

Asia-Pacific News



Welcome to Asia-Pacific News. We have an exciting edition for you, full of informative articles, reflecting our on-going support for faculty and students. This edition will introduce you to our new colleagues at CAPI. We welcome our new Law Chair, Victor V. Ramraj, who comes to us from the National University of Singapore. Although it will be a year before Victor relocates to Victoria, Law Chair programming will be underway long before the summer of 2014.

We have had the pleasure of welcoming Catherine Dooner, editor of this newsletter and our communications officer for the past year. Catherine has been filling Heike Edam's position during Heike's leave and it has been a pleasure working with her. As well, we had the good fortune to welcome Leslie Butt to the Centre last fall as CAPI's program professor. Dr. Butt's four-month visit culminated in a number of proposals that were sent to various funding agencies, the results being the award of a four-year SSHRC project that will be housed at CAPI and will help launch CAPI's new Migration and Mobility Program.

We have had a busy year at the Centre, one that would best be described as collaborative. Last August, for example, CAPI was a major supporter of the "Deparochializing Political Theory: Pedagogical and Methodological Issues" conference, an international program that brought together eminent scholars from around the world for a weekend event under the tutelage of Jeremy Webber and DEMCON. This program was the third conference in a series, created by Melissa Williams of the University of Toronto and Leigh Jenco from the London School of Economics. CAPI was able to contribute its annual Albert Hung Chao Hong Lecture as the keynote address, bringing Professor Prasenjit Duara, Raffles Professor of Humanities, Director of the Asia Research Institute, and Director of Research in Humanities and Social Sciences at the National University of Singapore to present his talk, "Histories and Competitive Societies: Temporal Foundations for Global Theory."

Other collaborative programming included co-hosting an international conference last November entitled, "The Governance of Religious Diversity In China, India and Canada," with the Centre for Studies in Religion and Society. UVic's own Jeremy Webber provided the keynote address, "Religious Communities as Legal and Political Orders," ensuring that conversations and discussions would be at the forefront of the conference. This program proved to be the capstone for the year as we were able to secure SSHRC funding enabling us to bring many scholars from India, China and other parts of Canada, as well as hosting visiting scholar Rinku Lamba at the two Centres for a four-month visit. Dr. Lamba came to us from Jawaharlal Nehru University in India, where she is a faculty member in the Department of Political Theory. While at UVic, we were fortunate enough to have Dr. Lamba present a CAPI Lunch and Learn talk entitled, "Reflections on an Indian Variant of Liberalism."

To mark the 75th anniversary of the Japanese Imperial Army entering Nanjing, the former capital of the Republic of China on December 13th, 1937, CAPI worked with UVic faculty to organize a symposium entitled, "The Nanjing Massacre: 75 Years On." These efforts offered a

platform for scholars and the public to come together to discuss what this historical date means today, particularly in light of recent geo-political tensions in East Asia.

The Centre kept a pace with programming aimed at the 50th Anniversary of the University, as well as the annual IdeaFest event that takes place every March to reach out to the community both on campus and in Victoria. Both of these CAPI events were student focused, with past CAPI interns highlighting their time abroad, as well as offering information to potential interns of the merits of international experiential learning.

Collaboration also extended to forming relationships with visiting scholars. We welcomed two new faces to the Centre this past year, Mahmudul Haque, our visitor from Bangladesh and Jeewon Min, from South Korea. Mr. Haque, a Ph.D. fellow and lecturer in the Department of Political Science, Rajshahi University, came to us through our International Student Internship Program, being the first of several students who will come to the Centre from Bangladesh. Ms. Min is currently completing her Ph.D. at UBC and joined us this past semester to help organize an international symposium on North-South Korea migration. Finally, we were able to bring back to the Centre old friends, in this case Mark Sidel, CAPI Associate and Doyle-Bascom Professor of Law and Public Affairs, University of Wisconsin-Madison. Professor Sidel presented the 2013 Neil Burton Memorial Lecture, a wonderful account of what life in China would have been during the 1970s, the time that Neil Burton was there.

I hope you enjoy reading this year's Asia-Pacific News, a window on the world at CAPI during the past twelve months.



Helen Lansdowne, Associate Director

Opinion Piece— Minor Threat? Cracking Down on Punks in Aceh, Indonesia



Shane Joshua Barter is an Assistant Professor at Soka University in Aliso Viejo, California, where he teaches courses relating to Southeast Asian politics and political Islam. He was one of CAPI's first interns, back in 2003, an experience which has launched an exciting career, and for which he will forever be grateful.

In 2012, the troubled province of Aceh saw a wave of arrests and compulsory 'reeducation' of the province's small community of 'punks.' This has led to protests from some small dedicated groups, but has not garnered much global attention. The arrest of various youths labeled 'punks' is a troubling sign for post-conflict Aceh, as well as Indonesia as a whole, and must be understood within the context of the struggle over Sharia Law.

From the Ashes

Since the devastating December 2004 tsunami, the embattled province of Aceh has made exceptional progress. Reconstruction efforts, while not without shortcomings, have been impressive. The long-running secessionist conflict was formally overcome in 2005, when the rebels accepted autonomy and Indonesia allowed the rebels to form a political party, which went on to success in the province's executive and legislative elections (Barter 2011.) Aceh is rightly seen as a success story in terms of post-disaster and post-conflict development.

Despite these successes, a dark cloud has loomed over Aceh. In 2003, the Indonesian government granted Aceh the right to implement Sharia Law, even though nobody was really asking for it at the time. In the 1950s, Sharia was demanded by Acehnese leaders, but this was not a demand from secessionist forces after the fall of Suharto, as the rebels were not a religious movement. Instead, Indonesia pushed Sharia Law to undermine the rebels and to strengthen pro-state Islamic forces in a province widely viewed as the most pious part of Southeast Asia. The elements of Sharia Law adopted by Aceh's Islamic Council include not only economic guidelines, but also inheritance laws that go against local customs (Fitzpatrick 2012.) Instead of promoting welfare and social justice, Sharia in Aceh involves moral policing and draconian punishments (Miller 2010.) Shocking images of caning have become standard fare in accounts of post-conflict Aceh. While the capacity of the Sharia Police has at times been exaggerated—reports routinely state that it is strictly enforced, when in reality, it is limited to a few urban areas—Islamic Law has no doubt limited the newfound freedoms of the Acehnese.



The Politics of Sharia

The development of Sharia Law has been a sensitive issue for the former rebel movement, which now holds power in Aceh's provincial government, as well as in many district governments.

While some elements of the former rebel movement approve of Sharia Law, most have opposed it. The former rebels are pro-Western businessmen. Their ethnic nationalism affords a prominent place to Islam, although Sharia goes further than they would like. Politicians tread a fine line, as they do not want to be seen as anti-Islamic to voters or to legislative allies. Instead of directly opposing the Sharia Police, many former rebels have quietly moved to reduce funding and shift the focus of the clamp-downs. It seems that Aceh's leaders hoped that Sharia Law would simply fade away with time. When they have criticized Sharia Law, they have emphasized that it was created by the Indonesian government, not that it violates human rights. In 2009, a new set of Sharia Laws was proposed, which included bans on homosexuality and punishing adulterers through stoning. Instead of rejecting such laws in the legislature, then-Governor Irwandi put off signing the bill into law.

In January 2010, a horrific incident took place which threatened to end Aceh's experiment with Sharia. In the town of Langsa, a University student was picked up by three Sharia police officers, who gang-raped her while she was in custody. Two were arrested, and the third officer escaped.

As the tragic story surfaced, there were finally public calls to eliminate the Sharia police in Aceh. Activists had now gained political cover in criticizing Sharia Law. Students held rallies for the victim. Governor Irwandi finally struck down the new Sharia Bill. Provincial police forces leveled criticisms at the recruitment and oversight of the Sharia police. Even conservative Islamic groups seemed to agree that Sharia was not working. The Sharia police responded by curbing raids and keeping a low profile for several months. Interestingly, they communicated through female spokespeople and promoted female police officers. For some, it seemed as if the experiment of Islamic Law in Aceh had come to an end.

