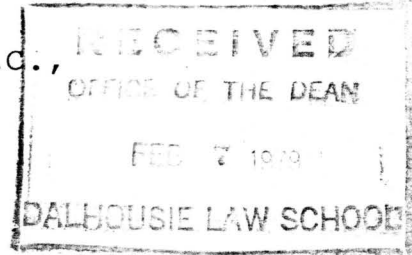




February 1, 1979

Professor R. St. J. Macdonald, Q.C.,
Office of the Dean,
Dalhousie Law School,
Halifax, Nova Scotia.
B3H 4H9



Dear Dean Macdonald:

I am writing to confirm that the Prime Minister's letter to the Chinese Ambassador was signed on January 26 and delivered to the Chinese Embassy in Ottawa. A copy is attached for your files.

I know you will appreciate that his heavy schedule has limited the amount of time the Prime Minister has had available in recent weeks for dealing with his correspondence, and I want to thank you for your patience in waiting for this letter to be signed.

Yours sincerely,

Jacques S. Roy
Assistant Secretary to the Cabinet
(External Policy and Defence)

N.B. I met with the Chinese Ambassador again last night. He had received the letter and told me he would take action immediately.



PRIME MINISTER · PREMIER MINISTRE

Ottawa, K1A 0A2

January 26, 1979

Dear Mr. Wang:

I have two purposes in writing to you. The first is to say that I have been following with considerable interest recent discussions between your Government and mine about ways in which educational exchanges between Canada and the People's Republic of China can be expanded. We are most pleased that you have decided to send some 500 students to Canada for advanced academic training over the next few years. I can assure you that the Canadian Government will make every effort to ensure that your students are given the best training in their fields that Canada can offer.

. . . /2

His Excellency Wang Tung
Ambassador of the People's Republic
of China
411-415 St. Andrew Street
Ottawa, Ontario
K1N 5H3

By the same token, I am sure that you are aware of the considerable interest which Canadians in a wide range of academic disciplines have in China itself and in the work being done by Chinese colleagues in their specialized fields. There have already been some very useful opportunities for Canadians to visit the People's Republic of China. It is my hope, however, that the arrival in Canada of a greatly increased number of scholars from the PRC may be paralleled by similar opportunities for those Canadians who wish to pursue their study and research in some depth in China. I would like to see this happen not only in the area of the study of China and Chinese language, but in the whole range of academic endeavour where I know we have much to learn from each other.

As you are aware, the Secretary of State for External Affairs, Mr. Jamieson, during the discussion he had with your Foreign Minister in January 1978, suggested a procedure which would facilitate exchanges between our two countries in cases where these do not fall under our official exchange programme. I was happy to learn that Mr. Huang Hua responded favourably to this. Further suggestions will be put forward by the Department of External Affairs in Ottawa and by the Canadian Ambassador in Peking in the context of ongoing discussions about the means of encouraging a greater flow of students and researchers between Canada and China.

My second purpose in writing is to introduce to you one such Canadian scholar who is well known to me and who is interested in pursuing just that type of study programme in China which I refer to above.

Professor R. St. J. Macdonald, Q.C., Dean of Dalhousie Law School in Halifax, Nova Scotia, is a prominent member of the legal profession and of the academic community in Canada. His area of specialization is international law. He has considerable international experience, as you will see from his curriculum vitae, which is attached for your easy reference, and has represented the Canadian Government at the United Nations and at several international conferences.

Dean Macdonald proposes to spend five or six months in Peking in order to make contact with Chinese scholars and officials in the field of international law and organization. He would like to exchange views with your experts on current issues in the rapidly developing field of international law and organization, and he would be prepared to undertake a series of lectures and seminars if that was thought to be useful from your point of view. Although Dean Macdonald does not speak or read Mandarin, he is well versed in his subject and can communicate easily with scholars and officials in English or through an interpreter. He could travel to Peking as early as next October, although from his point of view the period from January to June 1980 would be even more convenient. He would travel to China as a private person and at his own expense, although he would of course welcome any assistance in that respect that the Chinese authorities could provide. He would be accompanied by his sister, Dr. Mairi Macdonald, a specialist in the field of adult education.

As our two countries continue to draw closer together, and as many problems in the domain of international law concern us even more significantly than in the past, I believe that it would be advantageous if a specialist such as Dean Macdonald could spend a few months with your international lawyers in Peking, strengthening links that exist already and discussing issues on which we might work more closely in the future. Following this visit, I would hope that it would in turn prove possible for Chinese scholars and officials whose primary interest is in the field of public international law to visit Canada. Dean Macdonald is in a position to assist with the detailed arrangements of such an exchange.

As I have stated above, I believe that Dean Macdonald is eminently suited to undertake the type of visit which he plans to make. I believe too that his proposal is an excellent example of the kind of broadening of academic contacts between Canadians and Chinese which I described in the first part of my letter. I understand that Dean Macdonald intends to contact you in the near future with additional details of his plans for visiting China.

