

## A Message From CAPI's Director, Andrew Harding



Welcome to CAPI's first electronic newsletter and the Centre's new website!

We have long been considering moving to an electronic newsletter: the new format allows us to include more content and update more frequently; it can also be more easily passed on by readers to others who might be interested in reading about, or participating in, the activities of the Centre. It also lessens the pile of paper on your desk, and saves on mailing costs from Vancouver Island to all parts of the globe. We hope you will enjoy the newsletter, and also take the time to [visit our website](#). We would like to hear from you as well: please send

any comments you may have about our e-newsletter, our website, and our programs, to us at [capi@uvic.ca](mailto:capi@uvic.ca).

This has been an eventful period for the Centre. The scholarly activities of our program chairs have continued to result in important academic publications, many of them arising from conferences and research projects connected to the Centre. Guoguang Wu and Helen Lansdowne recently celebrated the third in a series of edited volumes published by Routledge on China with *Socialist China, Capitalist China*; and my own publications include an edited volume, to be published shortly, again by Routledge, from CAPI's 2007 conference on "New Courts in Asia." We remain without a chair in Japan and Asia Pacific Relations, and plan to fill that void for the time being with visitorships at the Centre by scholars whose research focuses on Japan and its impact on the region; the first two of these will be on business and law respectively, and we will include reports on these as our visitors join the Centre. Also this year, we have sent a larger number of interns than ever before to placements across the Asia-Pacific region, providing young Canadians with the experience of a lifetime, the chance to learn about the diverse nations of Asia and the Pacific, and, in many cases, to lay the foundations for careers.

CAPI has grand plans for the future: following our departure from our offices in the University of Victoria's Law building to the current temporary quarters, we look to expanding in the coming year to a space that can accommodate our personnel and our ambitions, allowing us to develop more academic and professional initiatives. These will take place under new leadership: Richard King came to the end of his five-year term as Director of CAPI in June 2009, and I took over as CAPI Director on July 1, retaining my position as CAPI Law Chair. We all want to thank Richard very much for his wonderful efforts for CAPI over the last five years and wish him well as he returns full-time to the Department of Pacific and Asian Studies.

# Opinion Piece: Ho Chi Minh's Democracy at Work on the Coast of Vietnam

By Peter Rosenbluth



In Vietnam, a country of over 85 million people, nearly one quarter of the population lives in the coastal zone and over 10% of people in Vietnam derive their primary source of income from fishing and other maritime activities. Not surprisingly, the sea thus looms large in Vietnamese geography, economy and culture. It was therefore surprising when at a recent lecture in Hanoi, John Kleinen, an anthropologist who has spent much of his life studying maritime culture in Vietnam, described the

country as one that had turned its back on the sea - and in many ways it has.

Traditional community-based methods for managing the resources of the sea have been forgotten amidst the whirlwind institutional reforms of colonialism, communism and 'doi moi' - the economic liberalization policies of 1986. While the country has shifted its focus from rebuilding after nearly a quarter century of war to a mindset of economic growth above all, many have come to see the sea as little more than a source of wealth and a sink for waste. For a long time now, Vietnam's back has been turned to the impact that its development has had on the health of the sea, and signs of environmental fatigue are starting to show.

In recent years, the number of fish caught in coastal waters has reached a plateau despite the fact that fishing capacity has been steadily increasing for the last 15 years - a strong indication of collapsing fish stocks. Furthermore, many productive marine ecosystems and breeding grounds for marine species are in danger from pollution, over-fishing, land transformation and destructive harvesting techniques. Perhaps of most concern are Vietnam's coral reefs - ecosystems that have been compared to tropical rainforests due to their biological richness and global significance. Of the remaining intact reefs, 96% are in critical condition and have been classified as under severe threat from human activities.

However this is not just an environmental issue. Many of Vietnam's poorest communities are concentrated along the coast where small scale fisher folk struggle to make a living. In a pattern increasingly familiar worldwide, it is these rural poor who are disproportionately bearing the costs of environmental negligence. Without the necessary savings to upgrade their boats and move their fishing activities further offshore, and often without the necessary capital, knowledge or skills to invest in new livelihoods, more and more people are left trying to eke out a living catching fewer and fewer fish.

Many are beginning to realize what is at stake if important marine services and resources are not conserved and Vietnam is now starting to turn back to the sea. Amidst all of the national decrees and action plans, an interesting approach is emerging. Communities are starting to take charge

of the management of their own marine areas and the government, at least so far, is cautiously supportive.



In Van Hung commune on the central coast, community members have organized to establish the Trao Reef Marine Reserve, the first locally managed marine reserve in Vietnam. Assisted by a local NGO, the Centre for Marinelife Conservation and Community Development, they have developed community regulations to preserve their coral reef and, in doing so, have protected a spawning ground important to the local fisher folk. The project has also focused on raising environmental awareness, exploring alternate (and more sustainable)

income generating activities, and developing and strengthening leadership and management skills in the community.

What's more, other communities have started to take note. Communes in neighbouring Ninh Thuan and Quang Nam provinces have met with the people of Van Hung and taken steps to protect their own coral reefs using similar locally-managed reserves. In northern Vietnam the people of Phu Long commune have established a marine management area and are protecting mangrove forests that serve both as sanctuaries for marine life as well as a buffer from coastal flooding. Meanwhile the Ministry of Fisheries has been promoting pilot fisheries projects that are collaboratively managed by fishing communities and the local authorities.