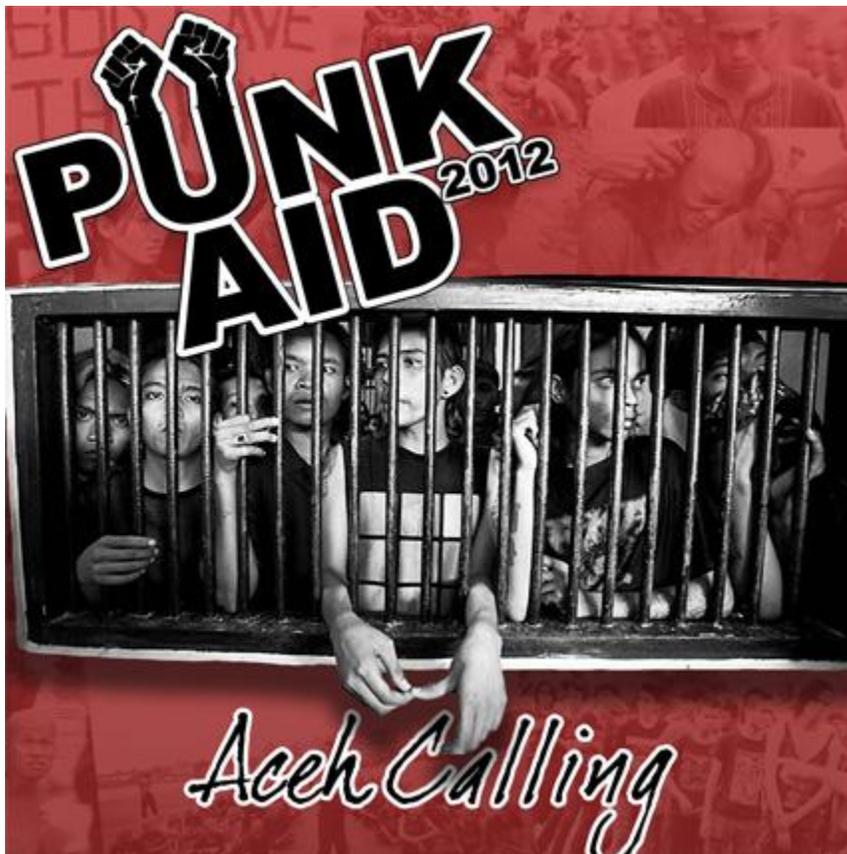
Rebranding Conservative Islam

Late in 2011, the Sharia police, this time acting in coordination with provincial police forces, once again made headlines. They did not target women, an action Sharia officials knew would bring local and international outcry. Instead, the new target was punks. Police officers raided a large concert in December 2011 which sought to raise money for street kids. They arrested 62 punks and transferred them to Aceh's police school. Held without trial for ten days, the punks were denied representation, beaten, had their heads shaved, were forced to stand in a lake, and had to take part in mandatory Koran recitals in an attempt to set them straight. For many, these tactics were reminiscent of how independence sympathizers were handled during the conflict, with coercive, state-led 'loyalty campaigns.' The 'moral reeducation' of Aceh's punks was justified by Islamic leaders because the punks had violated the spirit of Islamic Law. In their largess, they even provided 'prayer gear' to the troubled youths, free of charge. Police officials justified the arrests in terms of what they claimed to be a rise in the use of marijuana and alcohol, of which punks were claimed to be the cause (even though these particular punks were not shown to be using drugs and Aceh's police have long been accused of controlling the province's lucrative marijuana trade.) Another charge is that punk shows encourage the mixing of young men and women, which is expressly forbidden in Islamic Law. The crackdown on punks did not

end with this high-profile raid. Over the past several months, punks across Aceh have been arrested, and even caned, for their immoral dress and behaviour. In June 2012, Acehese youths were beaten after they were accused of taking part in orgies and other immoral activities.

The public response to the arrests has been highly selective. Indonesian and Acehese human rights groups have been quick to understand the arrests in terms of personal freedoms and a lack of legal procedure. Globally, punks have been quick to come to the aid of their brethren.

Benefit concerts and mix-tape fundraisers have taken place in Jakarta and Medan, as well as Stockholm, Seattle, Vancouver, and New York. Punk icons such as Propagandhi have issued press releases publicizing the arrests and affirming their solidarity with Indonesia's punks. An impressive array of punk bands from around the world came together for the release of 'Punk Aid,' a mix tape raising money to benefit Aceh's punks. Punks have mobilized to help their own, demonstrating a sense of solidarity which is indeed one of the reasons that punk groups are so appealing to many youths.



In contrast, the response from western human rights groups and the media has been muted.

Punks are not ideal victims. Their arrests do not fit neatly into narratives of Sharia Law, and has not drawn the attention of conservative anti-Sharia commentators. It seems as though this new direction represents a conscious rebranding of Sharia Law. Shifting their targets in this way is less likely to bring condemnation and may win over Acehese traditionalists, groups which are weary of conservative Islam as an Arabic import, but are wearier of mohawks and dog collars. The arrests have been vocally supported by the mayor and deputy mayor of Banda Aceh, the

provincial capital. Even Governor Irwandi, a former rebel and critic of Sharia Law, supported the raids, which he claimed will help rescue Aceh's youth (Balowski 2012.) If this is an effort to revitalize Acehese Sharia under a new brand, it has been largely successful.

The Exploited

Punks in Indonesia are a complex social force. Some are from privileged backgrounds, while most are street kids. Many of those arrested in Aceh are from other parts of Indonesia, such as Bali, Java, or North Sumatra. Many street kids' livelihoods depend on learning an instrument and busking (see Beazley, 2003.) Exploited by local police forces, street kids tend to form closed, tight-knit social groups. As they grow older, many grow attracted to the punk scene and move into communal punk houses with their friends. In their dress and musical tastes, they are nearly identical to punks in western countries. While some punks are violent and use drugs, others do not. Punk means many things.





In January 2012, I took a class from Soka University to look into the politics of street children in Medan, North Sumatra. We had the opportunity to visit local punk houses and to discuss how the arrest of Aceh's punks has affected their group. Medan's punks were busy, running several benefit shows per week. They fear a similar crackdown in North Sumatra, a religiously diverse province with a far more significant urban presence. We found the punks to be very well integrated with their surrounding community, including the local Islamic school. The houses we visited are run by older punks who have since married, found regular jobs, and are now trying to provide a stable outlet for troubled youths. This was the goal of the raided concert in Aceh, raising money for street kids.





Acehnese leaders have criticized the punk scene for promoting homelessness and drug use. It is as if instead of being made homeless by poverty, conflict, and the tsunami, and then turning to the punk community for support, that the punk community was a cause of social ills. By mixing up indicators of social marginalization with its causes, Aceh's police forces (Sharia and Provincial) have shown a shade of conservatism which goes beyond an Islamic brand of conservatism.

Minor Threat?

While Sharia Law was seemingly on the ropes in 2010, it has returned to prominence in Aceh. Learning that targeting women can hurt their political capital, Islamic leaders in Aceh are rebranding themselves, shifting their gaze to a marginalized group whose arrest will not lead to much backlash. In the April 2012 Gubernatorial Elections, a rival former rebel unseated the incumbent governor, promising to bring a bolder strain of Sharia Law to the province and to root out social evils. In April and June, the Sharia police began a new campaign against tight clothing, ticketing female motorists for wearing tight jeans, and issuing new regulations to store owners.

This could have implications across the country. While reports often note that Aceh is the only province that is home to Sharia Law, Sharia bylaws continue to spread at the district-level throughout the country (Buehler 2008.) In May 2012, Islamic groups in Java forced the cancellation of a Lady Gaga concert, labeling the performer a devil worshipper and corrupter of youth. In shutting down the concert, Islamic groups allied with social conservatives of all stripes who do not trust the music their kids are listening to. This rebranding of Islamic conservatism to target perceived delinquency will likely pass under the radar of many human rights groups, but it should not. Attacking seemingly mundane popular culture represents a way to rebrand conservative Islam, challenging the hard-fought gains won in the world's most populous, and most liberal, Muslim country.

