s and Taiwan’s beneficiary relationships with African states since the late 1950s. It presents Africa as an important battleground where cross-strait tensions unravelled and where private tug-of-war between Beijing and Taipei took place. Although both China and Taiwan use economic aid as a means to attract allies, their motivations are of a fundamentally different nature. Taiwan, as an outcast country in the international system, is driven by the exigent need for recognition; while China’s imperative is to isolate the Formosa, as part of the gradual process that is expected to realize the vision of “national reunification”. This paper attempts a prediction of the future relationship between China, Taiwan and Africa. It argues that although Taiwan’s bargaining power is likely to diminish given the rapid rise of China’s economy, it does not necessarily imply a positive turn in Sino-African relation. China’s rise may weaken the legitimacy of its previous role as leader of developing countries; and so may the practice of Africa-based Chinese business firms which is reminiscent of colonialism. Whether China’s economic growth will benefit or hamper its relation with African states will depend largely on the political wisdom of Chinese leaders.

The Prevalence of the Nation-state

The present wave of globalization that sees expanding markets and proliferation of non-state actors have led some scholars to speculate about the diminishing significance of nation-states in international relations. Kenichi Ohmae, for example, heralds the emergence of region-states in place of nation-states as units of the new “borderless economy” (Ohmae 1995: 132). Samuel Huntington also prophesizes a world divided by civilizations that transcend state boundaries (Huntington 1996). Although the compulsion for ever-closer integration has removed barriers between states, it is the contention of the author that the role of the nation-state has not been undermined. The state maintains a powerful presence in the economy, not only in the persistence of protectionism through tariff barriers, but also in the way states exploit economic power as a means to secure national interests. Likewise, the political significance of the state prevails throughout the growth of trans-state and supra-state organizations. Statehood embodies the right to self-determination, a right so intertwined with the concept of independence that loss of the former can pose direct threat to state survival (Payne and Veney 2001: 439). Given the significance of the state in the economic and political realms, this paper builds its arguments within a state-centric theoretical framework. It sees the possession of statehood as an important qualification in international affairs, and it understands the political behavior of China, Taiwan and African countries through analyses of their national interests.

The competition between China and Taiwan for African allies unravelled in two main stages, from 1949 to 1971, and from 1971 until the present. The first stage concentrates on China’s effort to gather support from newly independent African countries in order to unseat Taiwan from the United Nations (UN). China used the concept of the “Third World Club” to isolate its opponents and provided generous economic and diplomatic aid for liberation movements. After China’s admission into the UN in 1971, the burden fell on Taiwan’s shoulders to seek recognition. The second stage is hence characterized by an intensification of Taiwan’s campaign in Africa. This is motivated by Taiwan’s loss of support from former allies such as the United States, and by its uncomfortable identity as an international “outcast” (Inbar 1985). From the late

1980s onwards, Taiwan adopted the strategy of “pragmatic diplomacy”, in hope of recovering its position in the international community (Hickey 1997: 115). My paper will analyze the political objectives of and rhetorical tactics used by China and Taiwan in these two periods respectively.

1949-1971: China’s Quest for Recognition

In 1949, Chiang Kai-shek and his Kuomintang (KMT) party retreated to the island of Formosa as a result of the civil war with the Communist party. Taiwan began its official relations with Africa and developed particularly strong ties with the anticommunist South Africa. Chiang also enjoyed privileged protection by the United States and its western allies, who recognized the Republic of China (ROC) as the sole legitimate government of one China. It was with the west’s defence that attempts by Beijing during the 1950s and 1960s to unseat Taipei from the UN were successfully blocked. At that time, the People’s Republic of China (PRC) did not enjoy such an advantaged starting point in diplomacy. Most African leaders knew little about China, and what minimal impression they might have retained from their European colonizers were mostly unfavorable (Snow 1994: 285). Hence the mainland was presented with a much more daunting task of attracting allies, in order to fulfill its ambition of entering the UN and isolating the ROC. The ingenious technique it used was described by Snow as camouflage operation, that is, to “persuade African governments and liberation movements that what were in reality China’s own strategic and political objectives were part of the agreed common ground” (1994: 293). China created a “common ground” by promoting the idea of the “Third World Club”, of which Asia, Africa and Latin America were held to be members (Snow 1994: 285). They were held to share similarly backward economies and a common history of oppression by and resistance to imperialism. In his meetings with delegations of the Club in summer 1960, Mao Tse Tung explicitly attacked American imperialism and urged that “it is necessary to form a broad united front and unite with all forces, excluding the enemy, that can be united with and continue to wage arduous struggles” (Yahuda 1978: 119). He argued that “what imperialism fears most is the awakening of the Asian, African and Latin American peoples” (1978: 119). By singling out a common enemy, China skillfully

aligned its interests with third world countries and fostered a spirit of comradeship with them.

China was cautious in backing up its rhetoric by offering its comrades substantial diplomatic and economic support. On the diplomatic front, China played a major role in supporting various independence movements in Africa by supplying revolutionaries with critically needed arms, money, food and medicine. African commanders of guerrilla wars were trained at the Nanjing Military Academy (Snow 1994: 286). Beijing also mounted political initiatives by sending ambassadors to Africa. In 1961, Chinese ambassador Ho Ying was appointed to Tanganyika to establish Chinese presence in eastern and central Africa. He was present at celebrations of independence in Uganda (1962), Kenya (1963), Zambia (1964) and won diplomatic recognition from them. By the end of 1964, only three independent states in the region did not enjoy state-to-state relations with Beijing.¹ Friendship between China and Africa took a huge step forward with Premier Zhou En-lai's six-week tour of Africa from December 1963 to January 1964, the first top-level delegation to the continent. On the economic front, China contributed to long-term development in Africa by engaging in "benevolent trade". There is ample evidence that the PRC's trading relations with Africa were not motivated by commercial interests alone, but involved prudent political gestures aimed at building China's image as a benefactor. The PRC encouraged African exports by purchasing foodstuff that has little or no demand in the mainland, such as incense from Somalia. Besides being an enthusiastic trade partner, China became one of the largest donors to poor African countries. The amount of Chinese aid escalated from \$13 million in 1969 to a stunning \$728 million in 1970 (Kim 1994: 152).

As early as the beginning of the 1960s, China's generosity was set out to contrast with the past practices of European colonizers. Beijing was deliberate in its intention to show itself as a real friend of Africa, willing to make sacrifices even in times of domestic difficulties. From 1959 to 1961, when China suffered widespread famine as a result of natural disasters and failure of the Great Leap Forward, the PRC government did not hold up its aid to African states. Guinea, for example, was offered an interest-free loan of 3.6

¹ The three states are Rwanda, Congo-Leopoldville and Malawi. Cf. Alan Hutchison, *China's African Revolution* (London: Hutchinson of London, 1975), 83.

million pounds in 1960. The following year, Ghana and Mali both received interest-free loans of 7 million pounds each, in addition to generous trade agreements and arrival of Chinese technical experts (Hutchison 1975: 56-9).

These gestures of goodwill extended when China was itself suffering earned the PRC friendship and gratitude. Although the scale of Chinese aid appeared small when compared to those from European powers including the Soviet Union, it made up in terms of sensitivity and sincerity. First of all, the mere fact that China, a developing country itself, was willing to offer aid was remarkable to African leaders. Secondly, precisely because of scarcity, the Chinese was shrewd in applying aid in such a way that yielded maximum return. It attended to regions and issues that have been overlooked by European donors. As Alan Hutchison points out, western aid was often regarded by African leaders as a disguised form of neo-colonialism designed to entrench former patterns of colonial trade. Aware of this sense of insecurity, Chou En-lai issued a joint communiqué in Mali in 1964 laying down the “Eight Principles of Chinese Aid”. The proclamation advanced the principle of equality and mutual benefit, assured respect to sovereignty of recipient countries, and offered generous provisions such as interest-free loans and long repayment periods. Most significantly, it demanded that dispatched Chinese experts should be treated equally as their African counterparts. They were “not allowed to make any special demands or enjoy any special amenities” (Hutchison 1975: 51). These principles directly addressed the grievances African leaders held against European donors. Thirdly, China also executed aid-giving with excellent calculation of timing. For example, a rescue operation was launched in 1965 immediately after Tanzania’s tobacco crop failed to sell on the world market.

The PRC purchased 25% of the surplus worth two million pounds and saved Tanzania from the full damage of market price fluctuation (Snow 1994: 288). Because of the *quality* of its aid, China was able to launch a successful economic offensive despite relative disadvantage in terms of quantity.

Beijing’s pragmatic orientation and its willingness to support the rhetoric of friendship with solid political and economic aid consolidated China’s image as champion of the Third World cause. Such an altruistic image conveyed a kind of moral authority that opened ground for the PRC’s strategic maneuver. As more and more African

countries gained independence during the 1950s and 1960s and were given membership in the UN, China seized this as a golden opportunity to increase support within the UN for its own admission. No matter how politically insignificant African states might have been in the General Assembly, each of their votes is worth as much as a vote from a developed country. The sheer numerical superiority of African states meant that China's ability to capture their votes can tip the balance within the General Assembly in its favor. Beijing's strategy of exploiting the trust and followership of African states to achieve its own political agenda was proven successful in 1971. On 25th October 1971, the General Assembly adopted the monumental Resolution 2758, replacing Chiang Kai-shek's Nationalist government in Taiwan with the PRC as the sole representative of China in the UN. This massive diplomatic victory of China could not have been gained without the support of its African friends.

1971-Today: Taiwan as an International Outcast

China's admission into the UN and Taiwan's voluntary withdrawal completely transformed the strategic balance of power between Beijing and Taipei. Without UN membership, Taiwan lost its status as a recognized state. Former allies broke diplomatic relations with Taiwan and recognized the PRC. Within ten years of Beijing's admission, the number of countries recognizing the PRC increased from 69 in 1971 to 121 in 1981, while that of the ROC plummeted from 54 to 23 (Kim 1994: 151). The most devastating blow came when the United States, staunch supporter of Chiang's government, shifted tactics. Henry Kissinger's rapprochement with Beijing in October 1971 announced to the world the change in American attitude. Sino-American diplomatic relation was immediately formalized the following year, in the groundbreaking summit between Mao Zedong, Zhou Enlai and US President Richard Nixon. In addition to losing powerful allies, Taiwan lost representation in important international institutions. In 1980, it was forced to yield its seats in International Monetary Fund and World Bank to Beijing (Hickey 1997: 113). Within a matter of a few years, Taiwan woke up after two decades of western protection as a helpless orphan in a new game of international relations. The initial reaction of the KMT was one of adamant self-isolation. Chiang refused to accept the principle of "two Chinas" and obstinately severed formal relations with any countries

that give diplomatic recognition to Beijing. Beginning in mid 1970s, however, the ROC government began to relax its posture. It adopted the policy of “damage control”, maintaining unofficial relations with foreign governments while not making bold political ventures (Hickey 1997: 113). In the late 1980s, after Lee Teng-hui became President, Taiwan embarked upon a new chapter in foreign policy by pursuing the strategy of “pragmatic diplomacy” or “flexible diplomacy” (*tanxing weijiao*). Pragmatic diplomacy calls for a much more proactive attitude in forging substantive relations with states that do not have formal ties with Taiwan, alongside with reinforcement of existing diplomatic ties and readmission into international organizations (Hickey 1997: 114-5).

I believe Taiwan’s newfound enthusiasm in participation can be best explained by its status as an “outcast” in a state-centric international system. Statehood is denoted by the possession of a permanent population, a defined territory, a government and the capacity to enter into relationships with other states. While Taiwan enjoys the first three characteristics, it fails to fulfill the last requirement as its relations with most countries are nonexistent and at best unofficial. By possessing a political structure of sufficient authority to govern a territory and a population, Taiwan enjoys a form of *empirical* statehood, though it does not enjoy *nominal* statehood which comes only by means of international legitimacy.² The lack of nominal statehood has severe political implications, as nominal statehood really represents the possession of sovereignty. Sovereignty means the ability of the state to have exclusive authority to intervene coercively in activities within its territory and to engage in normal international relations, and this exclusive authority must be *recognized by both* internal and international actors (Payne and Veney 2001: 439). Recognizing the sovereignty of another state is paramount to recognizing its right to independent existence, thereby recognizing aggressive acts upon its territory as unacceptable. In other words, the possession of sovereignty gives a state the most basic

² I borrow the distinction of “empirical statehood” and “nominal statehood” from Robert H. Jackson and Carl G. Rosberg, who employ these terms in their discussion of underdevelopment in Africa. Their argument is that most African countries gain their status as a state only by right, but not by fact. Their weak and corrupt governments are able to survive only because their state boundaries are protected by law. The possession of nominal statehood thus removes the necessity to become strong, and allows governments to evade from the obligation to develop politically and economically. To Jackson and Rosberg, state-building should be driven by a kind of social Darwinism. The current situation of Taiwan seems to be the reverse of these African states. It enjoys a certain degree of internal legitimacy, though it is not recognized as a state in the international system. Cf. Robert H. Jackson and Carl G. Rosberg, “Sovereignty and Underdevelopment: Juridical Statehood in the African Crisis”, *The Journal of Modern African Studies*, Vol. 24, No. 1 (March 1996), 1-31.

level of physical protection. This explains why loss of nominal statehood is “life-threatening” to Taiwan. When countries withdraw their diplomatic recognition of the ROC, they are really eroding the security of Taiwan’s independent existence. Some governments went further to acknowledge that Taiwan *is* part of China, thereby forsaking any commitments to the ROC’s survival in the event of Chinese attack (Payne and Veney 2001: 440).