The principle behind this community-based approach is relatively simple. By giving the fishing communities a stake in the management of the resources that supply their livelihoods, they will have an incentive to invest in their own futures through the wise use of those resources. Furthermore, by developing community institutions to manage fish and other common resources for the collective good, the unsustainable depletion of those resources by individuals acting only in their own self-interest (a phenomenon famously dubbed "the Tragedy of

the Commons" by ecologist Garrett Hardin) can be avoided. Other benefits from this approach include the ability to tap into local knowledge, flexibility to address community specific conditions and needs, and the development of management skills, environmental awareness and community pride.

This community-based approach has proven successful in helping to meet national conservation goals elsewhere in the Asia-Pacific region, most notably in Polynesia where many traditional marine management practices are currently being revived. However, in highly centralized Vietnam, planning has conventionally come from the top-down. Although Ho Chi Minh, the long-time president and national hero, wanted his country to be one where "the people know, the people discuss, the people do and the people appraise", rarely does this kind of participatory democracy occur in practice. This is why places like Trao Reef Marine Reserve are so

remarkable. Unlike many other parts of Vietnam, in these places it is the local people who are beginning to organize, articulate their own goals and needs and, ultimately, shoulder responsibility for their own futures.

Meanwhile, the environmental situation on Vietnam's coasts continues to be a problem of massive proportions and it remains to be seen if a community-based approach will be able to contribute significantly to a national marine protection strategy. Daunting macro-level challenges still need to be addressed, not the least of which are the mushrooming population on an already crowded coast and the fact that further development of the coastal area and the fisheries sector are key elements of the National Socioeconomic Development Plan. However, amidst these challenges, at least one positive outcome is emerging: poor fishing communities are beginning to find their voices and through the efforts to conserve their local resources are starting to bring Ho Chi Minh's democracy to the coast.

[Peter Rosenbluth](#) worked as a Program Officer with the [Centre for Marinelife Conservation and Community Development](#) in Hanoi, Vietnam, as part of CAPI's 2007-08 [Internship Program](#). He is a graduate of York University's Masters in Environmental Studies Program, and has an undergraduate degree in Environmental Sciences from McGill University. Peter currently lives and works in Thunder Bay, Ontario.

As a regular feature in [Asia-Pacific News](#), Opinion Piece invites members of CAPI's broader network to explore Asia-Pacific issues from a more personal angle. The opinions expressed in Opinion Piece solely reflect the views of the author and should not be seen as representative of CAPI's views in any way.

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## **Special Economic Zones in Asian Market Economies: What Next for SEZs?**

By Andrew Harding

From February 14 to 15, 2009, CAPI, in conjunction with the Faculty of Law of Kyushu University (Fukuoka, Japan), together with the Faculty of Management of Royal Roads University (Victoria, Canada) jointly organized a highly successful conference on "[Special Economic Zones in Asian Market Economies: \['SEZAME'\] What Next for SEZs?](#)" held at Kyushu University's Nishijin Plaza in Fukuoka. The Conference aimed to analyze and critique the law, policy, regulation, sustainability and outcomes of SEZs in Asia. CAPI Associate and Royal Roads University Professor [Connie Carter](#) spoke about 'Development and its Discontents: From exogenous to endogenous growth or rebalancing China's SEZ-driven law & development model', while CAPI Director [Andrew Harding](#) addressed 'The Indian Special Economic Zones Act 2005 and its Implications for Modelling the Law and Governance of Special Economic Zones.'

The following passage, by Andrew Harding, reflects on the intention of the conference as well as some conclusions supported by participants.

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# Reproductive Rights in Indonesia

By Hilary Gorman

## What do Reproductive Rights mean to Sex Workers in Indonesia? Researching the Knowledge, Practices, and Experiences of Young Female Sex Workers in Surabaya, Indonesia

Surabaya is a hot, steamy, busy, chaotic, and fascinating Southeast Asian city that is full of contrasts. The most prominent contrasts are the disparities between the city's wealthy minority and the impoverished majority, the distinction between the luxurious and simple, and the simultaneous existence of both the modern and the traditional. Sex work in Surabaya takes place in many different contexts: from the high-priced call girls and hostesses that work at exclusive men's clubs, to those who work at certain street locations and train stations earning far less.



Last year I spent several months in Surabaya conducting fieldwork for my Master's research project. My research examines how young socio-economically marginalized women working at the periphery of the sex industry experience reproductive rights. Evidence suggests that these young women have less access to information on reproductive health, are at greater risk for experiencing violence, and have limited power in negotiating condom use (Ricardo, Barker, Pulerwitz & Rocha, 2006; Wood, 2006). During my time in Surabaya I researched their experiences of reproductive rights by focusing on their reproductive health knowledge, practices, and life experiences. I examined their subjective experiences and the impact that poverty has on their reproductive rights. Reproductive rights are considered to be a key component of human rights, and include the right to have access to information and reproductive healthcare services, and to have or not have sex free of violence or coercion. Theoretically, Indonesia has endorsed reproductive rights through international agreements such as the International Conference on Population and Development's [Cairo Declaration](#) (1994) and the [Beijing Platform](#) (1995) but, as a nation, has yet to make significant progress in implementing these rights.