Further reading

Shane Joshua Barter, "The Free Aceh Elections? The 2009 Legislative Contests in Aceh," *Indonesia* 91 (2011); pp. 113-130.

James Balowski, "The Mohawk Crusade," *Inside Indonesia* 107 (2012)

Harriott Beazley, "Voices from the Margins: Street Children's Subcultures in Indonesia," *Children's Geographies* 1:2 (2003); pp. 181-200.

Michael Buehler, "The Rise of Shari'a By-Laws in Indonesian Districts: An Indication for Changing Patterns of Power Accumulation and Political Corruption," *South East Asia Research* 16:2 (2008); pp. 255-285.

Daniel Fitzpatrick, "Between Custom and Law: Protecting the Property Rights of Women after the Tsunami Disaster in Aceh," in *From the Ground Up: Perspectives on Post-Tsunami and Post-Conflict Aceh*, edited by Patrick Daly, R. Michael Feener, and Anthony Reid (Singapore: ISEAS, 2012); pp. 114-131.

Michelle Ann Miller, "The Role of Islamic Law (Sharia) in Post-Tsunami Reconstruction," in *Post-Disaster Reconstruction: Lessons from Aceh*, edited by Matthew Clarke, Ismet Fanany, and Sue Kenny (London: Earthscan, 2010); pp. 29-60.

Punk Aid: Aceh Calling, <http://punkaid.org>

Opinion Piece: The Recent Rise in North Korean Refugees in Canada: Dual Nationality from the Two Koreas?



This article is by [Jeewon Min](#), a visiting scholar at CAPI and the University of Victoria from January to May 2013, and a Ph.D. candidate at the University of British Columbia Faculty of Law. Min's research interests focus on gender and migration, particularly in the context of North Korea.

North Koreans have crossed the borders beyond the Korean peninsula to the United Kingdom, Germany, United States, Canada, Netherlands, and other parts of world. In South Korea itself, the number of North Koreans has rapidly risen since 2000, and in 2011, 2,706 North Koreans entered South Korea. As of December 2011, the total number of North Koreans in South Korea reached 23,095, according to statistics from the Ministry of Unification. Among receiving countries, the UK accepted 603 North Koreans as refugees in 2011, according to UNHCR's Statistical Online Population database. In Germany, 193 North Koreans, and in the Netherlands, 36 North Koreans were granted refugee status in the same year.

The Immigration and Refugee Board (IRB) in Canada has recently made positive decisions toward North Korean asylum seekers. A significant factor in the increase in the number of North Koreans coming to Canada is related to the understanding of a North Korean's potential status as a South Korean national in Article 3 of the South Korean Constitution: "The territory of the Republic of Korea shall consist of the Korean peninsula and its adjacent islands." Article 3 has provided a "theoretical" foundation of South Korean protection for North Korean arrivals. On the other hand, if the Constitution could guarantee automatic South Korean citizenship for North Koreans, international protection would not be available for North Korean applicants. The definition of a refugee excludes persons with dual or multiple nationalities from surrogate protection in accordance with the 1951 Refugee Convention and the Immigration and Refugee Protection Act.

In 2008, the IRB clarified the legal question on dual nationality for North Koreans in South Korea in Responses to Information Requests after having an interview with an official from the South Korean embassy in Ottawa. The South Korean official said that North Koreans do not automatically acquire South Korean citizenship when they arrive in South Korea. North Koreans are required to establish "will and desire" to live in South Korea for South Korean protection, and there are also the categories of persons excluded from the protection, such as a person who lived in a third country for a considerable period of time. In detail, the Act on the Protection and Settlement Support of Residents Escaping from North Korea, enacted in 1997, set up the requirements for protection and support from the South Korean government.

The information, released by the IRB in 2008, has made a significant impact on following cases and led to the increasing number of North Korean refugees in Canada. A recent increase began in 2009 when 32 principal applicants were accepted. In 2011, 117 North Korean cases were successful before the IRB, and the number of individuals including accompanying partners and children would be higher (Source: Sean Rehaag, Refugee Claim Data & IRB Member Grant Rates.) The favorable outcome for North Korean cases in Canada reflects existing differences between theoretical and practical state protection as well as transnational legal aspects in refugee determination processes.

Student Essay: Some Observations about a Court and Several Judges in China



This piece was written by Jing Qian, a Ph.D. candidate at the Faculty of Law. Jing was awarded CAPI's Student Research Fellowship in 2012. He used the award to help fund a trip to China to support research on: 'People vs Peoples: A Socio-legal Study on Gap Problems within Administrative Litigation in China.'

With CAPI's kind support, for which I am deeply grateful, I was able to take a field trip to China in 2012 to conduct some empirical studies for my research, a substantial part of which I did as an intern judge at an intermediate court in Zhejiang Province (Court H hereinafter. The court of general jurisdiction of the PRC, see the chart in attachment 1.) This piece offers some observations from my ethnographical residence of about two months.

Part 1: Who are these judges?

Besides general requirements stated in the Judge's Law of the PRC, such as nationality and a minimum age of 23, there are three major entry barriers to overcome before one can be qualified to become a judge:

- 1) The National Bar Examination (the passing rate was about 10% in 2011.)
- 2) The National Civil Service Tests (the acceptance rate reached 6% in 2011, which is by no means among the lowest of all government positions - the lowest acceptance rate in 2011 was 4,961: 1, approximately 0.02% for one position at the National Bureau of Energy.)
- 3) A Master's Degree or above (not necessarily in law, but preferably law-related – this is only required in certain advanced areas. Court H has required one since 2000.)

Those who have obtained all three qualifications are able to go through the rest of the procedures, such as interviews, political scrutiny and medical examinations etc. Assuming

everything goes well, and you are enlisted in the end, you can become an associate judge, who can then join a collegiate bench and judge cases after about one year's clerkship.

It is fair to say, among all governmental positions, to become a judge is one of the toughest. Ironically, it is this fact that contributes to the comparatively high acceptance rate, because only a limited number of applicants are qualified for judgeship in the first place. As a matter of fact, along with the process of professionalization of the judges' team since the enactment of the Judge's Law in 2000 and the implementation of the unified Bar Examination in 2002, the level of professionalism of the judges as a whole has improved substantially and the overall staff quality in court has undoubtedly been among the highest within the whole bureaucratic system in China.

In the Administrative Litigation Tribunal of Court H, there are in total ten judges and five clerks: one chair of the tribunal, three presiding judges (one associate chair included), and six judges/associate judges. One presiding judge with two other (associate) judges and one clerk would form a legal collegiate bench, so there are three fixed collegiate benches within the tribunal. Of all fifteen tribunal staff, there are ten female, five male, the average age of which is about 33 years old, and each one holds the three qualifications mentioned above. In short, a young, well educated and professional cadre team!

Part 2: How do the judges see themselves? What do they believe?

I have interviewed each one of the sitting judges and clerks of the tribunal individually, via lunches, casual office chats or walks along the Qiantang River. During all conversations, I put forward three identical sets of questions:

First, how do you feel the practice of law in action compares to the rule of law in books?

The responses to this question were almost unanimous: the laws in books and the laws in practice are quite divergent. I heard repeatedly, interference from the administrative branch remains influential, and the internal politics within the court shapes the trials from time to time, both of which require a great deal of non-law calculation.

I was constantly reminded that the job is never strictly about following the rules. Many factors have to be considered along with the application, interpretation, or even avoidance of certain laws, such as personal relations (guanxi,) the periodic guiding of documents from the "leaders" (like those from the Party Committee of Law and Politics, and higher levels of leaders, within and outside the court system,) the enforcement quality (whether the involved administrative organs would be willing to obey the court rulings - if the administrative organs are unwilling to implement the court's ruling, it is embarrassing for everyone.)