In this light, Taiwan’s quest of recognition abroad can be interpreted as a survival strategy whose exigency became particularly pronounced after its loss of nominal statehood. Its insecure livelihood *necessitates* foreign policies that are highly ambitious and aggressive. Its strategy for regaining international legitimacy were two-pronged: legitimation via development and consolidation of state-to-state relations; and legitimation via admission and readmission into international organizations.³ This paper focuses on the former and illustrates how Taiwan’s change in attitude affected its competition with China in Africa. Taiwan’s quest for legitimation via development and consolidation of state-to-state relations took place on two fronts. Firstly, it actively pursued “money diplomacy” and competed ferociously with China to win over cash-strapped African countries. Its strategy was highly similar to that of China during the 1950s and 60s, though with one fundamental difference. Taiwan failed to gain the kind of ideological authority and leadership image that China succeeded in acquiring. This is due in part to the vastly different geopolitical landscape. China approached Africa during their difficult struggle for independence and it joined these former colonies in their battle against vestiges of imperialism. Besides being a military ally, the ideology of the Communist Party was attractive to these newly independent nations which had their country’s entire future to mould. Although atheistic communism per se might not interest African leaders whose majority were Christians or Muslims, the fact that the Communists were seen as successful in extirpating foreign domination made the PRC a model to African governments. Gaining self-reliance was the most pressing aspiration of post-

³ The term “legitimation” is suggested by Samuel S. Kim. Kim argues that legitimacy should be a dynamic concept rather than a static one, evolving as the social and political situation changes. Since it is a “process-oriented” concept, it is more appropriate to speak of “legitimation” than “legitimacy”. This paper understands the term “legitimation” as the process by which a non-recognized state (state without nominal statehood) seeks formal legitimacy through adoption of various strategies. Cf. Samuel S. Kim, “Taiwan and the International System: The Challenge of Legitimation” in Sutter, Robert G. and William R. Johnson ed. *Taiwan in World Affairs* (USA: Westview Press, 1994), 145-179.

colonial state leaders, who hoped to demonstrate that they were finally reclaiming mastery of their own house. President of Tanzania Nyerere, for example, expressed his admiration for the Communists by comparing Tanzania, which was “completely western in everything”, to China, which was “self-reliant” (Snow 1994: 308).

Taiwan’s bargaining power, in contrast, was much weaker. On one hand, Taiwan’s active diplomacy in Africa began after the struggle for decolonization had mostly settled. Being a former ally of the west and a centre of capitalist development, African leaders did not have toward it the feeling of comradeship. On the other hand, ever since 1971, China is a recognized state while Taiwan is not. To persuade African leaders to give up an official relation with a recognized state likely to become a world power in order to establish unofficial relation with a marginal outcast is an immensely difficult task. Therefore, without the ideological appeal and the political advantage, Taiwan could only rely single-handedly on economic incentives; and its economic incentives must be exceptionally alluring. In its selection of targets, Taiwan must also focus on economically weak states, whose urgent need for money would make them vulnerable to Taiwan’s bait.

Because of its careful “marketing” technique, Taiwan did successfully harvested the hearts of several African leaders toward the 1990s. Liberia recognized Taiwan in 1989 after receiving \$140 million in aid in 1988, an amount that overwhelming surpassed the cumulative \$20 million in aid China granted the country over twenty years (Kim 1994: 152). Gambia also decided to recognize Taipei in 1995 after receiving \$35 million, an amount that exceeded that of all other donors combined (Payne and Veney 2001: 446). Other African states that switched positions include Burkina Faso, Central African Republic, Guinea Bissau, Malawi, Niger and Swaziland. In all these cases, the obvious motivation of change lies with Taiwan’s stronger willingness in offering money. This reinforces my argument that Taiwan can only make up for its lack in moral leverage through engaging in exceptionally high-cost foreign policy; and its willingness to do so again reveals its exigent need for international legitimacy, even if from an insignificant African country.

The second front by which Taipei launched its campaign is on the diplomatic level. Lee Teng-hui’s assumption of presidency in January 1988 turned a new page in Taiwan’s foreign policies. Unlike the Nationalist Party which pressed adamantly for

reunification of China and Taiwan, the Democratic Progress Party led by Lee did not adhere rigidly to the one China principle. Nor did it claim representation of and sovereignty over the entire China. Rather, it encouraged flexibility and greater adaptability to the logic of the international situation, implying that it is willing to adjust, or even sacrifice, any previously held preconditions for formation of official relations (Kim 1994: 150). One most dramatic change, for example, is that Taipei became amenable to the practice of “dual recognition”. Instead of perceiving its battle over diplomatic recognition with the PRC as a zero-sum game, Taipei began considering the “one country, two governments” formula, in a belated attempt to emulate the example of North and South Korea (Kim 1994: 150). Both Koreas abandoned the Hallstein Doctrine in the 1970s, which claimed that only one Korea has the exclusive right to represent to entire nation, and both were admitted into the UN in 1991 as the 160th and 161st member respectively.

However, this change in attitude failed to yield substantial result. The most apparent reason is that the PRC, to this date, still holds steadfast to the Beijing Formula, which is in effect the Hallstein Doctrine. China does not accept the “two Chinas” principle, and it fully exploits its authority as a permanent member of the UN Security Council with veto power to bar from entry of any country that does not recognize the Beijing Formula. The most illustrative of Beijing’s intransigence is the case study of South Africa. South Africa symbolizes one of the most devastating blows to Taiwan’s diplomacy as Pretoria normalized its relation with Beijing in 1998. Since the settlement of the KMT in Taiwan in 1949, Taiwan and South Africa had enjoyed a prosperous relationship. Both countries were stigmatized as pariahs, “a group of recognized (or semirecognized) states that, as a result of political and diplomatic conditions, had been excluded from the international mainstream” (Vale 1997: 100). On the basis of common pariah status, Taipei and Pretoria developed a kind of mutually supportive friendship that one would expect between two outcasts. As South Africa’s Prime Minister Botha remarked, both countries shared the experience “of the transformation under pressure of fair-weather friends into vocal critics. We have seen many former allies choose to leave us to sink or swim on our own” (Payne and Veney 2001: 445). Besides, South Africa was virulently anti-communist and staunchly opposed the PRC’s admission into the UN. Taiwan turned a blind eye to South

Africa's apartheid and discouraged Taiwanese citizens from participating in anti-apartheid activities, when the international community hurled disparagement against Pretoria's blatant discrimination. It also helped Pretoria to circumvent economic sanctions imposed by western countries. As a result of converging interests, embassies were established in 1976, and officials from both sides visited each other on frequent basis. Between 1976 and 1996, trade between the two countries escalated from \$200 million to \$961 million (Payne and Veney 2001: 447).

Signs foreshadowing change came in the 1994 South African presidential election. Nelson Mandela sought campaign contributions from both Taipei and Beijing. He desired a diplomatic relationship with the increasingly powerful China, though he could not give up the ROC. Mandela hence played with the idea of "dual recognition", trying to achieve what western countries failed to, only to receive vehement reactions from Chinese leaders. By 1996, however, Pretoria's trade volume with China, standing at \$1.3 billion, had surpassed that with Taiwan, and with Hong Kong's return to China in 1997, an additional \$674 million of trade became at stake (Payne and Veney 2001: 447). The only economic advantage that Taipei held against Beijing was lost, and Pretoria formally derecognized long-time ally Taiwan in January 1, 1998 and established relations with the PRC. The loss of South Africa is one of the most agonizing chapters in Taiwan's foreign diplomacy. It demonstrates that despite willingness on the part of Taipei to relax its posture on the "one China" principle, its effort would remain unyielding so long as the PRC remains obdurate in its insistence of the Beijing Formula.

What the Future Holds

Our analysis above has demonstrated the evolution of competition between China and Taiwan in their aspiration for forging alliances with African states. If historical precedents hold any authority in the prediction of future outcomes, we can derive two valuable insights from our study of the past relationships between the three actors. First of all, economic interest has remained the most significant consideration in African leaders' decision-making with regard to establishment of relations with China or Taiwan. This argument is supported by the continuous effectiveness of "money diplomacy", whether in the case of China (i.e. isolating the "western imperialists" during 1950s and

60s, and isolating Taiwan from 1970s onwards) or Taiwan (i.e. isolating China from 1970s onwards). African states, in particular ones that are politically marginalized and economically fragile, tend to align with whichever government that is more generous in donating money. Secondly, political interest also enters into the strategic calculus, though it remains less important than the providence of aid. African leaders are more inclined toward establishing relations with a country that displays genuine concern for the welfare of their peoples. This observation is most notable in the case of China, which built a successful image of Third World leader and deliverer from colonialism; but the case can still be made for Taiwan in its interactions with South Africa.

A prognosis of the future relationship between the three actors can thus be guided by these two historical observations. In terms of economic interest, it can be predicted with confidence that China's soaring growth will eventually trump Taiwan's ability in making more attractive aid packages. The rapid expansion and internationalization of Chinese business companies is also bringing an astronomical sum of investment into Africa, opening their nationals to vast commercial opportunities. In South Africa, for example, the Chinese are developing civil nuclear energy by mining uranium and engaging in joint development of nuclear reactors and exchange of technical personnel. Beijing also invests heavily in Sudan by purchasing 5% of China's oil there. Chinese companies now dominate Sudan's south-central oil fields, own large stakes in local refineries, and are building a pipeline and an oil terminal.⁴ Angola is China's largest oil supplier together with Saudi Arabia; the volume of trade reached \$7 billion in 2004. After 27 years of civil war, the country badly needs reconstruction, and China's Export and Import Bank generously extended an oil-backed loan of \$2 billion.⁵ The extensive involvement of China in Africa's economic development further entrenches the interest of its presence, and it is prudent to predict that the degree of involvement will likely deepen in the future. In other words, China will gain increasing economic leverage over Africa, and Taiwan's attractiveness will certainly be undermined. Taiwan will try to exercise what limited

⁴ *Asia News Online*, "China and Africa to develop together without neo-colonial relations," May 17, 2007, via

<http://www.asianews.it/index.php?l=en&art=9296#>

⁵ *Asia News Online*, "Wen Jiabao in Angola, offering loans and getting oil," June 21, 2006, via

<http://www.asianews.it/index.php?l=en&art=6495#>

influence it has by concentrating its resources on the remaining African states that still recognize Taiwan, in an attempt to avoid further losses to the PRC. It may also try to approach states that are feeling neglected by China, though its success in winning them over will be slim. Once Taipei begins exerting pressure on these neglected states, Beijing will predictably intervene, and Beijing's stronger economic and political leverage will preside.

In terms of political interest, China possesses the absolute advantage by being a recognized member of the international community and an emerging world power. There is evidence that its image as a model of development still prevails among African leaders. In the two-day summit African Development Bank held in Shanghai this year, Madagascan President Marc Ravalomanana told Beijing that "you are an example of transformation. We in Africa must learn from your success."⁶ China's diplomatic position is also enhanced in recent years by its recognition by western powers. The United States has drawn closer to China in order to register Chinese support for its global war against terrorism; and the provocative behavior of the ROC government under Chen Shui-bian has served to erode its once-friendly relation with America. In the short term, therefore, Taiwan will remain politically marginalized, though a change of governance in Taiwan or the United States can alter relationship between the two countries.

It is important to note that the deterioration of Taiwan's economic and political position does not necessarily imply a prosperous future in Sino-African relation. There is no reason to assume that China's and Taiwan's relations with Africa cannot *both* deteriorate. In fact, this paper argues that in the long run, current fractures in Sino-African relation may deepen to produce explosive conflicts. Despite the appearance of healthy interdependence, there are mounting criticisms that Chinese involvement in African economies is reminiscent of colonialism. First of all, there is a huge question mark with regard to China's intent in its offering of help to Africa. The strongest doubt is directed toward its interest in natural resources, befriending African states in order to secure energy supplies to feed its growing demand. Kenyan Finance Minister Amos Kimunya was recorded as suspecting, "Asian economic growth is leading to demand for

⁶ *Asia News Online*, "China and Africa to develop together without neo-colonial relations," May 17, 2007.

resources. Is this a blessing or threat for Africa?"⁷ Paul Toungui, Minister of State in Gabon, also criticized foreign companies for exploiting energy resources without technical knowledge transfer. He doubted the spillover effect of foreign investment since raw materials are mostly exported directly abroad without processing in the host countries.⁸ Secondly, yawning trade imbalances in China's favor will likely grow more severe. The flooding of domestic African markets by Chinese merchandise is suffocating local industries and pumping up unemployment rates. Thirdly, the behavior of Chinese firms operating in Africa is beginning to raise more eyebrows. The principle of equal treatment founded by Premier Chou En-lai back in 1964 had long been dismissed, while reports about exploitation of labor are accumulating. The failure of Chinese businesses in protecting the local environment is also attracting harangue from international critics. The western media has been keen on exposing the unfavorable effects of Chinese investment in Africa.

Such grievances among the local population can breed social unrest, threatening the rule of the dominant elite and deterring the growth of Sino-African relations. The recent experience of Zambia serves as an illuminating example. Zambia had long enjoyed a prosperous relationship with China since the construction of the TanZam railway in the 1960s. Chinese firms played an indispensable role in the country's economic development. Jobs were created as rehabilitated industries resumed operation with the help of Chinese investment. The China Non-Ferrous Metal Mining Group, for example, injected US\$100 million in the Chambishi copper mine to revive production in 2001 (Alden 2007: 73). However, anti-Chinese sentiments mounted beginning in 2004 as complaints about low wage and poor working environment intensified. Public outrage broke out after an explosion in Chambishi munitions factory killed forty-six local workers. President Levy Mwanawasa, proponent of strong relations with China, suddenly found himself the focus of attack as the opposition party exploited popular anti-Chinese sentiments to bolster its campaign (Alden 2007: 72-6).

The Zambian case study demonstrates how the declining credibility of China's economic pursuits could be manipulated in African domestic politics and the cost some

⁷ Ibid.

⁸ Ibid.