Qualitative research methods, including participant observation and in-depth interviews, were used to gain a deeper understanding of the lives of research participants. *Surabaya Hotline*, an HIV/AIDS focused NGO, offered me support in carrying out my research activities, and generously allowed me to stay at their office located within one of the *lokalisasi* (state

sanctioned brothel zones) with several members of the *Kelompok Kerja Berdaya* (Working Group for Empowerment). *Kelompok Kerja Berdaya* is a group of women who are former sex workers who now work as peer educators, providing information to current sex workers. Living in this location was extremely useful in being able to conduct participant observation.

Finding young women who wanted to become research participants was a significant challenge, and having knowledgeable research assistants proved to be integral to this part of the research process. Researching the lives of young women working at the margins of the sex industry in Surabaya involved many nights of *jalan-jalan* (going around) with my research assistants. Typical nights of *jalan-jalan* involved my research assistant Anis and I visiting some of the known locations where sex is sold. By frequenting these locations I was able to meet with, and get to know, young women who eventually became research participants. These young women worked at various locations including discos, street locations, and at the *Wonokromo* train station, where I encountered the most repressive conditions.

When *Wonokromo* station is mentioned in conversation, people would often respond *Bahaya!* (Dangerous!). At *Wonokromo* train station female and *waria* (male to female transvestite) sex workers work under extremely poor and risky conditions. Facilities are limited and typically sex takes place outside on the ground on top of pieces of newspaper. Between customers these women wash themselves near the river before returning to work.



*Photo: Wonokromo train station in Surabaya*

Siti<sup>[1]</sup> is a 25 year old from Surabaya. Having worked at both disco and street locations in the past, she moved to *Wonokromo* station to escape the police presence that threatened her work environment. At the disco and street locations she was able to earn twelve times more per encounter than what she is able to earn now working at *Wonokromo*. Hence, she must take more clients to make ends meet. By moving to *Wonokromo* station she feels the police threat has

decreased; however the increase in clientele brings with it an increased risk of violent encounters and exposure to sexually transmitted infections (STI) or HIV.

In my research I found that many of the participants engaged in risky sexual practices and have low condom use rates. In some cases this is due to a lack of knowledge on the subject of reproductive health, in other cases it is due to a lack of negotiating power. Yuli is 18 years old and from a town in East Java province. She has been working at *Wonokromo* station for three years. Typically, she serves three to five clients a night, and works every night except when there are *operasi* (police raids). Her knowledge on transmission, and the means for protecting herself from STI and HIV, is extremely limited. She has heard about condoms, but has not ever actually used one. Part of my research involved giving information on reproductive health that explained the risks of STI and HIV and how transmission can be prevented through condom use. After demonstrating how to use a condom and trying it herself, I asked her how many condoms she wanted out of the box of about 250 condoms. She responded that she wanted five. When I asked why she did not want more, she said none of her clients would want to use them anyway, so why would she take more. Yuli's situation shows the complexity of how a lack of knowledge and a lack of negotiating power can impede young female sex workers' rights to have safer sex.

My research suggests that concepts of reproductive rights and human rights have had little impact on the lives of socio-economically marginalized young women engaged in sex work in Surabaya. As a recipient of the [CAPI Language Fellowship](#), I was able to improve my existing language skills by taking intensive Indonesian language courses offered through the University of Surabaya. Communicating effectively with the research participants in Indonesian was essential, as it allowed me to develop a rapport with the research participants, to conduct in-depth interviews, and to apply participant observation techniques to gain insight into the lives and experiences of young female sex workers and the conditions under which they work and live.

[1] Pseudonyms have been used to protect the identities of the research participants.

## References:

Ricardo, C, Barker, G. Pulerwitz, J. & Rocha, V. (2006). Gender, sexual behaviour and vulnerability among young people. In R. Ingham & P. Aggleton (Eds.) *Promoting Young People's Sexual Health: International Perspectives*. (pp. 61-78). New York: Routledge.

Wood, K. (2006). Sexual violence and young people's sexual health in developing countries: intersections. In R. Ingham & P. Aggleton (Eds.) *Promoting young people's sexual health: International perspectives*. (pp. 113-133). New York: Routledge.

After completing her research, [Hilary Gorman](#) worked as a Project Assistant with the [Pacific Islands AIDS Foundation](#) (PIAF) in Rarotonga, Cook Islands as part of CAPI's 2008-09 [International Internship Program](#). She is currently working as the Research Officer for PIAF, on a project that focuses on woman and HIV in the Pacific.

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## Focus On...Stacey Lambert, CAPI Associate

[Stacey Lambert](#), a former CAPI intern, is our newest and youngest Associate. Having just completed her articling year in Vancouver with Caroline and Gislason Lawyers, a progressive law firm with a focus on human rights, Stacey was called to the Bar of British Columbia in September of 2009. Although her interests and career aspirations are not centered on the practice of law, she hopes that her legal education will contribute to her ability to pursue a career in international development.