Judges also feel an obligation to try their best to mediate between the plaintiffs and the defendants, which is still clearly forbidden by the Administrative Litigation Law. Despite its illegality, mediation occurs because the guiding policies and the evaluation system certainly encourages this currently unlawful practice; plus, the consensually mediated result is believed to

make enforcement of court rulings much easier. Such action is simply one of many unlawful, progressive or problematic practices of the court and its judges.

Second, how do you like/enjoy your work? Do you think it is meaningful and self-realized/accomplished?

There were overall 411 cases in 2012, 137 cases for each collegiate bench on average (however, it was not equally divided in reality, with some collegiate benches, the younger ones normally, taking on more cases.) There were 234 workdays (366 - 27 statutory holidays - 105 weekends = 234 workdays) in 2012, which means every collegiate bench had to close a case in about 1.7 days, including trials to hear the case, on-site investigations, possible mediations to conduct, discussions within the collegiate bench, reports to the tribunal leaders (their endorsement is required,) and the final paper of ruling to write and to announce if needed. In addition, there are daily administrative errands to run, meetings to attend, phone calls to make, required research tasks to fulfill etc. It seems to me, some young judges are working very hard! This data overturned my previous impression about the work pace/style in administrative organs (jiguan danwei) in China. What else is surprising? In over two dozen cases in which I participated, I sensed the sympathies of the judges are obviously leaning towards the plaintiffs, although it is widely acknowledged the court/judge always sides with the government.

In the end, although the judge's life is different from what they thought or what they were taught, the majority of judges still found the job meaningful most of the time, particularly in individual, concrete cases, when the plaintiffs get what they asked for and become grateful and more importantly, respectful to the judge and the court.

Third, how do you evaluate the rule of law development in the past five years? What do you want to see most if there are to be substantial reforms?

In the farewell dinner, I asked everyone a couple of personal questions: Firstly, would you choose the same career path, if you had a second chance? Secondly, would you jump out of the court system if another chance became available at a different administrative organ, less professional perhaps, but closer to the power-center, such as to be a secretary of certain grassroots leaders?

The answers were, respectively, no and yes, from the majority of the judges at the table. However, we cannot blame the judges' lack of faith in the current judicial/legal system, as it is far from what it is described and empowered to be in the Constitution and other relevant laws. The judicial/legal system matters too lightly in China, compared to other established legal systems, particularly those in liberal-democratic settings.

A number of senior judges who had spent time abroad, delightfully and proudly shared with me the positive reception and respect they received during both the visa application interviews and their visits to North America. They envy deeply the independence and status of judges in North America from the bottom of their hearts. Almost no one encouraged me to come back to China, if I can pursue a legal career here in North America.

It appears to me, these judges were all quite clear about the status quo of China's political dilemma, as well as the predicament facing the whole judicial system in China.

When asked to evaluate the rule of law development over the past five years in China, almost no one, including the tribunal "leaders," holds a completely positive perspective, in sharp contrast to the official version that the rule of law in China has gained wonderful achievements and the overall quality of the rule of law in China is unparalleled.

Some remain conservative, describing the development of the rule of law in China as "one step forward, two steps backward." In other words, it has become stagnant and even retrogressive. Some even expressed radical criticism of the development of the rule of law in China, believing it to be in full retreat, with the rule of man returning in many crucial respects.

When I asked what changes are most important, the answers were unanimous: more respect for the law, the court, and the judges from both the state and society.

In other words, judicial independence.

Part 3: Where are the judges in the big picture?

The lack of judicial independence undermines the power and authority of the judiciary, and degrades both the quality of judicial work and the public faith in the court system and the rule of law.

Under close supervision of the Party, and dependent on the government at corresponding levels for both personnel and financial resources, the court in China is located in quite a remote corner of the current political/power spectrum, and thus matters lightly.

The judges are relatively more independent in individual cases, but still need to cope with all kinds of interference, and have to report each and every case before ruling to get the required endorsement from the tribunal leaders, even though the leaders have no involvement at all in the whole trial process.

The hotly debated, wrongfully convicted case of Uncle/Nephew Zhang and Zhang, is an illustrative example. Most people have not yet noticed the key hidden fact of this misjudged case - the presiding judge was insisting on a "not guilty" ruling, but the arbitrary, opinionated leaders and the lack of independence silenced this professional and clear judicial mind. During public debates of this case, attention has been overly directed to disconnected evidence and tortured confessions, but hardly anyone has noticed that the presiding judge cannot make the final call. If the "not guilty" verdict had been made independently in the first place, this wrongful conviction would never have occurred.

Moreover, the judge in this case actually resigned from this highly demanding (as well as highly demanded) job shortly after the case ended, partially because this constrained judicial system unbearably choked his initial idealism and basic humanity, and his search for justice and the rule of law.

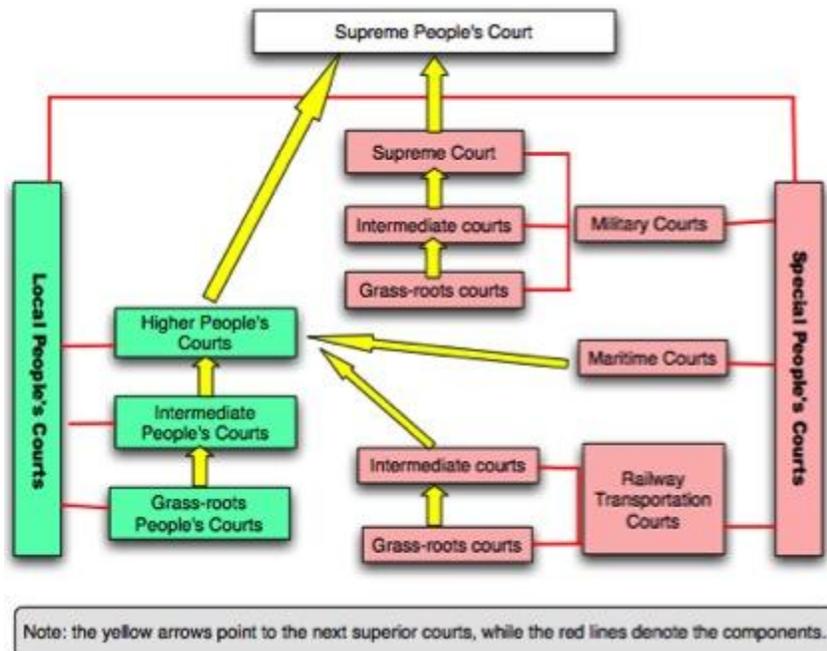
Conclusion:

To connect all the dots above, a brief conclusion can be reached. On the one hand, the judges in China are becoming more and more qualified and competent, they are ready for and actually demanding more judicial independence and more crucial roles in dispute resolution under the current transitional regime of China.

On the other hand, as Qianfan Zhang put it: “over three decades of reform, China has experienced phenomenal economic growth accompanied by severe social problems. Rampant official corruption, serious abuses of public power, and an expanding gap between the rich and the poor have contributed to mounting social dissatisfaction, largely due to the lack of synchronized political reform.”

Many have placed high hopes on the new leadership to restart reforms in China. Whether the top leadership will meet such demands, and grant independence and authority to the court and its judges, are crucial litmus tests of their intention and determination to implement real and substantial reforms.

Attachment 1: the system of courts in China



Source: <http://www.thecourt.ca/2007/03/27/report-from-china-supreme-peoples-court/>

Attachment 2: QJ as the intern judge in the Administrative Litigation Tribunal



1[1] This piece is only a preliminary draft, and it is based on empirical observations from the administrative litigation tribunal only at one individual court, which is representative but by no means comprehensive. Please do not cite without the author's permission. Jing Qian can be reached at jingqian@uvic.ca.

1[2] See Judge's Law of the PRC, Chapter 4 Article 9. See English version of the Judge's Law, online: <<http://www.chinalawedu.com/new/23223a23228a2010/20101219shangf181410.shtml>>.