African leaders might suffer in sustaining economic relations with China. China's deteriorating political image has led to what some called a "legitimacy of identity" crisis. From the 1950s onwards, China has carefully erected a moral image through rhetorical techniques and substantive acts of friendship. Back then, China *was* one of the poor developing countries whose unrelenting condemnation of capitalism was plain for the world to see. Today, as one of the world's biggest growth engines and a centre of liberal economic policies, it is much more difficult for China to justify its status as a member of the "Third World Club" (Snow 1994: 321). Although its "illiberal" political environment keeps the developed west from associating with the PRC, in terms of economic development China will soon, if not already, be identified as a member of the capitalist First World. The increasing *il*legitimacy of China's moral image means that it will lose one of its strongest bargaining power with Africa. It will become harder to convince African leaders that China is fighting on their side as their leader and comrade to represent their interests. Meanwhile, Taiwan is taking the opportunity to criticize China and sympathize with Africa. Taiwanese diplomats have been enthusiastic about highlighting the virtues of a relationship with the ROC. Huang Chih-fang, Taiwan's Foreign Affairs Minister, spoke in Burkina Faso that Taipei "has a different approach in nurturing its relations in the world's poorest continent. We are not a big power politically and we prefer co-operation projects suited to the needs of Africans."⁹ He described the Chinese as "trying by every means to get hold of raw materials and oil in Africa [while] dumping cheap industrial products into almost every African country."¹⁰ Ironically, Taiwan's strategy of showing its own distinctiveness vis-à-vis China is a precise re-enactment of Beijing's technique in the 1950s and 60s, when it attempted to isolate and antagonize the "western imperialists".

In light of the above considerations, China's future relationship with Africa will hence depend largely on the ability of Beijing in harnessing its economic and political advantage to serve its own ends, as well as its ability in countering accusations from the international community. On one hand, China's indispensable role in the African

⁹ *Asia News Online*, "Taiwan minister visits Africa to 'save island's remaining diplomatic ties'," July 13, 2006, via

<http://www.asianews.it/view.php?l=en&art=6690#>

¹⁰ *Ibid.*

economy will likely be buttressed by the rich rewards Chinese trade is giving African officials and businessmen. While it is an admitted fact that trade with China is causing numerous socio-economic problems, many upper-level officials and local tycoons in Africa are reaping unprecedented benefits from it and it is these people who are the decision-makers in state politics. Chinese trade with Africa will prevail despite the inevitability of challenges, as long as the very realistic and pragmatic drive for profits continue to serve as the strongest motivation sustaining cooperation. China's political authority in the UN Security Council also means that it can wield its veto power over any resolutions that may threaten its commercial interest in Africa. On the other hand, however, the experience of Zambia demonstrates how China's irresponsible practice and eroding image can threaten social stability in Africa states, allowing ruling elites or opposition parties to capitalize upon anti-Chinese sentiments and undermining Sino-African relations in the long run. The ability of China in exerting its veto power at will is also likely to diminish in the future as international pressure heightens. China's frequent invocation of "sovereignty" as a cause for non-intervention is becoming less legitimate hence less effective a strategy, in light of the recent revision introduced to the concept of "sovereignty" as the "responsibility to protect" in the 2005 World Summit.¹¹

There is hence sufficient cause for greater caution and improvement of attitude on the Chinese part. Instead of focusing on its strategic interest alone, the Chinese government can extend its consideration to the interests of its trading partners. In light of its deteriorating identity as champion of the third world cause, China can rebuild a new image as benefactor of African countries by demonstrating greater concern for domestic development. It may consider setting up monitoring regimes in order to better regulate the behavior of Chinese firms operating in Africa, both in the issues of labor policy and environmental policy. It can also play a greater role in contributing to Africa's healthcare,

¹¹ In the 2005 World Summit Outcome (General Assembly Resolution 60/1), it is stated that "[e]ach individual state has the responsibility to protect its population from genocide, war crimes, ethnic cleansing and crimes against humanity." The international community also has the responsibility for protecting populations from the aforementioned violence, and should a state be "manifestly failing" to protect its own people, the international community is "prepared to take collective action, in a timely and decisive manner, through the Security Council [...]" The Outcome thus focuses attention not on the immunities of the sovereign state, but on its responsibilities. Force can be deployed as a last resort against a state that demonstrates manifest failure in protecting its people, not so much as an "intervention" but as an enactment of "responsibility". Cf. Steiner, Henry J., Philip Alston and Ryan Goodman eds., *International Human Rights in Context*, 3rd edition (USA: Oxford University Press, 2008), 837-841.

education, as well as programs related to alleviation of poverty and starvation. While doing so, it must also be sensitive to the needs of local Africans and refrain from adopting any “one-size-fits-all” approach to development that has won the International Monetary Fund much criticism.

Conclusion: The Meaning of Friendship?

This paper has offered an account of China’s and Taiwan’s diplomatic adventures in Africa during the periods of 1949-1971 and from 1971 onwards. I have argued that both China and Taiwan engaged in “money diplomacy”, exploiting their economic strength to attract weak African states that were in need of aid. China also used its image as a model of development to recruit allies, and it had done so with considerable success. The motivation underlying both countries’ quest for allies is explained by their search for recognition, in China’s case the aspiration to be admitted as member of the United Nations, and in Taiwan’s case the desire to remove its outcast status and to engage in normal relations with other states. I have argued that China has launched a more successful campaign and predicted that it will continue to lead the competition due to its increasing economic and political strength. However, China’s emergence as a world power and its inconsiderate policies in Africa may alienate it from its former allies and open opportunities for Taiwan to further undermine its credibility. I suggest that China will need to re-evaluate the meaning of its friendship with Africa. Instead of frequently contemplating Africa in strategic terms, China may improve its position by showing genuine interest in the well-being of the African people through participation in local development projects. A healthy, sustainable, and mutually beneficial relationship between China and Africa must be based upon friendship, in the truest sense of the word.

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恐怖主義在線

一 電腦傳播媒體(CMC) 如何協助恐怖組織？

區諾軒, 蔡嘉敏

緒論

恐怖主義與電腦傳播媒體(CMC)跟人類息息相關。前者威脅著人類文明及生命財產、後者為人類多提供一個溝通渠道。本文希望藉著研究電腦傳播媒體(CMC)的特點、以及恐怖組織的目標及策略，找出兩者的關係。

本文將會參考有關恐怖主義與互聯網的文獻，再以近年恐怖組織利用互聯網的真實例子，研究網頁、資源分享網頁以及網上論壇這三種電腦傳播媒體(CMC)跟恐怖主義的關係。最後本文會從電腦傳播媒體(CMC)的特點，分析香港網上論壇對恐怖主義的作用。總括而言，電腦傳播媒體對恐怖組織宣揚理念、發佈訊息等方面有著正面影響。

引言

2001年9月11日，美國發生世界史上傷亡最大的恐怖襲擊。自此，恐怖主義成為各大媒體、市民茶餘飯後的話題。而電腦傳播媒體自上世紀末互聯網被廣泛應用後，亦成為生活的必需品。隨著電腦傳播媒體的普及，市民除了透過傳統媒體外，亦能透過網上論壇及網頁等接觸恐怖主義的相關資訊。雖然如此，普遍市民只會把電腦傳播媒體視為接觸恐怖主義相關新聞的平台，而忽視其協助恐怖份子的事實。

事實上，自互聯網發展以來，不少團體都在網絡空間建立自己的網頁，甚至利用互聯網宣傳團體提倡的信息。恐怖組織也不例外。基於互聯網信息流通快捷、匿名通訊(anonymous)等性質，互聯網漸受恐怖組織歡迎。據調查，在2000年，幾

乎所有恐怖組織都在網上設立自己的網站。¹ 再者，亦有研究指出，著名恐怖組織如哈馬斯(Hamas) 及阿爾蓋達(Al Qaeda) 等都大量使用網絡工具進行恐怖活動。² 由於互聯網身分難以識別，同時亦可利用科技將資料加密，使恐怖份子使用互聯網時難以被識別身分。他們透過網站發放訊息，在網絡聊天室招攬會員，甚至透過網上籌款獲得收入。由是觀之，電腦傳播媒體(CMC)已成為恐怖組織的一大重要工具，對組織的運作有著重要的影響。

曾有學者指出，現有文獻多集中研究網絡恐怖主義與網絡衝突對人們的影響(Cyber-terrorism 及 Cyber-warfare，意指破壞電腦、入侵並破壞網絡系統等問題)，而忽視了互聯網對恐怖份子的正面影響。³ 有鑒於相關研究不多、以及電腦傳播媒體協助恐怖主義的傳播對人類文明有著舉足輕重的影響，本文將研究電腦傳播媒體如何協助恐怖組織。

文獻回顧

要了解恐怖組織，首先要了解恐怖主義的定義。根據聯合國，恐怖主義是「為著特殊的、犯罪的或政治的目的，以暴力方式令人產生憂慮。恐怖襲擊是由秘密或半秘密的個人、團隊或國家團體所進行。被襲擊者通常不是真正的攻擊對象。」⁴ 美國總統布殊則認為，恐怖活動是「一種有意識地透過武力去危害市民生命、財產及基礎建設的行為，當中包括大規模破壞、刺殺、綁架或者要脅人質。目的在控制人民及影響個別政府。」⁵

由此可見，恐怖活動只是一個手段，而非目的。進行恐怖襲擊的最終目的，是希望藉著引起公眾注意及恐慌，影響個別政府的運作。著名的恐怖組織遍佈世界各

¹ Gabriel Reimann, "www.terror.net, How modern Terrorism Uses the Internet". Washington, D.C.: United State Institute of Peace, 2004, 2

² 中國現代國際關係研究所反恐怖研究中心，《恐怖主義與反恐怖鬥爭理論探索》。北京市：時事出版社，2002年。

³ Gabriel Reimann, *op. cit.*, 2

⁴ 「安理會反恐怖主義委員會」，<<http://www.un.org/chinese/sc/ctc/index.shtml>>

⁵ "Executive on Terrorist Financing", <<http://www.whitehouse.gov/news/releases/2001/09/20010924-1.html>>

地：來自中東的有哈馬斯、真主黨游擊隊、庫爾德工人黨、東突伊斯蘭抵抗運動；歐洲則有愛爾蘭共和軍(IRA)；亞洲的有阿爾蓋達、日本真理教、日本赤軍、車臣的武裝份子等。⁶

美國政府於九一一襲擊後的調查發現，恐怖份子曾利用電子郵件及互聯網去策劃及協調是次襲擊。亦有學者指出，網上論壇、網頁等把恐怖組織描述成一個為了正義出戰的公民團體，美化恐怖襲擊的行為。⁷ 另一位學者亦指出，恐怖份子慣於利用電腦傳播媒體如網上論壇、聊天室、網上日記等招募居於西方的穆斯林。因為他們大多為移民，對自我身份感到模糊，容易感到受歧視而產生偏激思想，透過網絡加入恐怖組織。⁸ 更甚的是，隨著互聯網的發展，如「阿拉伯域名試驗計劃」令監察網上恐怖活動更加困難。由於域名將由阿拉伯文組成，大大增加其他地區對網上活動監察的難度。⁹

研究目的

互聯網究竟有甚麼特質，使恐怖組織趨之若鶩？恐怖組織透過什麼方法，在網絡上達成他們的目的？市民使用電腦傳播媒體時，又如何間接協助恐怖組織？本文希望透過研究上述問題，找出電腦傳播媒體與恐怖組織的關係，引起公眾對這個議題的注意。

研究方法

⁶ Gabriel Reimann, *op. cit.*

⁷ Paul Reilly. "Civil Society, the Internet and Terrorism: Two case studies from Northern Ireland". *The Changing Media and Civil Society*, European Consortium for Political Research. March 2003

⁸ Boaz Ganor. "Global Jihadi Terrorism and the Use of the Internet," in Institute of Counter Terrorism, 14 November 2006, <<http://www.youtube.com/watch?v=mvd5dBLv7yk>> (December 25, 2006)

⁹ Greg Geiger. "A New Playground for Terrorists" in Institute of Counter Terrorism, 22 October, 2006. <<http://212.150.54.123/articles/articledet.cfm?articleid=577>>

透過分析網頁資源分享網頁以及網上論壇的特點，闡述電腦傳播媒體如何有助恐怖組織運作，並以相關文獻及數據佐證之。本文亦將分析不同網站，以支持本文論點。最後，本文會藉著研究香港的網上論壇，從而分析一組織透過電腦傳播媒體擴大其運作空間的可能。

分析及研究結果

首先，我們會分析普遍電腦傳播媒體的特點，再透過列舉恐怖份子運用網絡的例子，分述他們如何利用網頁、上傳空間及網上論壇進行活動。最後將運用案例分析，顯出組織運用互聯網的可能性。

電腦傳播媒體有助恐怖份子的原因，基於以下數項。第一，它沒被規範、不受政府管制；第二，它是全球性的傳播媒體，擁有潛在的巨大受眾；第三，通訊身分模糊、難以識別；第四，運用及製作成本低廉；第五，信息流通迅速；第六，通訊具即時性。這些特點都使電腦傳播媒體成為恐怖組織的理想傳播媒介。由於網上缺乏監管、以及通訊身分模糊，容許恐怖份子任意散佈內容；而全球性的特點以及擁有巨大受眾，再加上信息流動具即時性，使恐怖份子可以快速且廣泛地散佈訊息；而運作成本低廉，對於資源缺乏的恐怖組織來說，有著極大的吸引力。

恐怖份子如何利用電腦傳播媒體

(一) 發佈消息

相對來說，恐怖組織在傳統傳媒中發佈消息比在互聯網發佈消息困難得多。大眾傳媒由於擁有編採自主，恐怖組織若要經他們發佈消息，其激進的訊息都會為媒體所過濾，即使報導，亦可能被媒體所詮釋。再加上現今傳統媒體多被西方主導，如 CNN、BBC 等。

另外，由於網上活動相對缺乏規管，恐怖份子可隨組織主張任意發表敏感的信息。以往，恐怖組織訊息能否傳播，建基於大眾傳媒是否願意報導，主導權在傳媒手中；今天，電腦傳播媒體容許發放者為主導，恐怖份子自此不再被動，而是一個主動的信息發佈者，完全操控資訊內容及發放。這些都有助恐怖組織發佈訊息。

(二) 政治宣傳

恐怖組織亦會透過電腦傳播媒體進行政治宣傳(Propaganda)。¹⁰ 政治宣傳對恐怖組織尤其重要，他們一方面會塑造自己希望尋求和平的形象，博取同情者支持，並透過網站宣揚自己的正面理念，如哈馬斯便常聲稱它是慈善組織的性質，在網上吸納支持者；另一方面，他們會致力踐踏攻擊目標的形象，妖魔化目標的身分，美化恐怖襲擊的行為，將暴力責任推卸給敵人。除此之外，它們亦會利用電腦傳播媒體去宣揚組織的宗教理念等。

(三) 搜尋資訊

恐怖份子亦會利用電腦傳播媒體尋找有用資訊。阿爾蓋達便是致力在網上收集數據的代表，他們收集了有關美國情報的龐大數據，其訓練手冊更列明：「不訴諸非法手段，我們也可在網上找到敵人 80%的數據。」¹¹ 此外，恐怖份子亦能透過網絡輕易獲得恐怖襲擊的資料，包括製造炸彈、衛星地圖等。阿爾及利亞伊斯蘭武裝組織便利用包含製造炸彈步驟的軟件及網站，為分散在阿爾及利亞與歐洲的成員存儲、輸入命令和其他信息。¹²

(四) 籌募經費

籌款也是恐怖組織利用電腦傳播媒體的主要目的。他們有些會偽裝成慈善團體，獲得善心人的捐款。誰知善款背後，卻成為他們運作恐怖組織的資金。有些恐怖組織如祕魯的恐怖組織光明之路(Shining Path)，則透過在網上出售革命產品如 T-

¹⁰ Abraham R. Wagner, "Terrorism and the Internet: Use and Abuse" in *Fighting Terror in Cyberspace*, ed. Mark Last and Abraham Kandel, 1. Singapore: World Scientific Publish Co., 2005, 21

¹¹ Dan Verton. *Black Ice: The Invisible Threat of Cyberterrorism*. McGraw-Hill, 2003.