Stacey earned a BA in Political Science and French from the University of Victoria and a law degree from the University of Ottawa with specializations in both international and social justice law. During her time in Ottawa, Stacey was heavily involved in pro-bono work involving several systemic discrimination complaints before the Ontario Human Rights Commission, with the Canadian Lawyers Association for International Human Rights, and with the 'No Means No' program of the Women's Legal Education and Action Fund. Stacey also worked as a Gender Equality Analyst for both Citizenship and Immigration Canada and Indian and Northern Affairs Canada, and as a Policy Analyst and Programme Officer with the Canadian International Development Agency.



Photos (left to right): Stacey with Thun Saray, President of ADHOC; ADHOC outreach session on the ECCC

As a CAPI intern in Phnom Penh, Cambodia from July 2007 to February 2008, Stacey worked as a Legal Advisor with the [Cambodia Human Rights and Development Association](#) (ADHOC) in their Khmer Rouge Trial and International Criminal Court Programme. Her work with ADHOC involved writing legal briefs to the Extraordinary Chambers in the Courts of Cambodia (ECCC), providing legal and logistical support to victims appearing as civil parties before the court, coordinating and conducting community education sessions, and conducting advocacy and monitoring activities. Stacey's placement sparked within her a passion for working in the field, and she describes the experience as "golden", despite the many difficulties accompanying such work. In a March 2009 talk given by Stacey at one of CAPI's Brown Bag lectures, she described

how issues of corruption and power were often part of her daily working life, giving her a real appreciation for the difficulties that a country like Cambodia faces.

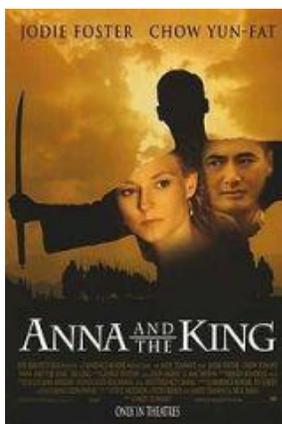
Having completed her articling year, Stacey is considering the future. There is no doubt that she would like to go abroad, possibly back to Cambodia, and continue working in human rights and development. Her passion and long-term commitment to refugee and migrant rights (including work with individuals who are experiencing displacement from mass atrocity), gender issues (particularly relating to reproductive rights and sexualized violence), and the establishment of rule of law, evident in her extensive volunteer, education and work experience, will hopefully give her the edge that is needed to break into the field professionally.

**Focus On...** is a regular feature in [Asia-Pacific News](#) and allows us to feature some of the talent and expertise that exists in CAPI's extensive network of Associates and advisors. Look for **Focus On...** in our next issue.

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## Arts & Minds: Anna and the King and Asian Legal Systems

By Andrew Harding



*Anna and the King* (20<sup>th</sup> Century Fox, 1999) contains a story-within-a-story which anybody who has seen the movie will easily recall. Tuptim, a young woman belonging to the harem of King Mongkut of Siam (Rama IV), elopes with her young lover Balat, a priest. She is discovered disguised as a male novice in Balat's monastery and is brought before the court in chains to be tried and punished. Anna Leonowens looks on as Tuptim and Balat, who have clearly been tortured, are accused of treason, a crime carrying the penalty of death. Anna tries to intervene as Tuptim's pleas for individual freedom in the matter of love fall on deaf ears and lead only to a brutal caning. Anna then goes directly to the King to plead for mercy in Tuptim's case. The King argues angrily that it is none of her concern; that Anna has now made it impossible for him to intervene ("What, after they have been tortured?" "Yes!", replies the King); that he would be seen to have given in to the entreaties of a foreign woman; to show weakness when strength was needed to keep the country together; that now was not the time to change things (Anna: "If not now, then when?"). Anna storms out. Tuptim and Balat are executed to great public applause. Anna is traumatised and chastened by this turn of events. King Mongkut is also traumatised and the episode ends with him prostrated before the Buddha in sheer moral agony.

The story sets up a clear dichotomy between Anna, standing for love, individual autonomy, progress, justice and from-heaven-dropping mercy; and the King, standing for stability, traditional values, strong government, collective interest and the necessity sometimes, yes, of cruelty. Yet at another level it achieves more than that. The King's patrimonial anger is not what it seems. It also conceals a desire for something better but frustration that his plan to intervene has been prevented by Anna's own interference. Anna's anger on the other hand, borne of a libertarian's courage and humanity, also conceals the shallowness of ambitious idealism. What

emerges is a double tragedy: the cruel deaths of two young innocents; and the frustration of good moral intentions through cultural misunderstanding.

I have no idea if the story itself is true. It probably doesn't matter. Whether it correctly or fairly portrays Siam's legal system circa 1860 is however open to doubt. From the perspective of European observers such as Anna Leonowens it certainly seemed feudal, cruel and corrupt. Yet those are descriptions which could, uncomfortably recently, have been equally reasonably levelled at European legal systems. The fact is that both European and Siamese law were going through a period of profound change. Anna was a great admirer of Abraham Lincoln and the abolition of slavery; the abolition of slavery in Siam in fact began very shortly after its abolition in the United States and Russia. King Mongkut himself was no stranger to European rationality or a sense of individual rights and justice. He established the principle of free individual choice in marriage; and at Waco in Southern Thailand in 1868 he correctly predicted an eclipse of the sun using European science and mathematics. In these things he regarded himself as a good Buddhist, a scientist, and a progressive, if absolute, monarch (he had been a monk for 20 years before becoming King and had reformed the Buddhist Sangha).