Yours sincerely,

A handwritten signature in cursive script, appearing to read "B. J. A. Macdonald". The signature is written in dark ink and is positioned below the typed name "B. J. A. Macdonald".



12 Oct.

Dear Ronald and Mairi,

Just a quick note to say that when you come next March, and until you have accommodations problems solved, you are quite welcome to stay here with me. I have 2 spare bedrooms at your disposal. I shall be taking vacation February 15-30, but will be at in plenty of time to welcome you to Peking.

I live next to the Friendship Store, and near "downtown" where the Peking Hotel, shopping areas, etc. There is a cook and maid in the flat, so it is really no problem having house guests.

As for Mairi's project, I hope things are working out. There has been in fact 2 other projects submitted to us along similar lines!

I enclose a xerox copy of a recent Xin Hua News item - thought Ronald might be interested.

Cheerio. Do let us know if we can be of help.

A handwritten signature in blue ink that reads "Mary Sun".

Mary Sun

中华人民共和国驻加拿大大使馆

THE EMBASSY OF THE PEOPLE'S REPUBLIC OF CHINA IN CANADA

415 ST. ANDREW STREET, OTTAWA K1N 5H3
TELEPHONE (613) 234-4721

P.O. BOX 8935
NEW TERMINAL, ALTA VISTA, OTTAWA

Dec. 24, 1979

Dear prof. Macdonald:

Enclosed please find the two visas for you. I would like to call your attention that the duration of stay in China is from March 5 to Sept. 10, 1980.

A pleasant journey to you!

Yours sincerely,

Cheng Jian-hua
Third Secretary

7th March 1979

His Excellency Wang Tung
Ambassador of the People's Republic
of China
411-415 St. Andrew Street
K1N 5H3

Dear Ambassador Wang:

On my return to Halifax, I wish to send you these few lines to thank you for the gracious reception which you extended to me yesterday morning and also to indicate my pleasure at the positive response to the Prime Minister's letter. It was delightful for me to have had an opportunity to meet you personally and I am deeply honoured to know that the visit which has been proposed is acceptable to you and to your Government. I will, as agreed, communicate with you about the details at a later stage.

With personal good wishes, Excellency, I remain

Yours sincerely,

R. St. J. Macdonald, Q.C.
Dean

RStJM/hd

30th March 1979

M. D. Copithorne, Esq.
Legal Advisor and Director General
Legal Bureau, Department of External
Affairs
L. B. Pearson Building
Ottawa, Ontario
K1A 0G2

Dear Maurice:

Many thanks for your's of March 20, 1979, together with the excellent paper by Mr. Hugh L. Stephens. This is exactly the kind of thing I am looking for, and I am most grateful to you for including my name on your mailing list. I am looking forward to studying Mr. Stephen's paper on the weekend.

Following the cordial reception shown me by the Chinese Ambassador in Ottawa, and in line with his suggestion that I provide him with an outline of what I wish to do in Peking, I have written to Jerry Cohen and Randy Edwards, both of whom have just returned from China, for guidance on (a) persons and places of interest to international lawyers and, (b) topics on which I might undertake to offer seminars or short lectures, if that was thought desirable from the Chinese point of view. I have also had a long conversation with Professor Bin Cheng, who spent three days with us last week (he is now at the Air Law Institute at McGill), and discovered from him that it would be wise to proceed slowly and cautiously. He thinks that March and April are favourable months.

Now that it begins to look as if this visit will materialize, I would welcome an opportunity to review with you over lunch the pice of paper which will be forwarded to the Ambassador. Could we do this next month, perhaps?

I am going to Pearson College in Victoria on the weekend, and then to the memorial service for Harold Lasswell in New Haven. As soon as I am back in the Law School, I will, if I may, ring through to your secretary in order to fix an appointment.

Yours sincerely,

R. St. J. Macdonald, Q.C.
Dean

RStJM/hd

28th March 1979

Professor R. Randle Edwards
Columbia University
School of Law
435 West 116 St.
New York 10027
U.S.A.

Dear Randy:

Many thanks for taking my telephone call on March 21st last, and welcome back home.

Prime Minister Trudeau's letter seems to have done the trick, because I have been told that I can go to Peking at anytime I wish, but that I am to make suggestions as to where I wish to lecture and who I wish to see. It is in this connection that I would value your guidance and advice.

My idea, as you know, is to spend about three months in Peking in order to make contact with the Chinese international law community. Who should I ask to see? Would it be reasonable to request a "base" in the Faculty of Law at Peking University? Could I become a sort of "visiting professor" for a couple of months? I have offered to give lectures on subjects of interest, if the subjects are within my area of competence. I have also asked to go to Shanghai.

What I need to know, and what I would deeply appreciate hearing about from you, are the names of government departments and officials dealing with international law, and topics on which I might volunteer to lecture, and whether I could reasonably ask to be based at the university. The topics I could deal with include: dispute settlement, commercial agreements, the law of the sea, and the revision of the Charter. Does this make sense to you.