¹² 中國現代國際關係研究所反恐怖研究中心，《恐怖主義與反恐怖鬥爭理論探索》，北京市：時事出版社，2002年。

shirt、海報及影片牟利。¹³ 一些支持、同情者層面比較廣泛的，如遜尼派極端恐怖組織 Hizb al-Tahrir，利用伊斯蘭教的號召力，在網上要求全球的支持者捐款支持聖戰。¹⁴

(五) 招募成員

恐怖組織也會在電腦傳播媒體招募會員，他們不但會透過開設論壇、聊天室招募會員，更會主動地物色有潛質的會員。拉登的助手 Ziyad Khalil 便是其中之一。他當初只是哥倫比亞大學的學生，然而他個人卻是哈馬斯支持者，在校園與幾個穆斯林激進組織聯繫，又在網上建立支持哈馬斯的網站。最後，他受到拉登的注意，遂招攬他成為他們在美國的採購員。¹⁵

(六) 缺乏法律監管

網絡世界四通八達，不為國家所限，資料的傳輸既可加密、亦可隨意以不記名方式散佈於公共領域，至今世界各國仍然無法妥善規管。活動在國內的話，國家或許可以以法律途徑控告恐怖組織在網絡進行的活動危害國家安全。但是，恐怖主義組織運用網絡，其實便是在利用一種跨國(Transnational)的媒介進行活動，他們便可以利用國與國之間無法透過法制管治的漏洞來進行上述行為，逃避法律責任。政治學者對國家的看法是，國家會擁有一種滲透到人民生活中加以控制的權力 (Penetration Power)，一國能限制恐怖組織活動，在於她能夠因著對國民活動的掌握而加以限制。¹⁶ 恐怖組織的活動既可以網絡媒介形式逍遙於國家控制之外，國家自然束手無策。儘管有國際法或國際執法者的存在，但基於國與國合作既難亦有限，其實已經減弱了這種滲透能力，對網絡的控制非常有限。比如說，恐怖組織將其網

¹³ Kelly R. Damphousse, and Smith, Brent L., "The Internet: A Terrorist Medium for the 21st Century" In *The Future of Terrorism: Violence in the New Millennium*, ed. Harvey W. Kushner, 208. New Delhi, London: SAGE Publications, 1998., 220-222

¹⁴ Gabriel Reimann, *op. cit.*, 7

¹⁵ *Ibid.*, 8

¹⁶ 比如說，滲透能力可以是指對個人資料的掌握。國家透過國籍登記、土地擁有權等途徑得知一組織、國民的資料，便能對其施加控制。參見 Michael Mann, "The Autonomous Power of the State: Its Origins, Mechanisms and Results," *European Journal of Sociology*, Vol. 25 (1985), pp. 185-213 or in John Hall ed., *The State: Critical Concepts*, London: Routledge 1994, Vol. 1, pp. 331-353

頁設立於所屬國外，該國家便無法對其作出管制。假設是不是國家也成疑的西蘭公國提供網頁登記服務，便可作為脫離世界所有主流國家控制的一個烏托邦。

小總結

總括而言，恐怖份子於網上活動時，既可使用匿名身分，亦可將資料加密，對恐怖組織帶來了莫大的便利。互聯網使用者之多，要在茫茫人海中找尋線索，十分困難。在電腦傳播媒體理論中，互聯網是一個缺乏社會身分(Social Cueless)的世界，使用者難以辨認其身分。透過加密技術，政府更加難以追查恐怖組織的訊息來源。¹⁷ 故此，恐怖份子常利用電郵、網上論壇這些可以偽造、匿藏身分的媒介與外界溝通。據調查，九一一襲擊者曾使用公開電郵通訊。¹⁸ 除此之外，由於電子商業(E-commerce)得到法律保障，恐怖組織常以商業機構為表面，透過普通商業交易作金錢及資源上的輸送，掩人耳目，當電子商業越流行，對加密技術要求便越高，使追查恐怖組織難度百上加斤。¹⁹

以下部分將會集中分析網頁、資源分享網頁以及網上論壇這三個電腦傳播媒體的特點，並以案例補充，找出電腦傳播媒體如何協助恐怖份子。

分析一：網頁

特點	優點
容易建立及關閉網站	適合建立敏感內容
製作成本低	節省開支

¹⁷ Todd M. Hinnen, "The Cyber-front in the War on Terrorism: Curbing Terrorist Use of the Internet". *The Columbia Science and Technology Law Review*, 2004, 5

¹⁸ Gabriel Reimann, *op. cit.*, 10

¹⁹ Abraham R. Wagner, *op. cit.*, 12-15

方便更新	讓瀏覽者更易得知最新情況
網站介面方便用家	吸引不同層面的瀏覽者
其他（如在網站設聊天室、電郵）	保持與外界的聯絡

圖一：網頁特點及其對恐怖份子而言的優點

我們在研究中找了三個網站作例子。恐怖組織的網頁是恐怖組織的宣傳基地，反恐聯盟 (AntiTerrorism Coalition, ATC) 的資料庫便列出超過 1000 個支持及宣揚恐怖組織及活動的網站及聊天室。²⁰

宣傳方面，我們以「哈馬斯兒童雜誌」這恐怖組織的網頁作分析。²¹ 這網頁正好符合以上特點。首先，網站介面容易操控，有效將訊息傳播給兒童。網站設有故事、遊戲、音樂、新聞等部分，有豐富的圖片、音樂、娛樂等資訊。對兒童而言十分吸引。由此可見，恐怖份子聰明地利用電腦傳播媒體的多媒體功能吸引兒童。值得注意的是，這個以兒童網絡雜誌為表的恐怖份子網站，同時存在很多不適合兒童觀看的敏感資訊。包括恐怖份子發動自殺式炸彈襲擊的新聞報導，潛移默化地向兒童灌輸恐怖襲擊的概念；刊登恐怖份子被炸剩頭顱的相片，以「上了天堂」、「英雄」等字眼作描述，藉以美化恐怖襲擊行為。事實上，這些敏感血腥的資訊，在傳統的傳播媒介受規範，以防止其影響兒童心智發展。然而，由於網頁上的內容難以監管，恐怖主義者遂能藉此達成宣傳目的。

第二個例子是哈馬斯官方網站。網站資訊豐富，恐怖份子可以透過定時更新，讓瀏覽者得知最新情況，吸引網民。²²

第三是一個關於如何製造炸彈的網站。這些網上資訊比比皆是，希望說明的是，恐怖組織很輕易便可以找到發動恐怖襲擊的資訊。²³ 衛星地圖是另一恐怖份子可以利用的免費網上資訊。²⁴

²⁰ “Anti-Terrorism Coalition”, <<http://www.atcoalition.net/>>

²¹ “Hamas Child Web Magazine”, <<http://www.al-fateh.net/>>

²² “Hamas Official Website”, <<http://www.palestine-info.info/arabic/hamas/>>



圖二、三 網站教授製造炸彈的圖片

分析二：資源分享網頁

特點	優點
免費使用	節省開支
簡易介面及存取	吸引廣大受眾
傳播迅速	容易接觸大量受眾
逐漸成為新聞來源	吸引更多公眾注意

圖四：資源分享網頁特點及其對恐怖份子而言的優點

資源分享網頁(File Sharing Web)有兩個功能。第一是進行資訊交流。恐怖組織同樣利用了網上匿名的特點，利用資源分享網頁傳遞資訊、檔案。現在網上流行的資源分享網頁眾多，如 www.bandongo.com 及 www.youtube.com。這些網頁擁有的上載檔案成千上萬，使追查者難以追查來源。第二是發佈消息，人們將檔案上載於這些資源分享網頁後，其他用戶便可閱覽，令訊息得以快速傳播。而就著其新聞性及重要性，傳媒亦將之視為新聞來源，那時消息便得以廣傳，令人驚訝的是，調查發

²³ “Smoke Bombs making from United Nuclear”, <<http://www.unitednuclear.com/smoke.htm/>>

²⁴ “Google Maps”, <<http://maps.google.com/>>

現對受眾最具影響力的短片就是有關向人質行刑的短片。²⁵ 恐怖份子把向人質行刑的短片上載，就是基於資源分享網頁的特性及優點。

分析三：網上論壇

特點	優點
雙向溝通	能與外界溝通
匿名身分	一個安全的溝通平台
社會分層(Social Fragmentation)	更易集中目標人物(有助招攬)
其他功能(如超連結，轉貼等)	加強資源分享網頁的影響

圖五：網上論壇特點及其對恐怖份子而言的優點

由於網上論壇缺乏監管，再加上身份可難以識別，恐怖份子便加以利用作為招募成員的平台。而且，由於網上論壇有著用戶分離(Social Fragmentation)的特性，可以把個別類型的網民集合起來。例如，討論時事的網上論壇最能吸引那些熱愛時事的網民瀏覽及討論。這種特性有助恐怖份子更易接觸到有潛質的網民(例如恐怖主義的忠實支持者)，將其招攬成為會員。

除此之外，大眾於網上論壇的轉傳文化，亦有助恐怖份子傳遞訊息。網民把恐怖份子各人質行刑的短片網址上載至各大網上論壇，大大增加該短片的瀏覽量及受眾，令恐怖份子的行為更受大眾關注，同時增強資源分享網頁的作用。因為資源分享網頁上有數以萬計的檔案，要令個別短片突圍而出，就可以利用網上論壇的轉傳文化，令更多人得知短片的存在。

²⁵ Henry A. Giroux, *Beyond The Spectacle of Terrorism*. London: Paradigm Publishers, 2006, 51

再者，大眾於網上論壇有關恐怖主義的討論，亦有助恐怖份子達到宣傳目的。由於恐怖份子其中一大主要目的，是將其要傳遞的訊息廣傳開去。因此，網民於網上論壇有關恐怖主義的討論，無論是支持還是反對的意見，都有助恐怖份子引起公眾注意，達到他們進行恐怖襲擊的目的。透過恐怖份子與網民互相討論，恐怖份子便更清楚民意，並可藉此調整自己的定位，以便獲取更多支持。²⁶

網上論壇亦有讓恐怖組織預示、發布消息的功能。在 911 襲擊兩天前，在杜拜的一個著名論壇 Alsaha.com，便出現了以下訊息：「在兩天後，在沙特阿拉伯的 Asir 地區將會有一個大驚喜。」而進行襲擊的 19 名恐怖份子中，便是來自鄰近 Asir 地區的一個省份。²⁷

個案探討 - 香港的網上論壇對恐怖份子的吸引力

身處香港，恐怖組織似乎與我們相距甚遠。香港近年曾有數宗在網上論壇發動恐怖襲擊的言論。²⁸ 儘管這些言論多屬惡作劇，但我們也可以藉此機會，探討恐怖份子利用香港網上論壇的可能。

根據香港政府統計處於二零零六年十一月發表的統計數字，全港共有多於一百五十萬個住戶使用互聯網服務，佔全港總住戶七成。而香港的互聯網住戶使用率更是全球第五位、全亞洲第三位，高達 51.0%。²⁹ 綜合其他調查，本港 15 至 24 歲組別的互聯網使用率高達 81.1%，而上網人士最主要的活動是閱讀網頁(92.2%)及使用電子郵件(85.7%)，而上網人士最主要的活動是閱讀網頁(92.2%)及使用電子郵件

²⁶ Maura Conway, "Terrorist Use of The Internet and Fighting Back", Paper prepared for presentation at the conference *Cybersafety: Safety and Security in a Networked World: Balancing Cyber-Rights and Responsibilities*, Oxford Internet Institute, 2005, 12

²⁷ *Ibid.*, 22

²⁸ 「高登炸彈事件」，<<http://evchk.wikia.com/>>

²⁹ 政府統計署，「有關資訊科技的使用情況和普及程度的住戶統計調查」，<http://gia.info.gov.hk/general/200611/30/P200611300119_0119_22175.pdf>

(85.7%)。³⁰ 由此可見，香港市民(特別是青年人)熱衷於網上活動，增加香港網上論壇的影響力以及對恐怖份子的吸引力。

香港的網上論壇數以千計，當中涉及題材繁多，其中以關於日常生活、「吹水」等作主題的論壇最受歡迎。以香港討論區為例，現有會員帳號九十多萬，論壇分成不同部分，包括「貼圖影片」、「時事經濟」和「全城熱話」等。³¹ 這些分類有助恐怖份子鎖定目標，再藉香港網上論壇的高覆蓋率，宣揚訊息。