Unfortunately at Waco, Mongkut caught malaria and, returning to Bangkok, died a few days later. He was succeeded by his son who became Chulalongkorn the Great (Rama V), an innovator who built a modern state on the foundations laid by his father. The ultimate irony of all of this is that Chulalongkorn's teacher was none other than Anna Leonowens. It is surely significant that on his accession he began the process of freeing the slaves and changing his subjects into citizens. He remained grateful to Anna throughout his life but in later times he met her and chastised her because in her account of her time in Siam she had defamed his father as a bad-tempered tyrant. For that he could not forgive her.

"Anna and the King" was filmed in Malaysia with Chinese actors and was banned in Thailand, not because it portrayed Siam as cruel and backward, but because it portrayed King Mongkut, a saint in Thai understanding, as a man who flirted with a foreign woman and as less than a perfect human being. Thai law still inflicts heavy punishments on both Thais and foreigners for *lese majeste*. *Anna and the King* grossed nearly US\$40 million.

As a regular feature in [Asia-Pacific News](#), Arts & Minds invites members of the CAPI community to explore the visual arts, film, music, literature, theatre and dance in the Asia-Pacific region. We look forward to hearing from you!

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## What's New at CAPI

### CAPI Welcomes New Director

CAPI recently experienced a change in leadership with the completion of [Richard King's](#) five-year term as Director in late June of this year. We had a busy and fruitful five years under Richard's direction, and deeply appreciated the sense of collegiality and the level of commitment that he brought to his work at CAPI. We want to thank Richard for all that he contributed to the Centre, and wish him well as he returns full-time to teaching and research in the Department of Pacific and Asian Studies.



The Centre's new Director, as of July 2009, is [Andrew Harding](#), CAPI's Chair in Asia-Pacific Legal Relations and a Law Professor with the University of Victoria's Faculty of Law. We welcome Andrew to his new role at the Centre, and look forward to working more closely with him in the coming years.

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## Listen to CAPI Events and Stories Online

We are very pleased to announce the launch of our podcast initiative with two exciting series: [Asia Pacific Matters: CAPI Interns Abroad and Beyond](#) and [CAPI Lunch and Learn](#)!



The first series will feature interviews and personal reports from our wonderful interns abroad, highlighting the valuable work of the interns and their host organizations. And if you miss one of our [CAPI Lunch and Learn](#) talks, you can now hear them at home or on your iPod! One of the recent podcasts in this series features CAPI Associate, [James Boutilier](#) speaking on the topic: [Is an Arms Race Underway in Asia](#).

CAPI podcasts are now available on our [website](#), online on [My Podcast World](#), and on iTunes. Subscribe to our [RSS feed](#) to automatically receive all of our new podcasts.

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## A Farewell to CAPI Secretary, Stella Chan

By Richard King

In early 2009, CAPI organized a reception at UVic's University Club to celebrate [Stella Chan](#), the Centre's secretary since the establishment of CAPI in 1987. Stella has since moved from the Centre to the position of senior secretary in the Department of Psychology. Three former CAPI directors were on hand to praise her many contributions over the years, including founding director [Ralph Huenemann](#), and his successor [Bill Neilson](#), who led the Centre for twelve years. Following are my notes for comments made on that occasion:

"Last Friday, the final working day of the old year in the lunar calendar, Stella spent her last day at CAPI. This Monday, the first day of the year of the Ox, her own birth sign, was the perfectly auspicious day for her to begin her new position at the Department of Psychology. Our loss is their gain, and we wish Stella and her new colleagues every success in the coming years.



Photo (from left to right): Andrew Harding, Wu Guoguang, Heidi Tyedmers, Stella Chan, Richard King, and Helen Lansdowne.

We are here to celebrate the more than twenty years Stella spent at CAPI. She joined the Centre as its founding secretary and was the consistent and reliable presence in the office while others came and went - directors, program chairs, assistant directors,

program directors, visitors, executive committee members and associates, interns, co-op students and student coordinators, conference participants and more. Everyone she has dealt with admires, appreciates, and likes her. I can say the same for the rest of the people who know her on campus, as friends, many of them here today, or merely as acquaintances. We have all been blessed by her kindness, her patience, and some of us also by the supply of chocolates she produced in times of need from the chamber of secrets that was her desk.

I've known Stella for more than twenty years, since my wife Sandra and I arrived in Victoria, and Sandra started work at CAPI. It's only in the last four and a half years, since current Southeast Asian Law Chair Andrew Harding, China Chair Wu Guoguang, and I joined the Centre, that I've come to know her as a colleague. I cannot tell you how much I respect her skills in director-management: files that went missing in my office were miraculously recovered; appointments I had forgotten were remembered by her in the nick of time; things I should have done were casually mentioned to remind me they were overdue; and so much more.