1[3] Article 50 of the Administrative Litigation Law (ALL) of China states: Mediation is not applicable to administrative litigation via the People's Courts. However, in practice, administrative litigation (ALG) cases have been widely mediated by the courts, among plaintiffs (citizens), lawyers and defendants (governments), ever since the ALL came into force. Obviously, according to legal principles, mediations in ALG remain unlawful until the ALL is amended by the National People's Congress, but within legal practice, it seems to be acceptable, even desirable, to all parties in administrative disputes resolutions. This is just one of the massive gaps commonly existing within the wider legal system, typically reflecting the status quo on how Chinese laws function. See English version of the ALL, online: <<http://review.jcrb.com/200803/ca689926.htm>>.

1[4] For example, Article 126 in the Constitution and Article 8 in the Judge's Law clearly state the requirements of judicial independence, but clearly none of stated requirements has been realized.

Article 126: "The people's courts exercise judicial power independently, in accordance with the provisions of law, and not subject to interference by any administrative organ, public organization or individual". See English version of the Constitution, online: <http://www.npc.gov.cn/englishnpc/Constitution/2007-11/15/content_1372991.htm>.

1[5] Details of this case, see online: <<http://www.globaltimes.cn/DesktopModules/DnnForge%20-%20NewsArticles/Print.aspx?tabid=99&tabmoduleid=94&articleId=771936&moduleId=405&PortalID=0>>.

1[6] See online: <<http://blog.ifeng.com/article/25498509.html>>.

Visiting Graduate Student from Bangladesh on his time at CAPI



Mahmudul Haque was a visiting graduate student and lecturer from Rajshahi University in Dhaka, Bangladesh. He participated in a four-month internship at CAPI from August to December 2012, funded by the Students for Development program and in partnership with the Refugee and Migratory Movements Research Unit (RMMRU.)

The Students for Development (SFD) internship program run by CAPI is an excellent opportunity to develop an intern's personal and professional growth. As a Ph.D. researcher of a poor developing country like Bangladesh, I am very lucky to get this tremendous opportunity because through this program I have been able to enrich my research work and equip myself with necessary skills and strengthen my knowledge base. My study is on environmental governance in urban-local government, which is closely related to sustainable development. In our country, there is a shortage of scholars and research materials in the field of sustainable development and environmental governance. This internship has given me a great chance to get lots of research support from different eminent scholars from different departments of UVic. I am highly encouraged to continue my relationship with these talented professionals. I feel that it has also created the opportunity for me to contribute to the international environmental aspects. I got some valuable relevant books, reports, journal, articles, etc. in the libraries and websites of UVic and different local government bodies.

Through the internship I have had an opportunity to learn practical knowledge about Canada's performance in the management and governance of the environment. From this experiential learning, I have developed my ability to differentiate between the strategies and techniques in Canada and Bangladesh for sustainable development. Public engagement has been a great opportunity to share ideas with participants on different aspects of Asia-Pacific countries. It has been a good way to learn about the challenges which countries are facing in the way of development, and also to find some solutions.

Development of cross-cultural skills is another vital aspect of this internship program. I do believe that cross-cultural interaction is very much essential for globally compatible policies. The multicultural atmosphere of Canada exposed me to scholars from different countries. During my internship, I got lots of opportunity to interact with people from varied backgrounds and experiences. I have participated in different seminars and conferences on different issues of the world organized by CAPI and other departments of this university. These have enriched my English language skills and my stock of knowledge on different international and development issues to a large extent.

This internship has given me the opportunity to discover the natural beauty of the world. Particularly the geography, climate and diversity of flora and fauna in beautiful British Columbia

fascinated me. During my internship, I also had an opportunity to visit some parts of the USA which was a fulfillment of one of my biggest dreams.

As a public university teacher in Bangladesh, I will apply my learning from the internship program in the classroom, so that Bangladeshi students will also indirectly benefit from my experiences in Canada.

CAPI runs the internship program efficiently and with a lot of passion. They were extremely careful and helpful in making the internship a success. They handled every matter professionally and thoughtfully and made sure that I was making relevant contacts and connections for my research, accommodation, meeting with the scholars, and accessing other resources, etc. I am very much impressed and grateful to them, especially to Robyn Fila, the Program Manager. She is very efficient and passionate about what she does and dedicated to running a successful program.

Finally, I believe that this internship program has a great importance directly and indirectly in every aspect of developing relationships between Asia-Pacific countries, particularly developing countries. I strongly recommend continuing the internship program in the future.

This fall, CAPI will have two Bangladeshi interns visiting for four months from BRAC University and East West University in Dhaka. For more information on our internship program, [click here](#).

Research News

CAPI begins exciting new research projects thanks to funding from SSHRC.

Great news from the Centre! CAPI is about to embark on two new projects funded with SSHRC grants of over half a million dollars.

The first project, organized by [Dr. Leslie Butt](#) (Department of Pacific and Asian Studies and CAPI) and Dr. Lisa Mitchell, (Department of Anthropology) will fund research into the impact of migration on the family and reproductive lives of a new generation of skilled migrant women. The focus of the research will be particularly on women from Indonesia and the Philippines, who leave home to work abroad in Canada, Australia and Singapore.

This research fills an important gap in scholarly understanding about migration and the effect it has on the family and on decisions concerning children within a new era of “global parenthood.”

The project is in collaboration with Dr. Linda Bennett (Nossal Institute for Global Health, University of Melbourne, Australia) and Dr. Deirdre McKay (Department of Geography, Keele University, UK.) It will be housed at CAPI and will form one of the first initiatives in CAPI’s new global Migration and Mobility program.

The second project, organized by Dr. Guoguang Wu (Departments of Political Science and History and CAPI,) will fund research into the political and economic institutions that have supported China's huge economic success in recent years and argue that the fast pace of growth that China has seen is not sustainable.

Empirical examinations will be conducted from a comparative perspective, and will compare China with India, Mexico, Brazil and Russia. These nations have similarities to China in that they have been developing nations that have recently experienced economic booms, however they have different political, economic and institutional climates that may shed light on social, ecological and political impacts of economic development.

This is Dr. Wu’s second SSHRC Insight grant since he joined the Centre in 2004, the first grant having been awarded in 2007 for his research project focusing on China’s National Party Congress.

CAPI announces new Law Chair

CAPI is pleased to announce the appointment of Victor V. Ramraj as the CAPI Law Chair, starting July 2014.



Dr. Ramraj is currently based at the Faculty of Law at the National University of Singapore (NUS), and will be joining the University of Victoria in July 2014. He has qualifications in law (LLB, Toronto; LLM, Queen's University Belfast) and philosophy (BA, McGill; MA, PhD, Toronto) and is a member of the Law Society of Upper Canada (Ontario, Canada). He served as a judicial law clerk at the Federal Court of Appeal in Ottawa and as a litigation lawyer in Toronto before moving to Singapore in 1998. He twice served as the NUS law faculty's Vice-Dean for Academic Affairs (2006-2010, 2011-2012), and for one year (2010-2011) as a co-director of the Centre for Transnational Legal Studies (CTLS) in London.

Dr. Ramraj has held visiting appointments at, among others, Kyushu University, Japan and the University of Toronto. He has edited and co-edited many books including *Emergencies and the Limits of Legality* (2009), and *Emergency Powers in Asia: Exploring the Limits of Legality* (2010) for Cambridge University Press. His work on comparative constitutional law has been published in leading journals including *Chicago-Kent Law Review*, *Hong Kong Law Journal*, *ICON: International Journal of Constitutional Law*, *Singapore Journal of Legal Studies*, and *Transnational Legal Theory*. His current research interests include comparative constitutional law (with a particular interest in emergency powers in Southeast Asia,) the legal history of state and company (with a particular interest in the British East India Company and its comparison with modern state-owned enterprises,) and the theoretical and practical implications of transnational law and legal pluralism. Professor Ramraj is currently working on a manuscript on the implications for domestic constitutional law of transnational corporations and global regulation entitled, *Mapping Constitutionalism: States, Companies, and Regulators in a Post-National World*.

The Law Chair position at CAPI is shared with the UVic Law Faculty.