至於監管方面，特區政府對香港互聯網上的內容監管相對中國國內的寬鬆。在香港，法律對互聯網的監控主要在色情物品和知識產權方面，香港網民仍享有很大的自由；中國政府卻設有網路警察(網警)，負責監控國民互聯網活動。深圳就是率先實行網路警察上網巡邏，監查網上論壇所有言論訊息的地方。在深圳的網上論壇瀏覽時，更出現兩個卡通虛擬警察，官方稱有助提高網民的法制意識和防範能力。

³² 事實上，中國政府監控各論壇，早已不是秘密。早在幾年前已經有網民因為在網上發表意見而被捕及入罪，內地一些著名的討論區，如清華大學的「清華水木討論區」，和由北京大學學生開設的「一塌糊塗討論區」，也先後被整頓和關閉。³³ 由於中央政府對國內論壇有審核機制，國內市民未能完全自由接觸互聯網資訊。相反，香港網上論壇並不在中國政府的監管範圍內，甚至有機會成為國內市民接觸敏感資訊的另一渠道。正因如此，對恐怖份子而言，於香港網上論壇活動比於國內的安全，同時亦成為其於中國區宣傳的工具。

另外，香港網上論壇以中文作為主要溝通語言，亦成為另一賣點。由於國內網民的英語水平普遍偏低，大大降低外國網站對國內網民的影響力。相反，由於香港及中國兩地的互聯網活動皆以中文為主要溝通語言，這樣大大增加了香港網上論壇的可讀性，同時國內網民亦較易融入香港網上論壇的社區文化。

³⁰ 突破，「本港青少年網上行為研究」，1997年12月11日，
<http://www.breakthrough.org.hk/ir/Research/02_Internet/Internet.htm>。

³¹ 「香港討論區」，<<http://www.discuss.com.hk/>>

³² 台灣 cnet 新聞專區，「圖片：中國虛擬網路警察」，
<<http://www.taiwan.cnet.com/news/special/0,2000064597,20105925,00.htm>>

³³ 大紀元時報，「北大一塌糊塗網站被中共關閉」，
<<http://www.epochtimes.com/b5/4/9/15/n661522p.htm>>

最後，香港其他主流媒體對本地網上論壇的報導，亦增加其影響力。近年，本地電視台流行制作有關互聯網內容的電視節目，當中有不少內容選材於香港網上論壇，如無線電視台的「一網打盡」以及本港台的「第一手真相」。³⁴ 除此之外，香港報章近年亦流行於本港各大網上論壇搜集訪問資料，更增設「討論區精華」、「網友直擊」等部分，專門報導各大網上論壇的熱門話題。³⁵ 難怪在高登討論區裡面，網友常常透過發言時向記者打招呼來吸引記者報導其觀點。³⁶ 由此可見，香港的網上論壇對本地主流媒體有著一定的影響，增加網上論壇的影響力。

總結

基於電腦傳播媒體的特性，近年它已成為恐怖份子的重要工具。這種無國界、無時限、無身份的溝通平台，有助恐怖份子在網上招募成員、籌募資金、發佈訊息以至政治宣傳。再加上成本低廉、規管有限、社會分層等特性，令恐怖份子掌握著發佈訊息的主動權，並且更易招募到目標成員。為了打擊恐怖組織，各國政府應否收緊網上監管成為一大議題。可是，規管程度應如何決定，又成為另一難題。處理不當將會引起打壓新聞自由、言論自由等批評。

總括而言，電腦傳播媒體原意是為人類多提供一個溝通的渠道，但無可否認，它同時協助恐怖組織進行各類活動。各國政府必須正視這個問題，合力尋求解決辦法，令世界得以和平發展。

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³⁴ 電視節目<<一網打盡>>，<http://jade.tvb.com/special/the_web/submit/index.html>

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³⁵ 蘋果日報設有「news@apple 網聞」版，報導網上論壇流行話題。

³⁶ 有關行為可散見於一些討論社會議題的題目。「高登討論區」，2007年3月31日，<<http://forum2.hkgolden.com/>>。

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人口流動引起的犯罪問題及其對應政策的分析

區諾軒

引言

隨著改革開放經濟的發展，中國地區的不平等開始明顯起來，其中包括城鄉差異、地區差異的問題，而這些不平等亦導致落後地區的人們開始傾向到發展得較為發達的城市尋找工作，由此促成了九十年代開始的人口流動現象。這些流動人口進入城市後，湧現了不少問題，包括治安問題、社會保障問題、居住問題等，此等問題令地方政府感到十分困擾，在一些沿海大都市情況更加嚴重。

中國的人口流動是建基於中國的戶籍制度上發展而成的一種特殊現象，指人口離開了戶籍所在地，到其他地方居住。本文將流動人口的定義限於城市打工的農村人口，作為一種社會現象作分析。¹ 有學者指出，很多以流動人口為中心的研究其實把數據過份籠統的表達，沒有把流動人口的犯罪情況分類清楚，將情況誇張起來，例如「盲流」與農民工的處境已經不同，前者流竄犯罪，就是從一個城市犯罪後，又到另一個城市犯罪，城市根本並非他們的住所。² 但農民工卻是需要逗留在都市一段時間打工的一群，他們更要面對暫居城市面對的問題。要研究流動人口的犯罪問題，便需要小心處理不同人口的分布。故此本文將流動人口的定義只限於暫住於城市打工的農村人口。只有將流動人口中的人口分開觀察，才能夠得知他們的犯罪成因，而面對的問題是甚麼。

本文將利用此定義作框架，以社會政策角度對人口流動造成的犯罪問題進行探討，人口流動如何引起犯罪問題？流動人口的犯罪特色是什麼？亦透過分析廣州與上海兩個沿海較發達的地區以佐證之。及後，我們將評論一些中國政府已行使或一些學者提出的解決方案，分析起可行性及成效。

¹ 故此，「盲流」、跨省求學、旅遊等，將不屬於本文定義的流動人口範圍內。

² 劉霞，劉暉，「流動人口犯罪的原因與對策分析」，《山東省農業管理幹部學院學報》，第2期（2006年）：102-103

人口流動的成因

流動人口乃基於中國的戶籍制度而生。由於戶籍登記受到法律嚴格限制，農民進入城市受到限制，地區與地區之間亦不可以自由遷徙。儘管如此，農村勞動力卻依然不斷流入城市，戶籍的桎梏，令城市出現了大量暫住勞動人口，Lorraine West 與 Zhao Yaohui 指出，1982-1997 年間，通過各種途徑進入城市的農村流動人口就有 1 億 1200 萬人，平均每年流量為 750 萬人。³

自改革開放以後，國家一方面整頓政府架構，下放權力予地方政府，一方面則在經濟上引入市場機制。雖然改革開放使城市逐漸發展，然而農村與城市的差別反而顯得更大，事實上，面對經濟發展，農村地區寧願靦腆城市所能帶給他們的利益，他們開始在經濟上依賴城市，例如將農作物出售到農村以獲得更多利潤，又送農民工到城市工作，這樣不但造成城鄉地區差異增加，更使城鄉人口流動在 80 年代中開始越趨普遍。

中央自改革開放後開始下放權力予地區政府，這正成為人口流動的導因。由於下放權力包括財政有更大的自主權，例如地方政府擁有了有更大的稅收權力，他們只需上繳一部份予中央，大部分則可留用，這使地方政府開始維護自己本土的經濟利益，地區主義亦開始萌生。⁴

城、鄉政府皆以不同方式回應分權帶來的機遇：鄉鎮政府多以透過消除本身地區的經濟不平等為誘因。首先，基於農業技術發展及經濟發展帶來的耕地逐漸減少，農村生產的人力需求已經越來越少，這使農村剩餘勞動力大增。⁵ 故此，鄉鎮政府以不同方式鼓勵村民到城市尋找工作，以吉林省輝南縣為例，縣裡有些鄉鎮政府容許農民若果有需要到城市工作的話，可以保留土地承包權達三年之久，有些又

³ Lorraine A. West, and Zhao Yaohui, eds. *Rural Labor Flows in China*. (Berkeley: Institute of East Asian Studies, University of California, 2000)

⁴ John P. Burns, "Downsizing the Chinese State: Government Retrenchment in the 1990s" *The China Quarterly* (Cambridge University Press, 2003), 783

⁵ 在 1990 年，中國農村擁有 2 億剩餘勞動力。參見鍾甫寧，「對我國農村剩餘勞動力數量的估計」，《農業經濟問題》第 9 期(1995 年)：18-19

專門提供城市就業資訊好讓農民工更易找到工作，有些更以現金津貼，村民外出打工可獲得 1000 元離土補償費。⁶ 因為只有送更多村民到城裡打工，才能夠減低農村剩餘勞動力人口，而進城農民工亦可以帶回技術、財富回到向鎮裡邊，從而讓鄉鎮富裕起來。

至於市政府，在改革伊始的 80 年代，他們非常歡迎農民工的到來。當時不少城市尤其是沿海省份城市著種發展經濟，農村而來的剩餘勞動力正好為他們帶來廉價勞工，由於戶籍法規定他們只可以打工為由作短期逗留，他們要居留城市，需要商家的聘請才能成事，商人遂以此作威脅，壓低農民工的待遇與價錢。⁷ 儘管如此，其收入尚比在農村為之吸引，農民工依然願意進城工作。城市的居民亦沒有即時性的抗拒，因為改革以降，城市居民已經不屑於工廠裡面打工，他們傾向投身第三產業如旅遊業、服務業等。⁸ 在 1985 年，北京的建造業只能聘請他們所需的建築工人的 37%，他們已經不計較工人是由城市來還是農村來。⁹ 故此，城市居民沒有跟農民工在就業上構成大的競爭，農民工反而填補了他們原有的職位空缺。

在地方分權以及地方政府鼓勵下，龐大的中國流動人口便在城鄉、內陸至沿海地區開始移動起來。據紀錄，06 年的「春運」鐵路使用人數已達 1.46 億人，這不但表明由都市回鄉過節的民工之多，更令中國交通運輸系統構成巨大壓力。¹⁰ 可是，以流動人口來換取城鄉共同發展，不過是地方政府為保護自己利益一廂情願的想法。事實上，當農民工一方面為城市打工，一方面接受不合理的工資時，城市發展已經遠遠拋離農村，造成極大程度的不平等，據統計，2005 年城鄉總體平均差距已經達到 3.22:1，當中尚未計算農業生產所需的潛在成本。¹¹ 而他們的工作根本毫

⁶ 王景和，「黑土地上湧起民工潮」，《改革》第 2 期（1994 年）：129-136

⁷ Hu, X., Wang G.T. and Zou, Y. "Political Economy of the floating Chinese population." *Journal of Contemporary Asia* 32:3, (2002), 536-552

⁸ Dorothy J. Solinger. 1999. "China's Floating Population," in Merle Goldman and Roderick MacFarquhar, eds., *The Paradox of China's Post-Mao Reforms* (Cambridge: Harvard University Press), p.226

⁹ D. J. Curran, "Economic Reform, the Floating Population, and Crime.," *Journal of Contemporary Criminal Justice*, 1998, 265

¹⁰ 王宏偉，梁成谷，「2006 年中國鐵路春運回眸」，《鐵道運輸與經濟》，第 6 期（2006 年）：46

¹¹ 陳東領，「從貧富收入差距探析貧富懸殊」，《集團經濟研究》，第 14 期（2006 年）：43-35

無保障，一份有關中國女工的田野研究中提到，那些工廠每天工作 12 小時，但廠商經常拖欠薪金，而當工廠因意外而燒毀時，他們並沒有任何補償。¹²

總言之，人口流動乃由地方分權下地方政府的政策鼓勵，加上城鄉人民配合而衍生的，可是當人口流動現象越明顯，地區間差異便越嚴重，人口流動的動機便更大，形成惡性循環。我們尚可從人口流動的成因看到一個共通點，就是各個團體都是衝著經濟利益而來，這種拜金主義的觀念，對於流動人口的犯罪傾向影響尤大。

流動人口如何引起犯罪問題？

既然我們了解到，流動人口進城的動機主要是為經濟需要，我們就不難理解他們的犯罪意識。一方面，他們既然來到城市，自己當然希望找到一份薪金、待遇合理的工作，可是雇主手持讓農村人口能否逗留於城市之權利，遂可剝削他們的待遇。第二，在戶籍制度下，農民工與城市民工社會保障存有明顯差別。農民工到城市務工經商，他們根本得不到基本的社會保障。醫療、教育等都受到與城市居民不同的差別待遇，以教育為例，他們的子女只能入讀農民工子弟學校，不能與城市居民享受同等教育待遇。¹³

此外，他們進城以後並不能融入城市的群體中。農民工久居鄉鎮，生活習慣與城市居民迥異，這卻造成城市居民在生活上對外省民工諸多歧視，加上城市居民自改革開放後多不願從事二級生產工作，寧願從事旅遊業、服務業等第三級產業，他們與農民工便存在明顯分別。¹⁴ 更甚的是，不少學者預計中國加入 WTO 以後，城鄉二分情況將會更加嚴重。¹⁵ 這種差別對待，成為了流動人口的犯罪誘因。