One thing that happened in my term here sums up for me the kind of person Stella is. Many of you will know that she suffered a serious accident that kept her away for several months. Despite the considerable pain she was suffering, she was patient, uncomplaining, and forgiving throughout the process. During the long period of her convalescence and rehabilitation, she made herself available to advise us and the people who filled in for her on how to do things and where to find things, and when she returned, she was determined to do everything she had done before and more, despite the lingering effects of her injury.

Having Stella as a colleague has been one of the many great joys of working at CAPI. I have watched her dealing with dignitaries, visiting scholars, colleagues, students, people who came in to deliver mail, fix lights, use the phone, or ask for directions to somewhere else. No matter who it was, everyone was treated with the same combination of warmth, respect and charm. There's nobody else quite in her league.

Stella, it has been an honour to work with you and to know you. Thank you!"

## Student and Intern Stories

### CAPI Internship Program Update

CAPI's 2009-10 [International Internship Program](#) is thriving with thirteen placements funded by the [Canadian International Development Agency](#) through the Association of Universities and Colleges of Canada's [Students for Development Program](#). These placements started in the late summer and early fall of 2009 and will run until the spring of 2010. In their placements, interns are working on issues from conservation, food security and youth engagement in China, to migrant's rights and the rights of women in the Philippines.



In our first year offering placements in China, CAPI is thrilled to be partnered with [Future Generations China](#) where UVic students [Raya Yampolsky](#) and [Dylan Sherlock](#) have been documenting events surrounding the 2009 Green Long March. One of their first assignments took them to Inner Mongolia to follow the Grasslands Route of the March. Read more about Dylan and Raya's experiences and their work at Future Generations on our [CAPI Intern Blog](#).

In addition to the placements in Beijing, CAPI has sent eleven UVic students to the Philippines this year, to work in exciting internship positions in Quezon City and Los Banos. [Loubna Amarir](#) and [Justine Little](#) are working at the [Center for Migrant Advocacy](#); [Patrick O'Neill](#), [Cindy Jiang](#) and [Melanie Matining](#) are with [Migrant Forum in Asia](#); [Saje FitzGerald](#) and [Jessica Ly](#) are working at the [Women and Gender Institute](#) at Miriam College; [Anne Mitaru](#) and [Linley Faulkner](#), are working with [Development Alternatives with Women for a New Era](#); and [Jackie Ziegler](#) and [Celeste Dempster](#) are working with the [WorldFish Center](#). Find out more about our current interns and see how their placements are progressing on our [webpage](#) and on our [intern blog](#).

In the coming year we hope to be able to offer more placements through CIDA's International Youth Internship Program, and hope to continue to be able to offer experiential learning opportunities to UVic students through the Students for Development Program. Anyone interested in the program and new opportunities is encouraged to subscribe to our Internships RSS Feed available on our [Internship opportunities](#) page.

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## A Note from CAPI's Student Language Fellowship Recipient on her Bahasa Intensive

By Nicola Bancroft, Department of Pacific and Asian Studies



Thanks to CAPI's [Student Language Fellowship](#), in December 2008 I participated in a three-week intensive Bahasa Indonesia course in Jogjakarta, Indonesia. My trip was filled with never-ending activities - visiting beautiful temples, watching *wayang kulit* (shadow puppet) performances, and best of all, practicing my Bahasa! Unlike my visits to Bali, in Jogja I was able to fully immerse myself in the language. The Puri Bahasa Language School offered a one-on-one course, meaning that my short time at the school proved extremely

worthwhile. Through CAPI's support, my Indonesian language skills have improved ten-fold, and my interest in Indonesia grows more with each visit. With my up-coming graduation this summer, I see my trip to Jogja and Jakarta as setting the platform for possible graduate work focused on this region of the Asia-Pacific.

Two [CAPI Student Fellowships](#) are available on an annual basis to support student research and study in the Asia-Pacific region. To encourage excellence in research on the Asia-Pacific region, CAPI offers a **Student Research Fellowship**, and to support the study of languages of the Asia-Pacific region, CAPI offers a **Student Language Fellowship**. If you are a UVic student who is interested or if you need more information, we would love to [hear from you!](#)

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## Awards and Recognition

### Joseph Kess Receives Prestigious Japanese Award

[The Order of the Rising Sun](#), one of Japan's most prestigious awards to foreign nationals, has been bestowed upon one of UVic and CAPI's very own. Officially announced on November 3, 2008, by His Excellency Mr. Hirofumi Nakasone, Minister of Foreign Affairs for Japan, [Joseph F. Kess](#) was one of three Canadians to receive the award.



Professor Emeritus in Linguistics at UVic, Joseph Kess is the Emeritus Chair in Japan and Asia-Pacific Relations at CAPI, a Fellow of the Royal Society of Canada, and will be appointed as an External Adviser to the newly reorganized National Institute for Japanese Language and Linguistics in Tokyo. The award recognizes Joe's exceptional contributions to a greater understanding of Japan through the many facets of his professional career. His accomplishments include contributions to hundreds of publications and presentations on topics including psycholinguistics, sociolinguistics, and the relationship between language,

ethnicity, and the discourse of identity in Japan and among Japanese Canadians. The award also acknowledges his excellence as a teacher and his commitment to and involvement in CAPI, all which have served to increase knowledge and awareness about Japan in Canada.