“It is with great pleasure that I welcome Victor Ramraj to the Centre,” says Helen Lansdowne, CAPI Associate Director. “Dr. Ramraj brings a wealth of experience in law in the Asia-Pacific region and I am excited to see how that contributes to programming and events at the Centre.”

Article: Jarislowsky Japan Chair, Mary Yoko Brannen, and her research with supermarket giant, Tesco



Born and raised in Japan and having studied in France and Spain, [Dr. Brannen](#) is clearly multicultural. It is not surprising then, that her academic research focuses on people from multiple cultures and how global businesses can leverage their unique skills in today's complex global environment.

Most recently, Dr. Brannen's research has focused on a project for UK supermarket giant, Tesco. When new CEO Philip Clarke took over in March 2011, he wanted to reinvigorate the core of Tesco in the UK. At the time, Tesco's profits in the UK had fallen by 0.5 per cent, while its profits globally had gone up by 30 per cent, led by its Asian subsidiaries. Clark wanted to see what learning could be garnered from their Asian counterparts to reinvigorate the core business of Tesco in the UK.

The new project to investigate this change was led by Dr. Brannen and involved training nine of Tesco's managers from its six Asian subsidiaries to be inside ethnographers at Tesco in the UK for three months. Dr. Brannen explains:

“It is a relatively new concept, bringing ethnographers into a workplace. Usually ethnographers go into foreign cultures and try to examine them. Here the trained ethnographers are doing a similar job, but in a work culture.”

The findings were surprising. Of the nine Asian managers, the ones who scored highest in competency and were the best “bridgers” between cultures, were those who had little other cultural experience or language experience outside their own country, but had a thorough knowledge of Tesco. These managers, the ones who knew Tesco but not the local language or culture in the UK, had the best insights to where Tesco UK could learn from its Asian subsidiaries.

This information is useful, not only for Tesco but for other companies operating in the global marketplace. Dr. Brannen's research is at the forefront of a new school of thought that sees international business from the view of an individual's identity, cultural background and language.

“If we can understand who the “bridgers” are in an organization between one culture and another, companies can leverage that skill set to better understand the context they are in and better facilitate knowledge sharing,” explains Dr. Brannen. “It can be difficult to see the cultural context of a company while you are inside it, whereas an outsider can come in with fresh eyes and new ideas.”

Dr. Brannen is currently working on three papers related to this research.

Focus on....Anne Park Shannon



“The Asia-Pacific region has been a part of my life for many years,” says Anne. “My great grandfather emigrated to Asia and I think the continent has always been in my blood.”

CAPI Associate, [Anne Park Shannon](#), has had many different careers in one lifetime, but fascination with Asia has been a constant theme throughout. She joined the Canadian Foreign Service straight after university and was soon posted to Malaysia and then Burma, now Myanmar, where she headed the economic and financial side of the Canadian Embassy. A successful career in the diplomatic service had begun.

It was while working in Tokyo that Anne began to wonder about the first Canadians who ventured westward across the Pacific – who went, when and why? Information seemed sparse at best.

A chance visit to a local book fair led to the amazing story of Ranald MacDonald, a young half aboriginal son of a Hudson’s Bay trader who dared to smuggle himself into Japan in 1848 when it was still closed to the outside world.

“It was such an interesting story, I was hooked,” Anne recalled. “Connection between people in Canada and Asia apparently began much earlier than generally supposed.”

On return to Canada, Anne began frequenting second hand bookstores, libraries and archives trying to unearth more stories. These stories eventually came together in her new book, "Finding JAPAN – Early Canadian Encounters with Asia." The book is based on personal experiences and photographs of Canadians in Japan between 1850 and 1950.

The book also challenges other conventional perceptions. The Canadian Pacific enterprise, for example, was about more than Canadian nation building – it was also a vital new transportation link across North America and the Pacific to Asia. In the 1890s, Canadian Pacific was a key player in global travel, offering combined rail and ocean tickets around the world.

All kinds of Canadians were drawn to a newly rising Japan – adventurers, missionary educators, social workers, businessmen and art collectors.

Anne was surprised, though, at how many of them were women.

“When I was in Tokyo, a foreign woman working in 'male-oriented Japan' was highly unusual. To realize that Canadian women prospered there a hundred years before me was a revelation that defied cultural stereotypes,” Anne noted.

What ultimately struck her most, however, was the strength of personal relationships that enabled some of the early Canadian travellers to achieve some remarkable things in Japan, even in difficult circumstances – something that remains as crucial in today’s context as it was then.

“My career tells me that trade agreements, prime ministerial and official visits are important in developing the architecture of international relationships. But without person-to-person connections and presence on the ground, things don’t happen,” she explained.

“As the future of Canada and Canadians is increasingly linked to Asia, I think we need to do more to invest in 'people capital' - to ensure that coming generations are Asia-savvy and Asia connected.”

“Universities have a tremendously important role to play as Canada comes to grips with a more Asia-centric world. The University of Victoria and CAPI are uniquely placed to help meet that challenge.”

Anne Park Shannon spent about one third of her professional life in the Canadian diplomatic service, another third in senior levels of Canada’s Finance ministry, and the remainder working with international and Canadian organizations, including the United Nations, the World Economic Forum (Davos,) the Conference Board of Canada, the Asia Pacific Foundation and the Canadian International Development Agency.

Finding JAPAN, Early Canadian Encounters with Asia (Heritage House Publishing, 2012) is available in paperback and as an e-book and can be found in bookstores, through booksellers, online and through Heritage House Distribution.

For more information on the book and Anne click [here](#).

Intern Stories

The last 12 months have been a busy time for the CAPI Internship program. There are currently six interns completing six-month placements in Bangladesh, India and the Philippines. The internships provide valuable work and life experience with civil society organizations connected with migrants' rights. From June to November 2012, the interns were [Adam Tran](#), [George Benson](#), [Cate Lawrence](#) and [Chandra Merry](#).

Current interns who left in November and will return this month are: [Beaudin Bennett](#), [Cassana Kelly](#), [Harrison Ellis](#), [Marguerite Heyns](#), [Victor Huynh](#) and [Jamie Myrah](#).

Don't forget to see what the interns are up to in the [Intern blogs and podcasts](#) section of the website.

Intern stories

Finding life in one of the world's least liveable cities



By [Beaudin Bennett](#), CAPI Intern

Vancouver. Melbourne. Vienna. According to an August 2012 report by the Economist Intelligence Unit (EUI) these are some of the world's most liveable cities based on "stability, healthcare, culture & environment, education and infrastructure." This means clean streets, high quality healthcare and education, low crime rates, cinemas, and an opera house or two, among other factors.

Dhaka, the capital of Bangladesh and home to roughly 15 million, comes last in the EUI report. Karachi in Pakistan, despite its target killers and inter-communal violence, scored better than Dhaka, as did Port Moresby in Papua New Guinea. So why would anyone ever want to live in Dhaka?

I have been asking myself this question since arriving in Dhaka in January this year as part of a CAPI Students for Development (SFD) Internship program. In hindsight, the answer is simple. Liveability, somewhat contrary to the EIU survey, is about life and life is underpinned by social interaction.

I walk to work most days. It takes about 25 minutes. There is too much happening along the way to make me consider listening to music on an iPod or texting a friend. When leaving my apartment building in the morning I wave to the watchman. As I cross the park a security guard in khaki and a green beret greets me with the customary *asalam aleykum*. Walking south



down the railroad tracks two small children tag along for a few minutes of basic Bangla banter before returning to their decrepit dwellings next to the tracks.

As I continue on my journey to work I smile at the guard at the entrance to the military cantonment. He waves back, his white uniform has a zest and flash that grabs one's attention. Passing a queue of people waiting for rickshaws I see a familiar face and stop for a moment to chat. By the time I get to work I have had interactions with at least a dozen people.

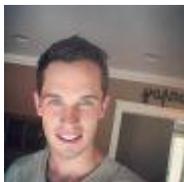
In Dhaka, people still depend on one another in a way that does not occur in Western countries I have visited. This dependence makes Dhakaites frank, helpful and used to conversation. In Western countries, one's social network increasingly may be confined to the pixels of a computer screen or iPhone; in Dhaka it is all around you, in real time.