¹² 潘毅，《中國女工—新興打工階級的呼喚》。香港：明報出版社，2007 年。

¹³ 王春光，「農民工的國民待遇與社會公正問題」，《鄭州大學學報》第 1 期（2004 年）：78。

¹⁴ Dorothy J. Solinger., *op. cit.*, 226

¹⁵ 王紹光，「開放與不平等——中國能否補償加入 WTO 的受損者」，《管理世界》第 6 期（2001 年）：14-43

從流動人口的犯罪分佈來看，主要以獲得經濟利益為動機的罪案居多，茲以流動人口犯罪分佈表析論之：

TABLE 1 *Crime rates per 100,000 persons from 1978 to 1999*

Year	Economically motivated crimes				Less or non-economically motivated crimes		
	Adjusted larceny	Grand larceny	Fraud	Robbery	Homicide	Rape	Assault
1978	48	0.58	1.07	0.58	0.86	2.38	
1979	58	0.87	0.98	1.26	0.95	1.67	
1980	65	1.07	1.56	1.46	0.85	2.51	1.54
1981	74	1.69	1.87	2.22	0.96	3.08	2.15
1982	60	1.52	1.74	1.62	0.92	3.48	2.00
1983	56		1.89	2.27	1.01	5.67	2.27
1984	38	1.57	1.29	0.70	0.86	4.28	1.39
1985	41	3.27	1.24	0.83	0.99	3.56	1.47
1986	40	3.92	1.36	1.13	1.07	3.64	1.71
1987	40	5.37	1.34	1.72	1.20	3.41	1.99
1988	59	10.99	1.70	3.27	1.44	3.07	2.40
1989	148	24.59	3.78	6.47	1.74	3.64	3.19
1990	163	25.84	4.79	7.20	1.86	4.18	3.95
1991	166	28.43	5.20	9.08	2.00	4.35	4.96
1992	98	21.43	4.01	10.68	2.06	4.25	5.11
1993	162	25.47	4.27	12.83	2.14	3.97	5.45
1994	162	29.64	4.81	13.29	2.22	3.68	5.66
1995	160	34.05	5.29	13.58	2.26	3.45	5.97
1996	146	33.01	5.69	12.35	2.08	3.50	5.64
1997	146	36.31	6.33	11.45	2.11	3.29	5.59
1998	178	50.02	6.66	14.04	2.22	3.28	6.48
1999	197	52.45	7.41	15.79	2.18	3.14	7.38

表 1：1978-1999 年每十萬人的犯罪比率(資料來源：Liu, J. 2005 “Crime Patterns during the market transition in China” *British Journal of Criminology* 45: p.624)

根據學者 Liu Jianhong 的研究顯示，從 1978-1999 年的罪案分布來看，盜竊、欺詐及搶劫類型案件遠比強姦、謀殺等案件升幅為之多，以搶劫(Robbery)為例，人數由 1978 年的 0.58/100000 人升至 1999 年的 15.79/100000 人，由此可見，流動人口的犯案動機多建基於經濟上的利益。而不少學者亦從而歸結出流動人口的犯罪分佈之所以集中在經濟利益上的案件，就是因為上文所述的容許財富不均、城鄉差別待遇、戶籍分野等原因造成。¹⁶

¹⁶ D.J. Curran, *op. cit.*, 268-273

流動人口犯罪：僅僅是犯罪者的錯？

似乎從上文分析至今，流動人口犯罪問題給予大家的印象都是他們本身的錯。這從社會學的越軌行為來看更加是顯而易見。社會學家 Robert Merton 提出的脫序理論(Anomie Theory)能夠解釋這點，他認為每個社會都有一套價值體系，價值體系塑造了人所追求的目標，他們會透過一切認受、合法的手段來達成他們。但是，追求目標的途徑，並不一定人人擁有，每人得到的途徑其實是不平等的，比如說一個社會的主流價值是賺取一定數目的錢，有的人會容易找到高薪的工作，有的人比較困難，有人甚至處於失業狀態。不能達成目標的人們，便會處於脫序狀態，他們無法忍受脫序的感覺，最終走上犯罪之途。¹⁷ 放在流動人口的情況來看，改革開放以後經濟掛帥，流動人口來到城市打工，無非為了獲利，農民工既然不能達成他們當初來城市的目標，更甚是根本不能維持生活所需，因而便透過不合法手段來獲取經濟上的利益，切合了上文的資料分析。

然而，若果我們只從社會犯罪學的角度來觀察問題的話，便令流動人口犯罪問題看成僅僅是犯罪者本身的錯。事實上，不少研究均以此角度出發。¹⁸ 但已有學者指出，農民工的犯罪問題不僅僅是犯罪者處境造成的，政策不善，同樣構成流動人口犯罪惡化。¹⁹ 地方門戶提供農民工登記服務不足，而地方政府各部門（包括公安、省入境事務等）又只懂即興式地聯合起來掃蕩暫住人口區的非法勞工及犯罪問題，農民工來到城市後，得不到地方政府的足夠支援，反而常成為受集中打擊的犯罪對象，更出現未登記便被拘捕為非法打工的犯事者，這樣情況底下農民工的犯罪率高，縱使有部分真的是因為經濟問題而犯事，亦難免被誇張了。

面對一個既由社會群體本身引發，又由政策不靈影響的社會現象，國家現下採取的措施是什麼，而怎樣的政策安排才是處理問題的妥善之道呢？

¹⁷ R. K. Merton, *Social Theory and Social Structure*. Glencoe, Ill: Free Press., 1957.

¹⁸ Liu, J. 2005. "Crime Patterns during the market transition in China." *British Journal of Criminology* 45: 613-633.; 劉霞，劉暉，「流動人口犯罪的原因與對策分析」，《山東省農業管理幹部學院學報》，第2期（2006年）：102-103

¹⁹ Zhao Shukai, "Criminality and the Policing of Migrant Workers" *China Journal*, No.43 (January 2000), 101-110.

個案分析

本文選取了廣州市與上海市的應付政策作出比較，選取的原因，是因為一方面如上文提及她們也是一個人口流動密集的都市，而流動人口犯罪率比率亦非常之高；另一方面兩市是國家發展經濟的重鎮，流動人口的犯罪特色較為明顯。

下表顯示 2006 年兩市的流動人口情況及政府的應付措施：

	廣州市	上海市
暫住人口數目	313.24 萬	438 萬人
犯罪流動人口 佔總犯罪人口總數	85%	60%
採取措施	管理人口流動為主	嚴打流動人口犯罪為主
結果	2006 年 1 至 8 月，入室盜竊、搶劫和機動車被盜案發案數比去年同期下降 64.6%	市中心區上升 2.1%； 市郊上升 6.7%

表2：廣州與上海市應付流動人口犯罪問題政策的成效比較（資料來源：中國上海市政府，<http://www.shanghai.gov.cn/>；中國廣州政府門戶，<http://www.gz.gov.cn/>；王桂新，劉旖芸，「上海流動人口犯罪特徵及原因分析－透過新聞資料的梳理、分析」，《人口學刊》，2006；流動人口暴增 社會矛盾叢生」，文匯報，A12，2006-4-22；張有義，游春亮。「廣州 治亂」，法制日報，2007年1月18日，第6版）

要注意的是，兩市其實也有互相執行對方理念的政策，例如廣州市「禁摩」（禁止摩托車）舉措是為了防止區內「飛車黨的出現」。只不過是兩市政策上的著重點不同而已。

廣州處理人口流動是傾向加強管理流動人口。廣州市公安局在老城去開始引進“群防群治”的治安管理模式，也就是根據《城市居民委員會組織法》的規定，在充分徵詢居民意見的基礎上，專門成立了物業管理工作領導小組，負責人由街道主要領導和派出所所長擔任。住戶推選出樓長和一至兩名居民代表組成居民物管小組。物管小組每月嚮每戶社區居民收取20元物業管理費，低保戶免收。

這樣的做法，其中一個目的便是為了加強流動人口管理。廣州市社科院一項調查統計顯示，廣州每年抓獲的犯罪嫌疑人中有近80%是外來人員，其中90%以上在落網前居住在出租屋。²⁰ 故此，他們要求出租者查清出租房屋和流動人口底數，實施警民共治，目前，廣州市政府已經組建了一支6000多人的出租屋整治隊伍，對全市100多萬套出租屋進行了全面清理。

至於上海的做法，卻是致力打擊流動人口在當地的違法行為。針對流動人口眾多，交通口岸犯罪情況嚴重，嚴格在各執法口岸進行撲滅罪行活動。²¹ 又成立社會治安市民巡防團，發動群眾對重點地區、路段、娛樂場所、集貿市場等地方的治安狀況進行調查，及時發現問題，組織有關部門重點整治。2006年，公安部推進社區和農村警務室建立，各地已建警務室3萬多個。每個警務室有專管民警，並配有若干治安巡邏員。²²

那麼，為什麼兩市同樣面對流動人口犯罪問題，深圳市甚至比上海市更為嚴重，但為何深圳市能夠在預防流動人口犯罪上取得成效，但上海市卻不能呢？這其實反映了單純的撲滅罪行，進行嚴打工作，只是治標不治本的做法。因為即使投入多少資源去「嚴打」罪行，到頭來仍未觸及到人口流動的犯罪導因，就是農民工的需求得不到實現，而支援本身亦不足。反之，隨著經濟發展，越來越多外省民工到來打工的時候，情況只會更加嚴重。

²⁰ 「穗8成罪犯為外來者」，文匯報，2006年12月19日，A11版

²¹ 楊維根，董玉，「上海口岸流竄犯罪的現狀及對策」，《政法學刊》第18期（2001年）64-65

²² 宋偉，「讓群眾的『安全感』再提升」，人民日報，2007年3月11日

反過來看，對流動人口作出自治規管似乎是比較可行的做法。以廣州建立出租屋整治隊伍為例，其實這措施不啻為一社區自治的管治模式，這方法雖然與解決農民工要求的經濟利益無關，卻能對流動人口融入社區有著莫大幫助，社區內人民參與管治，令暫住居民不再與該社區的原本居民完全隔離，有助社會共融。再者，整頓出租屋亦有助出租價格資訊流通，防止了出租者利用農民工難以得知出租屋價格資訊的性質拖高出租租金。

以上不過是兩項政策的實施現況，下一部份，我們將詳述好幾個回應人口流動犯罪問題政策的利弊。

對應政策分析

面對著流動人口犯罪問題，「嚴打」、管理流動人口、限制流動人口及加強社會保障四方面，均是較為普遍的說法，茲分析四政策如下：

首先，面對著犯罪問題，「嚴打」是中國政府傾向使用的方法。面對犯罪率上升，中央政府皆曾透過嚴打方式解決問題，分別包括 83 年嚴打、96 年嚴打和新世紀(2001)嚴打。²³可是，嚴打究竟是否一個有效的政策？茲以下表分析之：

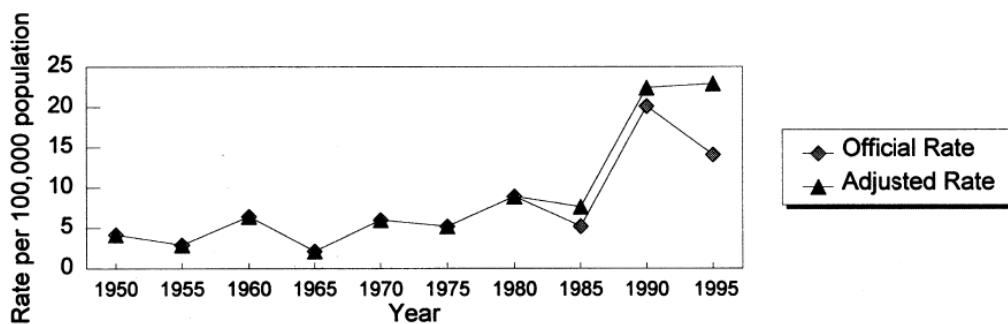


表 3：中國 1950-1995 年間每十萬人口犯罪數目(資料來源：中華人民共和國公安部，1980-1996)

²³ 從永健，嚴打鬥爭中的刑事政策研究，天津市武清區人民法院，
<http://www.tjqw.jcy.gov.cn/showArticleDetail.asp?type=%E7%90%86%E8%AE%BA%E7%A0%94%E7%A9%B6&id=17>

上圖可見，即使在 83 年進行嚴打運動，往後幾年罪案率呈下降趨勢，可是幾年以後，罪案率不跌反升，反而升幅更大。由是觀之，嚴打政策是否真的能解決犯罪問題實在令人存疑。

另一方面，據廣東省以往撲滅罪行的經驗表明，嚴打實只為治標而不治本的行爲。廣東警官學院治安教授馬建文便認為政策無效：「春節前公安部門的嚴打造成高壓態勢，但未從根本上消除犯罪產生的根本原因，於是春節前似乎嚴打效果好，但春節後很快就會有反彈，甚至形成高峰。同樣，每當廣州進行嚴打，周邊城市就備感壓力大，因為犯罪轉移得非常快。」²⁴ 由此可見，地區政府進行嚴打運動，並不能真正解決問題，反而有可能將問題轉嫁給鄰近的地區政府。

對付人口流動造成的犯罪問題第二個方案是以社區自治管理流動人口。也就是促使當地居民實行群防群治，在他們當中選出不同自治組織如出租屋整治隊伍、罪案與方整治隊伍協助警方維持治安，費用可由政府或民間與政府共同負擔。

這方法即如上述分析廣州推行的政策般言，有助流動人口融入社區，彼此亦能培養公民意識，協助建立和諧社會。若果推行得廣泛的話，更可杜絕流動人口中盲流的出現。湖南岳麓區橘子洲街道天馬村亦有推行社區自治的嘗試，村民直言，夜夜巡邏守護，晚上出門散步已經成了生活的一部分，這樣既節省警力，亦有助社區間本地與外來居民有著起碼的了解。²⁵ 再者，資訊的流通可以防止了出租者利用農民工難以得知出租屋價格資訊的性質拖高出租租金。這正好有助解決農民工進城後遭到剝奪的苦況。誠然，此政策始終未足以有效根治流動人口來到城市需求得不到滿足的情況。他們的利益沒有得到明確保障，畢竟商人與廠商才是最大的剝削者。

其實，要解決流動人口的犯罪問題，始終給予流動人口適切的保障才是最善之道。這樣便可以滿足流動人口中起碼的需求。保障可以包括醫療保障、教育保

²⁴ 「嚴打是否治標不治本 書記市長圈題抓治安」，羊城晚報，2006 年 10 月 26 日

²⁵ 「岳麓區推出首個出租屋和流動人口管理試點 一網一賬管好暫住人口」，長沙晚報，A04 版。

障、薪金保障等，務求令流動人口的利益不受到外地打工的限制，亦解決基本的經濟需要，教育亦在長遠來看使鄉鎮居民具備文明視野，不動輒犯案。方法可以是有城市支持農村，即給予鄉鎮居民到城市時也可享有服務，或是國家的直接補助。若果害怕城市物質上未能支援農村的話，可以先由提高對農民工的本身服務做起，如果連農民工登記也是做不好的話，試問又如何能好好監管農民工在程式的狀況呢？

總結

總括而言，流動人口造成的犯罪問題乃建基於農民工對城市經濟上的憧憬，他們就像「希望之旅」影片一樣，每個四川民工到新疆，都懷著不同的希望，然而當他們的願景到了城市以後，因著廠商的壓制、城市居民的歧視，不能達到而破滅，他們只好透過犯罪來獲得利益。

至於解決辦法，本文提出的方法依然存有其侷限性，當然，每個政策的推行，自然是有好有壞，我們必須在利弊間作出取捨，觀乎本文的觀察，以社區自治管理流動人口似乎是較為可行的做法，透過消除流動人口與城市居民的隔膜，可使流動人口的犯罪動機減低，長遠再通過推行適當的社會保障制度，流動人口帶來的犯罪問題，便可得以減輕。

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Promoting East Asia's Order and Stability: The Role of China

Cheung Man Kit

Introduction

The ideological alignments of the Cold War divided East Asia into three camps. China, North Korea and Vietnam with their ally, the Soviet Union (until 1963) which was outside East Asia, formed a communist bloc to balance against the capitalist alliance of the United States, Japan and South Korea. Most of other East Asian states joined the Non-Aligned Movement to avoid entrapment in the Cold War. The end of Cold War did not foster East Asian regionalism and regionalization however. The region has still been more involved in Cold War politics than other region. Cold War alliance systems linking the United States, Japan, South Korea, North Korea and China has never halted after the Cold War.¹ On the contrary, Cold War politics is much less prominent in Europe nowadays despite the fact that Russia opposes the European Union in some issues. The chance of military conflict is still relatively low compared with East Asia. East European states, former Soviet republics, gradually integrate back to the family of Europe by joining the European Union (EU).