The "Order of the Rising Sun, Gold Rays with Neck Ribbon", was presented to Joseph Kess on December 10, 2008 at a ceremony in Vancouver hosted by then Consul General of Japan, Mr. Seiichi Otsuka. In the above photo Joseph Kess and his wife Anita Kess are standing with Consul General Otsuka and his wife Haruhi Otsuka.

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### Jeremy Webber Named 2009 Trudeau Fellow

CAPI Executive Committee member and UVic law professor [Jeremy Webber](#) has been named one of four new [Trudeau Fellows](#) by the Pierre Elliott Trudeau Foundation. The prestigious academic award honours his innovative research into the constitutional structure of democratic governance, as well as the opportunities and challenges presented by a culturally diverse society.



Jeremy has just completed a term as Director of the Graduate Program in Law and Society at UVic and holds the [Canada Research Chair in Law and Society](#) at the University. Previously, he served for more than four years as Dean of Law at the University of Sydney in Australia and eleven years on the Faculty of Law at McGill University.

Jeremy has a BA in Political Science from the University of British Columbia, Common Law and Civil Law degrees from McGill University and a Master of Laws degree from Osgoode Hall. He is a renowned scholar and author in the areas of legal and political theory, cultural diversity, constitutional theory and Indigenous rights, and has written numerous publications on labour relations, Indigenous rights in Canada and Australia, the relationship between Quebec and the rest of Canada, issues of nationhood and cultural minorities, and questions of constitutional design and interpretation.

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## **Douglas Johnston Recognized for Contributions to International Law**

CAPI is honoured to announce that Douglas Johnston has been awarded the annual [Preeminent Contribution to Creative Scholarship Award](#) by the [American Society of International Law](#). The Award is in recognition of his posthumously published monumental book, [The Historical Foundations of World Order: The Tower and the Arena](#), as well as his significant contributions to the study of international law.

The late Douglas Johnston was a UVic Law professor (beginning in 1987) and was later named Professor Emeritus with the Faculty of Law. He was a CAPI Distinguished Senior Fellow and the first holder of the [CAPI Chair in Asia-Pacific Legal Relations](#) from his appointment in 1987 to his retirement in 1995. Most of his published works (a remarkable collection of about 30 books and 90 articles) are in the field of marine and environmental law and policy, but Douglas also wrote about and taught a broad range of subjects in international and comparative law, public law, legal theory, international relations, modern Chinese history, and Chinese government and politics.

In 1987 he brought the Canadian arm of SEAPOL (the Southeast Asian Programme in Ocean Law, Policy and Management) to UVic, which has been administered in Bangkok since its inception in 1981. SEAPOL, funded principally by IDRC and CIDA, is the oldest and largest regional network of its kind, and has provided a springboard into Northeast Asia and the Pacific Islands region. Before his retirement he organized a comparative law initiative involving several colleagues at the UVic Law School, which resulted in the publication of *Asia Pacific Legal Development* (Vancouver, UBC Press, 1998), co-edited with Gerry Ferguson. During his four-year post-retirement appointment with the National University of Singapore, he helped develop the Southeast Asia Program in Ocean Law, and co-edited, with Linda Low, the book-length publication *Singapore Inc.: Public Policy Options in the Third Millennium* (Singapore: Asia Pacific Press, 2001).

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## CAPI 2009 Student Essay Prize Winner



Congratulations to Michael Pickering, CAPI's 2009 Student Essay Prize winner! Michael's essay, [Neoliberal Nomads: Sustainable Development and Enclosure on the Tibetan Plateau](#), is the culmination of his thesis research as he prepares to complete an undergraduate degree in Pacific and Asian Studies and Environmental Studies at UVic. The essay takes a critical look at sustainable development projects and Chinese government policies particularly as they relate to land degradation in China and the disruption of traditional grazing practices of nomadic peoples on the Tibetan Plateau.

CAPI offers a [Student Essay Prize](#) valued at \$500 each year, to encourage and support excellence in student research on the Asia-Pacific region at UVic.

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## The Phenomenon of Women Entrepreneurship in Japan: A Study



CAPI is delighted to announce that Dr. Aegean Leung is the recipient of our [Japan Program Visitorship](#) for the Fall of 2009. Dr. Leung's research will centre on woman and entrepreneurship in Japan, and the potential implications for institutional change within Japan and beyond. The project will be conducted in collaboration with scholars in Japan, as well as with colleagues here in Canada, and with the support and involvement of UVic's [BC Institute for Cooperative Studies](#).

In a culture that does not seem to favor entrepreneurship, where conformity is valued over individualism, and where women's primary roles are within the family, there are a growing number of Japanese women choosing an entrepreneurial career. Dr. Leung's study will investigate the causes of such a surge in women's interests in entrepreneurship and the impact this may have as a force of change in Japanese society. Through a combined qualitative and quantitative approach to their research (such as collecting data through case studies, interviews and surveys), Aegean and her collaborators hope to better understand the personal and environmental factors that are motivating women entrepreneurs in Japan. The research outcome may bring to light that "woman power" could be the force needed to effect change in Japan's restrictive institutional environment, providing some of the solutions to the economic challenges Japan is facing as a nation.

Dr. Leung's research will culminate in a research paper for conference presentation, a guest lecture for *Cross National Management* (a 4<sup>th</sup> year course to UVic business students), and an international Research Forum at UVic in late January 2010.