It's the rickshaw wallah who laughs at how hard it is raining or the pharmacist who helps you when you are sick. Your entertainment is the crowd in a train car leaning in to hear an argument between the insistent conductor and a stubborn customer. In Dhaka your social network is people you know and people you don't; it is anyone and everyone. It is this genuine warmth and hospitality of Dhaka's inhabitants – the willingness to engage with anyone and to find humour in circumstance – that makes it liveable.

Vancouver, Melbourne, and Vienna may be some of the world's most liveable cities but, for those with young hearts and a yen for adventure in their blood, they might be some of the most boring, too. Dhaka may not be liveable by conventional measures, but it is overflowing with life and that is arguably what makes it inherently liveable, and exciting.

Thank you to CAPI, SFD, CIDA, and AUCC for their generous support in helping to make a unique and remarkable internship program like this available to UVic students.

Election Monitoring in the Philippines



By [Harrison Ellis](#), CAPI Intern.

From May 13 – 17, 2013, I had the privilege of volunteering with COMPACT for Peaceful and Democratic Elections as a foreign election observer. COMPACT is a consortium of civil society organizations accredited by the Commission on Elections (COMELE.) I was one of 30 delegates from 16 different countries that included professionals, academics, activists, parliamentarians, and students. Delegates were deployed to six different “political hotspots” throughout the Philippines. These hotspots included Masbate, Pampanga, Cebu, Cagayan Valley, and the Autonomous Region of Muslim Mindanao and were selected based on the following criteria:

- A history of election-related violence
- Voter intimidation

- Vote buying
- Electoral fraud
- Presence of political dynasties
- Local security to guarantee our safety

Current president Benito Aquino has a reformist campaign and a strong anti-corruption stance and one of our overarching goals was to investigate whether his anti-corruption stance would translate into a safer, more credible election, as well as whether the Precinct Count Optical Scan (PCOS) machines would work properly. I was part of a team of six inspiring delegates from the Netherlands, the USA, and Denmark. Our team was deployed to Daanbantayan in Northern Cebu. We conducted interviews with civil society, upwards of 10 incumbent and reformist candidates, local authorities, members of the COMELEC, and engaged with both local and national media. On 17 May, 2013, we reported our findings at a national press conference where representatives from each of our embassies were present and submitted a final report of our observations to the National Commission on Elections (COMELEC) and to the diplomatic corps.



While in Cebu city, a fellow IOM and I interviewed Father Diola, the man behind the, "I Vote Good" campaign. "I Vote Good" is a faith-based but non-partisan campaign that takes a spiritual approach to addressing the pervasive issue of vote buying. Father Diola deconstructed several strategies commonly used by the electorate to justify vote buying. One was to receive money but vote with your own conscience. This has been a strategy since 1971, but vote buying remains at epidemic levels. Father Diola said that culturally, Filipinos want to return favours and that to not return a favour carries a strong sense of shame. So, when a candidate gives you money expecting to receive your vote, the average voter has no other means to repay this "favour" but by giving the candidate their vote. To many people, voting with your conscience means to vote with the candidate who has given you the most money. Another oversight people use is that they do not want the money to go to waste. Father said that he combats this by preaching, "Do you want to obey money, or God?" To the average Westerner, this strategy may seem a bit lofty. But in the Philippines, where Catholicism is so pervasive, the effectiveness of this approach should not be underestimated.

"I Vote Good" developed a LASER test to determine which candidates are the best to vote for. Voters should scrutinize lifestyle, action, supports, electoral conduct, and reputation of candidates before voting. This strategy is being used in over 40 dioceses and has contributed to the downfall of several political dynasties. The "I Vote Good" campaign made me realize the amazing work that civil society organizations are doing to alleviate corruption in the Philippines, and the significance of faith-based organizations advocating for issues outside of the Catholic Church's formal agenda is noteworthy.

The interviews we conducted with candidates informed several observations that were reported to the COMELEC. First, political dynasties are alive and well in Northern Cebu. We interviewed a candidate whose mother was a congresswoman, son-in-law was running for mayor of another municipality, son was running for congressman, and who's wife had been a congresswoman.

When asked about what they thought about being called “political dynasties,” and candidates all gave similar answers: that being born into a political family makes one more apt for politics and that if political families can afford to effectively serve the public, why not?” The power of political dynasties wasn’t something I noted until I left Manila. In the provinces we visited, almost everyone was living in poverty except for the politicians who were wearing designer clothes, living in luxurious homes, driving hummers, and sending their children to American schools.

Second, while almost all candidates agreed that vote buying should be stopped, it is part of the Philippine political culture and that it was something in which all candidates were participating. Vote buying also does not necessarily have to occur in a monetary context. Candidates also provide supporters with food. One incumbent mayor had even produced a health card with medical benefits that was issued only to supporters.

Third, there were some acts of violence in the area, such as the shooting of a woman who was supporting a candidate. While there was no logical connection between the shooting and the election, both opposing candidates tried to use the shooting as political fodder. Also, three grenades were found in Bugo City. It is expected that they were strategically placed in order to provoke intimidation. Worse, the grenades were found by children playing outside. The Candidates we interviewed all told stories about being intimidated by goons, private armies, and strafing.

During Election Day, our team went around to several elementary schools (where voting took place) in five different municipalities. I couldn’t help but compare the Philippine elections to the BC Provincial Elections, which were occurring at the same time. It was frustrating to learn that only 58% of the population in BC voted, when so many Filipinos engaged in the democratic process despite crowding, long disorganized lines, heat, a lack of shade, and security threats. We were all humbled by the tenacity of voters. While there were positive observations, we also observed candidates setting up food tents for supporters. The team also observed voters walking into a candidate’s home and coming out with envelopes, which we suspected to be vote buying.

Above all, we observed that in the areas we visited, the 2013 midterm elections were less violent and more credible than in 2010, and that president Aquino’s anti-corruption policies seemed to be producing some tangible results. The PCOS machines that were used to process ballots were functional for the most part, aside from a few paper jams.

Election-related violence also decreased dramatically in the areas we observed in comparison to the 2010 elections. As for whether this past election was generally more credible and peaceful than the previous, it’s a difficult question, and one that this entry is not meant to answer. It really depends on which jurisdiction you look at because what happens in each is so different.

Awards and Recognition

CAPI Student Essay Prize 2013



Congratulations to James Billingsley, J.D. Candidate at the Faculty of Law, who came first in our CAPI Student Essay Prize for an impressive entry entitled, "Claiming Poor Rights: Narratives of Shelter, Space and Freedom in India and Canada." Congratulations also to Connor Bildfell, Bachelor of Commerce Student, who came second with his essay, "Language Strategies in China: An Analysis and Framework Development for Multinational Companies."

CAPI Student Research Fellowship 2013



Former CAPI Intern [Cate Lawrence](#) was awarded our Student Research Fellowship this year. We were very impressed with her ongoing research entitled: "The Nepal National Diplomacy Training Program Master's Project." Cate is currently in Kathmandu working with Migrant Forum in Asia and the Diplomacy Training Program working on an initiative on migrants' rights in Nepal. She is enrolled in the Masters in Dispute Resolution program at UVic.

CAPI Faculty Research Grants



This year CAPI has awarded two faculty research grants. Our first award goes to [Dr. Feng Xu](#) in the Department of Political Science whose research is, "Governing Migrants, Developing Regional Economies and Building Harmonious Society in China."



Our second grant goes to [Dr. Julia Baum](#) in the Department of Biology for her work on, "Fisheries and Climate Change Impacts on the World's Largest Atoll." Dr. Baum will use the money to help fund a trip for her and research assistant, Maryann Wilson, to do further research on the atoll in Kiritimati in July.