Unlike Europe and North America, East Asia as one of three major international regions seems to be the least stable in terms of security due to the lack of cohesive force inside.² However, recent trends, such as the creation of ASEAN Regional Forum (ARF) and ASEAN Plus Three (AFT) reveal East Asia states are going to be involved in more intense cooperation and integration within the region. China as the major power in East Asia is an essential force in promoting regional order and stability. The article analyses how the rise of China can contribute to East Asian regional order and stability, especially

¹ Kim, Samuel S. "Northeast Asia in the Local-Regional-Global Nexus: Multiple Challenges and Contending Explanations." *The International Relations of Northeast Asia*. Ed. Samuel S. Kim. Lanham: Rowman & Littlefield Publishers, 2004. 6.

² Friedberg, Aaron L. "Ripe for Rivalry: Prospects for Peace in a Multipolar Asia." *International Security* 18.3 (1993/94): 15-27.

in a security aspect. In pursuit of this inquiry, the article takes up two major issues concerning (1) how the rise of China affects international relations in East Asia and (2) the effort of China promoting multilateralism and regional institutions in East Asia.

East Asia

East Asia is a growing region which has rising geopolitical and geoeconomic importance in world affairs. “Asian Miracle” surprised the world that four East Asian Tigers’ economies skyrocketed for the past three decades. East Asia becomes the centre of world’s attention. Facing with economic competition from the Europe and the United States in the era of globalization, East Asian states, however, sense that they cannot keep itself from regional cooperation any longer, especially after the Asian Financial Crisis.

Andrew Hurrell argues “all regions are socially constructed and hence politically contested”.³ It is correct that the boundary of region is always dynamic, depending on regional awareness and identity. In East Asia, regional awareness and identity can be seen in East Asian Economic Caucus and the more recent APT which represents a narrower and more innately coherent underlying reality. Hence, China, Japan, North Korea, South Korea, Thailand, Malaysia, Myanmar, Laos, Vietnam, Cambodia, Philippines, Singapore, Indonesia and Brunei Darussalam are included in East Asia. Although Taiwan is not recognized as a state, its de facto independent nature makes Taiwan to form a separate identity from China. Therefore, Taiwan will also be counted as a member of East Asia.

Rise of China

The rise of China can be recognized by its rise in economic and military power in recent decades. China’s “rise” as an economic phenomenon refers to the rapid and

³ Hurrell, Andrew. “Explaining the Resurgence of Regionalism in World Politics.” *Review of International Studies* 21 (1995): 335.

sustained growth of its economy since Deng Xiaoping adopted economic reform and open door policies in 1978. China's economy has been growing at an average of 10% per annum for two decades and its external trade increased by leaps and bounds at an annual rate of 15%.⁴ Its GDP has increased about ten times over the past thirty years, from \$147 billion in 1978 to \$1.4 trillion in 2004.⁵ China accounts for 4% of the world economy and has foreign trade worth \$851 billion in 2005 compared to less than 1% of the world economy and \$20.6 billion foreign trade in 1978, ranking China the world's third largest trading state.⁶ China has also attracted hundreds of billions of dollars of foreign investment and more than a trillion dollars of domestic nonpublic investment. It now receives the largest amount of foreign direct investment among developing states.⁷

China's defense spending has risen significantly in recent decades. Chinese official estimates show that the People's Liberation Army's budget rose over 140% from 1988 to 1995.⁸ From 1995 to 2005, U.S. experts estimated that China increased its military expenditure by 100%, from US\$40 to US\$80.⁹ In 2007, the official China's defense budget is expected to hit US\$45 billion, 17.8 percent higher than that in 2006.¹⁰ Some analysts point out that China's defense budget excludes many items that are normally included in the military budgets of Western countries, such as military research and development and equipment purchases. The Defense Intelligence Agency estimates that the real Chinese military budget for 2007 could be anywhere from US\$85 to US\$125 billion. Military modernization, including decisive doctrinal shifts, advanced hardware

⁴ Chia, Siow Yue. "The Rise of China and Emergent East Asian Regionalism." *The Rise of China and a Changing East Asian Order*. Ed. Kokubun Ryosei and Wang Jisi. New York: Brookings Institution Press, 2004. 51.

⁵ Kim, Samuel S. "Chinese Foreign Policy Faces Globalization Challenges." *The Study of China's Foreign Policy*. Ed. Alastair Iain Johnston and Robert S. Ross. Stanford: Stanford University Press, 2006. 276-306.

⁶ Zheng, Bijian. "China's 'Peaceful Rise' to Great-Power Status." *Foreign Affairs* 84.5 (2005): 18.

⁷ Kwan, C. H. "The Rise of China as an Economic Power: Implications for Asia." *World Economy & China* 3 (2001): 37.

⁸ Eikenberry, Karl W. "Does China Threaten Asia – Pacific Regional Stability?" *Parameters* 25.1 (1995): 5.

⁹ Cordesman, Anthony H., and Kleiber, Martin. "The Asian Conventional Military Balance in 2006: Overview of Major Asian Powers." Washington: Centre for Strategic and International Studies, 2006.

¹⁰ "China's defense budget to rise 17.8% in 2007" *China Daily*. 27 December 2007. <http://www.chinadaily.com.cn/china/2007-03/04/content_819079.htm>

acquisition and critical software reforms, also strengthens the military capability of China.¹¹ China has acquired more than 100 fourth-generation fighters (SU-27s and SU-30s) from Russia since the early 1990s. By 2006, China had deployed roughly 900 mobile short-range ballistic missiles to garrisons opposite Taiwan, expanding at a rate of more than 100 missiles per year.¹² China received the second of two Russian made SOVREMENNYI II guided missile destroyers in late 2006, which are among the most advanced in the world and against which there are only limited countermeasures.

Sino-Japanese Relations

Chinese and Japanese powers have dominated Asia alternatively in modern history. Before the collapse of Qing dynasty, China was a dominant state and surrounding countries were peripheral or secondary states. Western and Japanese powers emerged to demolish the traditional East Asia order.¹³ Modernization of Japan after the Meiji Restoration led itself to form another regional power which superseded China before and after the Second World War. Relative power in the 1990s was shifting back to China. Japanese Economic Miracle finally ended due to the after-effects of over-investment and Japan experienced economic stagnation and political gridlock. On the contrary, the rise of China has threatened the dominant position of Japan in East Asia.

Japan as the second largest economy in the world remains an important actor in East Asia. Without Japanese cooperation, promoting regional order and stability are hardly to be successful even if China works hard. Regional stability may even be disrupted when Sino-Japanese relations are sour. Sino-Japanese relations are troubled by suspicion of military capability and intention, differences in political systems and rivalry of regional hegemony, notwithstanding the high levels of investment that Japan has in

¹¹ Gill, Bates. "China as a Regional Military Power." *Does China matter?: A Reassessment*. Ed. Barry Buzan and Rosemary Foot. London: Routledge, 2004. 126-135.

¹² United States. Office of the Secretary of State. *Military Power of the People's Republic of China 2007* Washington: GPO, 2007.

¹³ Kang, David C. "Getting Asia Wrong: The Need for New Analytical Framework." *International Security* 27.4 (2003): 67.

China. The rise of Japanese militarism and invasion in China of the 1930s and 1940s remains a part of painful history of China. The long shadows of the Greater East Asia Co-Prosperty Sphere are difficult to be washed away from China's memory.

Although article 9 of the Constitution of Japan constrains the military size of Japan, Japan possesses the most technologically advanced arsenal in East Asia.¹⁴ In the last ten years, Japan has struggled to emerge as an "ordinary" or "normal" power by assuming a greater defense burden which hinders China's trajectory to regional military predominance. Japan revised the 1978 Guidelines for U.S.-Japanese Defense Cooperation to broaden the role of Self-Defense Forces in regional security.¹⁵ In addition, Japan is more willing to deploy military forces in Asia in support of the U.S. wars against terrorism and dangerous states. It is natural that Chinese leaders continue to worry about Japan's military rearmament and constitutional reform to recover its position as a great power in East Asia. Suspicions of China's intentions are widespread in Japan as it steadily expands its economic and military strength. Japanese officials become more concerned with the expansion of Chinese military capabilities in advanced air and naval systems.¹⁶ The June 4 Tiananmen Square Crackdown, resumed nuclear test in 1995, missile tests during Taiwan Strait Crisis in 1995-96 and naval activities near Japan's territorial waters constitutes a bad image that accounts for the Japanese public's falling opinion of China.¹⁷

Realist thinking is still governing the relationship between China and Japan. There are many fundamental issues, especially strategic and geopolitical issues that both states cannot resolve in the near future. The participation of the United States in Sino-Japanese relations is a two-edge sword in the perspective of China. China is ambivalent about the role of the United States. On the one hand, the U.S.-Japan alliance can

¹⁴ Christensen, Thomas J. "China, the U.S.-Japan Alliance, and the Security Dilemma in East Asia." *International Security* 23.4 (1999): 55.

¹⁵ Berger, Thomas. "Japan's International Relations: The Political and Security Dimensions." *The International Relations of Northeast Asia*. Ed. Samuel S. Kim. Lanham: Rowman & Littlefield Publishers, 2004. 146.

¹⁶ Self, Benjamin. "China and Japan: A Façade of Friendship." *The Washington Quarterly* 26.1 (2002-03) 86.

¹⁷ Jiang, Wenran. "The Japanese Assessment of the 'China Threat'." *The China Threat: Perceptions, Myths and Reality*. Ed. Herbert Yee and Ian Storey London: Routledge, 2002. 154.

constrain Japan from rearmament because the United States can still influence Japan's defence policy. On the other hand, China is worried that the U.S.-Japan security alliance is part of a U.S. strategy to contain China. The U.S.-Japan Mutual Security Treaty is perceived by China as U.S.-Japanese collusion against China's security interests.¹⁸ The development of the Theatre Missile Defence by joint venture of the United States and Japan steps up the suspicion between China and Japan. In December 2007, it was the first time that Japan had tested the ballistic missile defence with the United States.¹⁹ Tensions between China and the United States in Taiwan issue create a dilemma for Japan to choose one side because of its geographic and geostrategic position. Japanese leaders fear that the outbreak of hostilities in Taiwan Strait between China and the United States will draw Japan in and express concerns about the difficulty Japan would face if forced to make a choice between preserving the U.S.-Japanese alliance and maintaining friendly relations with China.

The rise of China inevitably induces misgivings to Japan which is also a dominant power in East Asia. There is, as David Kang put forward, little indication that Japan will attempt to balance China's military on its own terms without the participation of the United States in the containment.²⁰ It seems that the United States itself is not balancing China. The possibility of direct balancing against China by Japan is relatively low although Japan is wary of Chinese growth. In the short run, the Sino-Japan relations will remain stable

Sino-Korean relations

In a Sino-centric hierarchal order, China was always an influential power in the Korean Peninsula before the rise of Japanese power. However, new powers, namely the United States and Russia, gradually emerged after the Second World War. Since the Cold War, China has been a traditional friend of North Korea because of their same

¹⁸ Ong, Russell. *China's Security Interests in the 21st Century*. London: Routledge, 2007. 70.

¹⁹ "Japan Tests Anti-Missile System." *BBC News*. 28 December 2007 <<http://news.bbc.co.uk/2/hi/asia-pacific/7149197.stm>>

²⁰ Kang, David C. *China Rising: Peace, Power, and Order in East Asia*. New York: Columbia University Press, 2007. 63-64.

commitment to communism/socialism. Further, their close ties are attributed to a common broader, a long symbiotic historical relationship, a Confucian heritage, a history of Japanese occupation, etc.²¹ China provided abundant human resources and heavy military assistance to North Korea during the Korean War. After the Cold War, China has provided a significant source of economic transfers to the declining North Korean economy. North Korea's government also receives humanitarian aid and energy assistance from China. In terms of trade, China remains North Korea's most important patron, running annual bilateral deficits of about \$500 million against North Korea.²²

In recent years, the relationship between China and North Korea turned sour. One of the reasons is that North Korea has undergone nuclear weapons programme despite strong opposition from China. In 1998, North Korea launched a long-range missile in a test over Japanese airspace, causing uproar in Japan and in the region. In July 2006, North Korea ignored China's warning to launch seven missiles over the Sea of Japan. More shockingly, North Korea carried out nuclear tests in October 2006 in defiance of universal opposition of international society, including strong warnings from China. China was given only a 20-minute warning ahead of the test.²³ It shows that Sino-North Korean relations were not as good as before that China cannot influence North Korea's behaviour with regard to security policy. In addition, North Korea has preferred to deal directly with the United States on the issue of nuclear weapon programme without China's engagement. The United States organized a quiet bilateral meeting with North Korea outside of Beijing after North Korea's nuclear test.²⁴ The rise of China seems to have no visual effects on North Korea in their bilateral relations even though North Korea is much dependent on China. Hence, there is a doubt whether China can deter any aggressive behaviour of North Korea in the future.