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## **Reflections from the 2008-09 Anand-UVic Fund Recipient: Arunwadi Leewananthawet**

My Master of Fine Arts program for production and management in Theatre at UVic has finished and I am expecting to return home in August 2009. In Canada I have been working as a Production Management Assistant for the Theatre Arts Department, at the Banff Centre, in Alberta, Canada. During my four months of work experience at the Banff Centre, I will have the opportunity to apply and build on my academic background from the University of Victoria before I return to Thailand.

Apart from the academic work that I have accomplished in Victoria, I was also working as a Festival Technical Coordinator for Victoria's Belfry Theatre. I was interested in taking this position in order to gain more experience and understanding of how regional theatres operate in North America. Working in diverse organizations in Canada certainly helped me to hone my skills and knowledge in production management, as well as expand my network and develop my interpersonal skills to be able to work in a multicultural environment.

Being part of the Banff Summer Festival 2009 team to organize and put together the shows for the entire festival broadened my management mastery. It was a great opportunity to observe other departments, such as visual arts, music, new media and film, as well as attend artists' talks and seminars. From this, I gained more insight into how performing organizations have operated and been funded for over 75 years in a young country like Canada. I'm hoping to apply and adjust what I learned through these observations to suit the Thai context in terms of management and operations in Thai performing arts and the arts community.

My hope when I return to Bangkok is to assist the Dramatic Arts Department at Chulalongkorn University to establish production courses and organize the new theatre as well as the Performing Arts Research Centre that will be commencing next year. I am also planning to participate in, and integrate the production skills that I have learned, with the Bangkok Art and Cultural Centre and to try to bring arts activities and events to the centre.

I wish to continue my work on supporting Thai artists and organizing arts and performing arts activities in Bangkok and across the country. I will work towards connecting with other countries in Asia as well as internationally to bring international artists and productions to Thailand to collaborate with Thai artists and arts practitioners.

Arunwadi Leewananthawet was CAPI's [Anand-UVic Fund](#) recipient in 2008-09. The [Anand-UVic Fund](#) was established by CAPI in 1996 in honour of H.E. Anand Panyarachun, LL.D. (UVic, 1993), one of Thailand's most respected public figures and UVic's Honorary Patron in Thailand. The purpose of the Fund is to support deserving Thai students in undertaking graduate and professional studies at UVic.

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## **Conferences, Events, and Publications**

## Upcoming Conferences and Events



On Friday November 20, 2009 at 7:30 pm [Charles Burton](#) of Brock University, and an observer of China for over 35 years, will present the University of Victoria's prestigious Lansdowne Lecture on "[The past, present and future of Canada-China Relations](#)".



[Chinese Uncertainties and Canadian Responses in Light of the Global Financial Crisis](#) will be co-hosted by CAPI and the Centre for Global Studies at UVic from November 21 to 22, 2009. While the conference will be closed to the public, a chair's summary will be available on the [CAPI website](#) and the [Global Studies website](#) following the conference.

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## Recent Conferences and Events



The [A Hundred Years of Legal Development in Thailand: Historical, Contemporary and Socio-Legal Perspectives Seminar](#) was organized by CAPI's Law Chair, [Andrew Harding](#), and was co-hosted by CAPI and the UVic Faculty of Law and took place from March 21 to 22, 2009 at UVic.



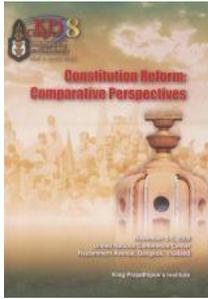
From March 6 to 8, 2009, CAPI co-hosted the [Second Conference for the International Association of Performing Language](#) at UVic. Organized collaboratively with the [International Association of Performing Language](#) and [Dr. Hiroko Noro](#), this conference explored the power of drama and theatre in second language education.



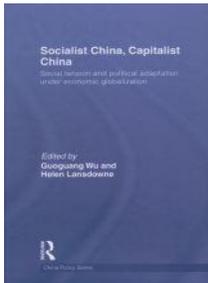
CAPI's 2008-09 [Albert Hung Chao Hong Lecture](#) was delivered by [Dr. Carma Hinton](#), a documentary filmmaker and the Clarence J. Robinson Professor of Visual Culture and Chinese Studies at George Mason University. Accompanied by excerpts from her film, *Morning Sun*, Carma Hinton's lecture titled "Staging History - Action and Reenactment in the Cultural Revolution" took place on January 29th, 2009 at UVic.

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## Publications



[Constitution Reform: Comparative Perspectives](#), co-edited by CAPI's Law Chair [Andrew Harding](#), contains the collection of papers presented at the 2006 8<sup>th</sup> annual symposium "*Constitutional Reform: Comparative Perspectives*." This 600 page book was published by [The King Prajadhipok's Institute](#), who also organized the symposium.



[Socialist China, Capitalist China: Social tension and political adaptation under economic globalization](#) is the outcome of CAPI's [Socialist China, Capitalist China Conference](#) held in October 2006 at UVic. This collection of essays was edited by CAPI China Chair, [Guoguang Wu](#), and [Helen Lansdowne](#), CAPI's Associate Director.