Conferences, Events and Publications

Upcoming conferences and events



China Chair [Guoguang Wu](#) is bringing together leading scholars in the fall for a keynote lecture, and a workshop entitled, "Perspectives on China's Transition." The keynote on September 27, 2013 will be from Minxin Pei, an expert on governance in China and democratization in developing nations. Pei currently serves as the Director of the Keck Center for International and Strategic Studies at Claremont McKenna College. In 2008, he was listed as one of the top 100 public intellectuals by Prospect magazine. The workshop on September 28, 2013, will include scholars from all over the world.

In addition to this, we are working on a [Lunch and Learn series](#) and other exciting events for the fall. Stay up to date by checking our [website](#), or join our email list for events by emailing capi@uvic.ca.

Recent conferences and symposia



With the support of the University of Victoria, scholars, graduate students and community activists from across Canada gathered on June 1-2, 2013 to discuss the future of [Asian Canadian studies](#). This event formed part of UVic's 2013 Congress and was organized by the [Asian Canadian Studies network](#), with assistance from CAPI.

conference.

Special guests included Joy Kogawa (author of *Obasan*), Elaine H. Kim (coordinator, Asian American and Asian Diaspora Studies, University of California, Berkeley), Victoria City Councilor Charlayne Thornton-Joe and many Asian Canadian scholars from across Canada for this two-day



Economic, social and political conditions have prompted large numbers of people from North Korea to migrate to South Korea, China and other parts of the world. This symposium, [Two Koreas: Borders and Migration](#), on April 5 and 6, 2013 was organized by visiting scholar [Jeewon Min](#), and brought together experts to discuss issues relating to migration to and from the Korean Peninsula with an emphasis on gender, race and language.



Religion is generally considered to be an individual affair, but what happens when the internal rules and norms of religious communities come into conflict with those of the state? Professor Jeremy Webber of the UVic Faculty of Law addressed these and other issues in a public lecture entitled, [Religious Communities as Legal and Political Order](#) on November 22, 2012 in the David Lam Auditorium. The lecture was the keynote address to the [Governance of Religious Diversity in China, India and Canada](#) conference, hosted by the Centre for Studies in Religion and Society and the Centre for Asia-Pacific Initiatives.



On December 13th, 1937, the Japanese Imperial Army entered Nanjing, the former capital of the Republic of China. In the six weeks that followed, thousands of civilians and soldiers died, their bodies found later in mass graves around the city. 2012 marked the 75th anniversary of the Nanjing atrocity. On November 16 and 17, 2012, the Centre for Asia-Pacific Initiatives and the Department of Pacific and Asian Studies held a symposium entitled, [The Nanjing Massacre, 75 Years On](#). The symposium looked at the events of 75 years ago, and examined what they mean today for China, Japan, Canada, and the Asia Pacific region.

Lectures



Thirty-five years ago, the young Canadian teacher, editor and activist [Neil Burton](#) played an important role in the key international debate about the future of China in the immediate post-Cultural Revolution years. That debate echoes down to the present in current debates in China about social equality, corruption, and the regulation of China's powerful market economy. The talk entitled, [Neil Burton and the Historic Debate on China's Future: Echoes from the Past to the Present](#) was the third annual Neil Burton Memorial Lecture and was given by Mark Sidel, Doyle-Bascom professor of Law and Public Affairs at the University of Wisconsin-Madison. It took place on January 24, 2013.



The Centre for Asia-Pacific Initiatives held its annual Albert Hung Chao Hong lecture on August 2, 2012. Dr. Prasenjit Duara, Raffles Professor of Humanities at the National University of Singapore, discussed his theories on national histories and storytelling to an interested audience in his lecture, [Histories and Competitive Societies: Temporal Foundations for Global Theory](#).

Lunch and Learn talks



After focusing for many years on quantifying impacts of fisheries on large pelagic and ocean sharks (mostly in the Northwest Atlantic), Julia Baum's research is now focusing on sharks on Pacific coral reefs, and trying to understand how these large predators shape coral reef ecosystems, and what the consequences are of losing them. Julia and her team address these questions through field studies on Kiritimati atoll, in the remote equatorial Pacific, and complex statistical analyses of large coral reef monitoring data sets. In this Lunch and Learn, [Sharks on Pacific Coral Reefs](#), on February 6, 2013, Julia Baum, an Assistant Professor in the Department of Biology, shared her research findings.



In this Lunch and Learn, [Reflections on an Indian Variant of Liberalism](#), on November 1, 2012, Dr. Rinku Lamba considered certain prominent objections to the possibility of conceiving of an Indian variant of liberalism and offered responses to them. Dr. Lamba is a Political Theorist at the Centre for Political Studies, Jawaharlal Nehru University, New Delhi and visiting fellow at UVic's Centre for Studies in Religion and Society and at CAPI.



Having recently returned from consulting in Mongolia, Global Collaboration Director and CAPI Associate, Ivan G. Somlai, provided a frank overview of the realities of large extractive industries and their interactions with government and communities in his Lunch and Learn, [Mongolia, Mining and Unavoidable Issues](#), on October 17, 2012. Aspects touched on included

ownership, environment, governance and ethnic and social tensions - aspects which find resonance across the globe in similar contexts.

Other events



On September 29, 2012, CAPI celebrated UVic's birthday by holding an Open House at the Centre. There were presentations by former interns [Mikaela Robertson](#), [Kelly Lindsay](#) and [Haydn Shook](#) as well as from our Bangladeshi intern, Mahmudul Haque.



On February 22 and 23, 2013 The International Organization Network (ION), a group of prominent cross-cultural management educators and scholars from around the globe, held its annual meeting and public forum at UVic, supported by CAPI and organized by Jarislowsky Japan Chair, [Mary Yoko Brannen](#). This year's forum explored migration and mobility with respect to individuals, organizations and country contexts.

Student events



On November 5, 2012, CAPI's work study students, Andrew Wong and Han Ye, organized a Lunch and Learn for other students interested in working or travelling in Asia. The Lunch and Learn, entitled, [Work Culture and Business Manners in East Asia](#), featured CAPI's Jarislowsky East Asia Chair, [Mary Yoko Brannen](#) and students across campus who shared their experiences of living and working in the region.

CAPI events at UVic's IdeaFest, 2013



During IdeaFest 2013, CAPI held an event for students called [Work and Study Opportunities in Asia](#). During the event there were students who had taken part in CAPI's internship program, the Geography field school to India and also a presentation about Pacific and Asian studies' language programme in Indonesia. The event showcased some of the opportunities on campus for students to travel, work or study in Asia. A clip was also shown of the film, *Last Train Home*, and a discussion of the movie was led by Lucy Ding.

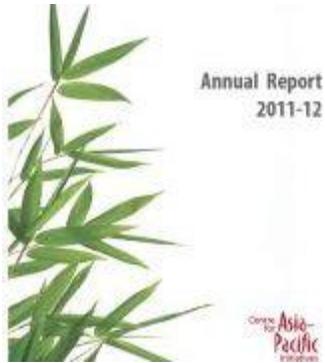


Educator, historical filmmaker, scholar and writer, Dr. Anthony Chan (UVic History, 1967) returned to his alma mater during IdeaFest for a lecture on Asian-Canadian film, [Intersections of History and Film in Asian-canadian and Asian-American Contexts](#). This event was sponsored by UVic's 50th Anniversary Office, CAPI, the Department of History and the Chinese Canadian Benevolent Fund.



In this presentation during IdeaFest on March 12, 2013, Dr. Robert Bedeski looked at issues of security that have largely been derived by Western traditions. He discussed how the approaches of social science may be inadequate because they derive largely from Western European experiences in state-making and often involve 'thinking like a State.' Dr. Bedeski also examined how Chinggis Khan succeeded in surviving a perilous lifespan and preside over a unified state and empire that was partly his creation. In addition, he illustrated how the family, tribal and political influences on Khan affected his longevity. This event was sponsored by CAPI, the Centre for Global Studies and the Department of Political Science.

Publications



[CAPI's 2011-2012 Annual Report](#) is available on our website. The report includes highlights of all of CAPI's events and activities over the past academic year, as well as reports from our Chairs and Associate Director. All of [CAPI's Annual Reports](#), dating back to 1995, are available electronically on the [CAPI website](#).