²¹ Moore, Gregory J. "How North Korea Threatens China's Interests: Understanding Chinese 'Duplicity' on the North Korean Nuclear Issue." *International Relations of the Asia-Pacific* 8 (2008): 4.

²² Kim, Samuel S., and Lee, Tai Hwan. "Chinese-North Korean Relations: Managing Asymmetrical Interdependence." *North Korea and Northeast Asia*. Ed. Samuel S. Kim and Tai Hwan Lee. Lanham: Rowman & Littlefield Publishers, 2001. 34.

²³ "North Korea Claims Nuclear Test." *CNN.com* 28 December 2007
<<http://www.cnn.com/2006/WORLD/asiapcf/10/08/korea.nuclear.test/>>

²⁴ Moore. Op. cit. 22.

China's relations with South Korea have improved markedly since the normalization of relations in 1992. Rapid economic integration with China boosted South Korea's post-1997 economic growth. China backed the International Monetary Fund rescue efforts for South Korea after the Asian Financial Crisis. China committed not to devalue renminbi to compete with exports from South Korea.²⁵ Furthermore, China replaced the United States and became South Korea's largest trading partner in 2004 with a trade surplus for South Korea of \$20 billion. China also shared common foreign policy interests with South Korea. South Korea government welcomed the improved ties with China because they diversified South Korean foreign policy options, reduced dependency on the United States, secured South Korean interests on the Korean Peninsula by holding four-party and six-party talks and hedged against Japanese power.²⁶ China's peaceful rise and development was also warmly welcomed.

Sino-South Korean relations became complicated when South Korea recognized the willingness of China to perpetuate the North Korean state as a buffer and the prevailing division on the Korean Peninsula. The number of South Korean policy experts who have questioned China's willingness and sincerity in pressing North Korea to resolve the Korean problem has been increasing.²⁷ Sino-South Korean relations are also complicated by the balance of power between China on one side and the United States and Japan on the other side. China perceives the United States, which interferes in other's internal affairs, as hegemonic and expansionist in the region.²⁸ However, the United States hopes to maintain its troop and alliance relationship with South Korea. South Korea would like to act as a "balancer" to maintain the alliance with the United States while improving relations with China. In spite of this, China still manages a good relationship with South Korea in promoting the security and stability of Korean Peninsula.

²⁵ Sutter, Robert G. *China's Rise in Asia: Promises and Pitfalls*. Lanham: Rowman & Littlefield Publishers, 2005. 157.

²⁶ Sutter, Robert G. *Chinese Foreign Relations: Power and Policy since the Cold War*. Lanham: Rowman & Littlefield Publishers, 2008. 240-241.

²⁷ Jae, Ho Chung. "South Korea between Eagle and Dragon: Perceptual Ambivalence and Strategic Dilemma." *Asian Survey* 41.5 (2001): 787.

²⁸ Shambaugh, David. "China's Military Views the World: Ambivalent Security." *International Security* 24.3 (1999/2000): 61-67.

Mainland China-Taiwan relations

Mainland China and Taiwan began their antagonistic confrontation after 1949 when Kuomintang retreated to Taiwan. Their relationship seemed to improve in the early 1990s when Taiwan's Straits Exchange Foundation and Beijing's Association for Relations Across the Taiwan Strait held quasi-official negotiations to manage growing cross-Strait exchanges. A breakthrough of improvement in mainland China-Taiwan relations was achieved in 1992 when both mainland China and Taiwan agreed to belong to "One China" but with "different interpretations". However, in 1995, President Lee Teng-hui embarked on "a concerted effort to establish a separate international identity" for Taiwan.²⁹ The United States permitted Lee to visit Cornell University that provided an international perform to kick off his presidential election campaign in 1996, resulting in a series of missile tests conducted by China in waters surrounding Taiwan.

The rise of China has strengthened its military power over Taiwan. It prepared 700-800 short-range ballistic missiles based in the coastal provinces along the Taiwan Strait. Besides, it purchases or co-produces advanced air fighters and submarines from Russia. There are also large formations of elite troops trained for special operations, air assault and amphibious assault.³⁰ The rapid socio-economic development gives rise to strong sense of confidence and pride which promotes China's new nationalism. The emergence of new nationalism in China has made mainland Chinese unwilling to see Taiwan breaking away from the mainland. They are more willing to demand Chinese leaders to use force on Taiwan to unite mainland China and Taiwan if Taiwan claims independence.³¹ These indicators show that military confrontation along Taiwan Strait remains possible.

²⁹ Chu, Yun-han. "Making Sense of Beijing's Policy Toward Taiwan: The Prospect of Cross-Strait Relations During the Jiang Zemin Era." *China Under Jiang Zemin*. Ed. Tien Hung-mao and Chu Yun-han. Boulder: Lynne Rienner, 2000. 205.

³⁰ Horowitz, Shale, and Tan, Alexander C. "Rising China versus Estranged Taiwan." *Identity and Change in East Asian Conflicts*. Ed. Shale Horowitz, Uk Heo, Alexander C. Tan. New York: Palgrave Macmillan, 2007. 117-118.

³¹ Zheng, Yongnian, and Lye, Liang Fook. "China's New Nationalism and Cross-Strait Relations." *International Relations of Asia Pacific* 7.1 (2007) 48,53.

The current political context of Taiwan favours the easing of tensions across Taiwan Strait. The 2008 Legislative Yuan election and President Election in Taiwan banished the Democratic People's Party from holding executive and legislative power. The political pendulum swung back to the Kuomintang which won more than half of the seats in the Legislative Yuan and the office of president. The Kuomintang and Ma Ying-jeou, the newly elected president of the Republic of China, may alleviate the tensions built up in the era of Chen Shui-bian. In 2006, Ma in his trip to the United States publicly opposed independence. He pronounced to pursue the "Five Dos": resume negotiations with china on the basis of the "1999 consensus", reach a peace accord with confident-building measures, facilitate economic exchanges with the aim of eventually establishing a common market, work with China to boost Taiwan's presence in international bodies, and boost education and cultural exchanges. He also reiterates in his election platform to uphold "1992 consensus" and conduct pragmatic negotiations with mainland China in search of a mutually beneficial equilibrium. In his president inauguration speech, Ma said:

"I sincerely hope that the two sides of the Taiwan Strait can seize this historic opportunity to achieve peace and mutual prosperity. I want to reiterate that, based on the '1992 consensus', negotiations should resume at the earliest time possible"³²

Ma also vowed not to enter an arms race with China and acquire nuclear weapons or weapons of mass destruction. At least in the next four year, it is predicted that the mainland China-Taiwan relations will be improved under the presidency of Ma.

Sino-ASEAN relations

Under Jiang Zemin's rule, China put highest priority to major power relations although he supported regional cooperation. Hu Jintao, successor of Jiang Zemin, shifts his focuses on relations with Asian neighbours.³³ During the 1990s, ASEAN states fear

³² Chung, Lawrence. "Ma Offers Olive Branch as He Takes Over." *South China Morning Post* 21 May 2008: EDT1

³³ Shirk, Susan L. *China: Fragile Superpower*. Oxford: Oxford University Press, 2007. 111.

and respect China as the dominant power in East Asia simultaneously. Southeast Asian states were suspicious of the intention of China to re-create Sino-centric hierarchy under which states like Vietnam was unhappy about the subordination in the past. Distrust of China was also enhanced by the past history that China had supported communist insurgencies in Southeast Asia and had sought to use overseas Chinese to oppose established governments which had conflict of interests with China. In addition, China attacked U.S. alliances and “cold war thinking” and called for ASEAN states to turn away for American alliance system to pursue policies independent of U.S. leadership.³⁴ Many leaders of ASEAN states felt that Chinese rhetoric seemed to force them to choose either the United States or China. However, Chinese foreign policy took a shape shift toward moderation in 2001. China recognized ASEAN states worried about China’s intentions as China grows economically and militarily more powerful. It reduced its strong diplomatic pressure on Southeast Asia states regarding the United States and welcomed the American presence in the Asia-Pacific as a stabilizing factor as many leaders in Southeast Asia did not want to make a choice between China and the United States.³⁵

Major conflict between ASEAN states and China is the South China Sea Territorial disputes. The disputes involve many ASEAN states and China, all claiming that they have sovereignty over hundreds of miniscule islands, the Spratly Islands in particular, in the South China Sea that have rich deposits of oil and natural gas. There were several times that the claimants confronted with ones other militarily. For example, China dispelled the Vietnamese out of the Paracel Islands in 1974 and killed 72 Vietnamese in a skirmish over a reef in 1988. In 1994, China built new structures on Mischief Reef unilaterally. The Philippine armed forces arrested 55 Chinese fishermen who fished in the area. China took a revenge on Philippine by sending nine naval vessels to retake the reef. China has not relinquished its claims, but ASEAN and China signed

³⁴ Yahuda, Michael. “China’s Multilateralism and Regional Order.” *China Turns to Multilateralism: Foreign Policy and Regional Security*. Ed. Guoguang Wu and Helen Lansdowne. London: Routledge, 2008. 81.

³⁵ Sutter, *Chinese Foreign Relations: Power and Policy since the Cold War* 266-267.

“Declaration on Conduct in the South China Sea”, undertaking to resolve territorial disputes by peaceful means.

Notwithstanding the endeavour of China to promote a closer relationship with ASEAN, most Southeast Asian governments continue to hold serious reservations about China’s role. The rise of China brings back power politics to Southeast Asia. The security problems in the Taiwan Strait, Korean Peninsula, and the South China Sea encumber Southeast Asia with security dilemmas, making the region highly vulnerable to great power politics. Southeast Asia states are in favour of American presence in Southeast Asia to provide a security umbrella for the region although they have fewer options to oppose China explicitly due to geographic and historical reasons. Thailand and Vietnam moved forward with military ties with the United States in recent years.

China’s multilateralism

China’s economic strategy depends very much on openness to the stable international economy and political environment since its adopted economic reform and open door policy. Securing a “tranquil environment” is important to China because it could focus on its economic development without having to divert excessive resources to the military. Traditionally, China preferred bilateral relationships for the conduct of its diplomacy insomuch as it feared that multinational institutions tended to be controlled by great powers. Over the past decade, however, China has embraced multilateralism as a means to work with neighbouring states in East Asia.³⁶ It has fostered the development of multilateral institutions, namely the AFT, the Shanghai Cooperation Organization and the six-party talks on North Korean nuclear issues, to promote regional order and stability.

China initially viewed the launching of the ARF by the Association of Southeast Asian Nations (ASEAN) in 1994 with reservations since China still entertained the suspicion that the ARF was driven principally by American interests. In 1996, building on the Five Principles of Peaceful Co-existence, China enunciated the “New Security Concept” to increase its security through diplomatic and economic interaction. This

³⁶ Yahuda. *Op. cit.* 75.

security policy influenced China's attitudes towards multilateral institutions. China in 1997 became an active participant both in the ARF and the Council for Security Cooperation in the Asia Pacific which is a non-governmental process for dialogue on security issues in Asia Pacific.³⁷ Besides, it also deepened its relations with ASEAN states by initiating the APT forum which linked the ten Southeast Asian states with China, South Korea and Japan. China even proposed ASEAN-China Free Trade Area in 2000 to promote economic integration among East Asian states. China's growing economic weight in the region and economic interdependence contribute to overall regional political stability by increasing the cost of war.

The breach of Agreed Framework by North Korea in 2002 and North Korea proceeding with its nuclear programmes threatened regional stability. Unlike its inactive role in 1994, China began to take a more active international role in seeking a solution to nuclear issue. It took the lead in arranging and hosting six-party talks, comprising North Korea, South Korean, China, the United States, Japan and Russia. To bring North Korea to the negotiating table, China provided North Korea with extra economic aid and investment. In several rounds of six-party talks, China played a constructive role in mediating the conflict between the United States and North Korea and facilitating the process. In the seventh round of six-party talks, North Korea agreed to disable all nuclear facilities and provide a complete and correct declaration of all its nuclear programs.

Although China's new multilateralism resolved some regional problems and maintains regional order and stability, it is flawed in tackling the Taiwan problem. China has sought to promote the norm of sovereignty in its embracement of multilateralism. The principles of sovereignty, territorial integrity and non-interference in domestic affairs are strongly embedded in China's multilateralism. Taiwan issue is obviously posing a threat to peace and stability of the region where all the other states in the region have interests in it. Nonetheless, China defines the problem as a domestic issue and prevents the escalation of the issue to the regional level. Taiwan is excluded from regional institutions

³⁷ Dittmer, Lowell. "China's New Internationalism." *China Turns to Multilateralism: Foreign Policy and Regional Security*. Ed. Guoguang Wu and Helen Lansdowne. London: Routledge, 2008. 28.

such as the APT and ARF. China also demands other states to comply with one-China policy and not to contact any Taiwanese political leaders.

Conclusion

The results of China to promote regional order and stability are mixed. On the one hand, China cannot act as a core or leading state to dominate the region to promote peace and stability in its rise through bilateral relations although it is not the aim of China to be a hegemonic power. The striking example is the deviation of North Korea from the control under China. On the other hand, China's active foreign policy to promote multilateralism at regional level is quite successful in resolving regional problems and thus enhancing regional order and stability. However, these two measures fails to address domestic affairs of East Asian States which have the effect of disrupting regional order and stability as the norms of sovereignty and non-intervention are prominent values in East Asia. As China is rising both in the region and globe, it should act as a responsible power to adopt the values of the international system and acts in support of existing international arrangements to strengthen its role in stabilizing conflict-prone East Asia.

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