Finally, Randy, there is the question, "where is the action in international law in China"? Is it at the university? The foreign Office? What is this Institute you mentioned?

With personal good wishes, I remain

Yours sincerely,

R. St. J. Macdonald, Q.C.
Dean

RStJM/hd

20th March 1979

Professor Jerome A. Cohen
c/o Coudert Brothers
Alexander House
20 Charter Road
HONG KONG

Dear Professor Cohen:

Prime Minister Trudeau's letter seems to have done the trick, because I have been told that I can go to Peking at any time I wish and that I am to make suggestions as to where I wish to lecture and who I wish to see. It is in this connection that I would value your guidance and advice.

My idea, as you know, is to spend about three months in Peking in order to make contact with the Chinese international law community. Who should I ask to see? Would it be reasonable to request a "base" in the Faculty of Law at Peking University? I have offered to give lectures on subjects of interest to the Chinese, if the subjects are within my area of competence. I have also asked to go to Shanghai.

What I need to know, and what I would deeply appreciate hearing from you about, are the precise names of government departments and officials dealing with international law, and precise topics on which I might volunteer to lecture. I have in mind: dispute settlement, commercial agreements, the law of the sea, and the revision of the Charter. Does this make sense to you.

I do apologize for breaking in on you with a request of this nature at this particular time, but the truth is that you are about the only person who can advise me on these matters; and, in the circumstances, I thought that you would not mind if I wrote as I have done. I am following your directions, as given to me in Halifax, in every detail.

With personal good wishes, I remain

Yours sincerely,

R. St. J. Macdonald, Q.C.
Dean

RStJM/hd

Visa

- Private visitors to China should apply very early through the Embassy of the People's Republic of China, 415 St. Andrew Street, Ottawa, K1N 5H3 (telephone 234-2706) or the Consulate of the People's Republic of China, Georgia Towers Hotel, Suite 1908, 1450 West Georgia Street, Vancouver, B.C.
- One should note that the Chinese do not normally grant individual tourist visas (other than for people of Chinese ancestry wishing to visit relatives). It is best to go as part of a delegation.
- Some Canadian travel agencies have experience in putting together a delegation, and may have an empty slot. Such agencies include: Travel Unlimited, 166 E. Pender Street, Vancouver, B.C. V6A 1T4; Skyline Travel Service, 1148 East Georgia Street, Vancouver, B.C.; Waddel's World of Travel Ltd., 1662 Avenue Road, Toronto, Ontario M5M 3Y1.
- It is advisable to apply for a new passport if your passport carries a Taiwan stamp.
- Travellers with official government delegations will have their visas looked after by the Department of External Affairs.
- Visas are granted within two weeks of application, normally sooner for official government delegations.

Sponsoring Organizations

- China International Travel Service (Luxingshe) - handles most 'tourist' groups.
- Overseas Chinese Travel Service - for travellers of Chinese ancestry.
- Association for Friendship with Foreign Countries - handles counterpart friendship groups.
- People's Institute for Foreign Affairs - handles retired and non-government (i.e. opposition) politicians and officials, some prestigious academics (particularly those with close government affiliation, as well as politicians from countries with which China has no relations.

- Official groups are sponsored by counterpart organizations, ministries, bureaux, science, the Academy of Science, sports federations, etc.
- While in China these organizations will be your hosts in every way and will in all cases be your channel to the Chinese authorities through the interpreters and guides which they will supply.

Innoculations

- Travellers must have a valid smallpox vaccination (i.e. must have been vaccinated within last 3 years).
- A cholera vaccination is required by the Hong Kong government. Immunization. A Guide for International Travellers is available through the Department of National Health and Welfare which has information offices in most major Canadian cities.
- WHEN PLANNING THEIR TRIP TRAVELLERS SHOULD REMEMBER THAT TO REACH CHINA ACROSS THE PACIFIC OCEAN IT IS NECESSARY TO CROSS THE INTERNATIONAL DATE LINE AND ONE FULL DAY IS LOST.

Travellers Cheques/Chinese Currency Controls

- China does not accept Toronto-Dominion, American Express or First National City (Citibank) Travellers Cheques. Most other British (i.e. Cooks, Barclays) or American (Bank of America) travellers cheques are acceptable.
- At the border you will have to declare all your foreign currency holdings (you may not import or export Chinese currency), and each time you change money you will be given an Exchange Memo. You will need this to change your money back when you leave.
- Exchange rates - fluctuate with international currency market and so floats with the Canadian dollar. The rate usually hovers around US \$1.00 = 2.00 RMB (or US \$0.50 = 1 RMB). (Renminbi - people's currency is usually called a Yuan and written ¥, in colloquial speech it is referred to as a Kuai.)

Travel To China

- One may enter China through Shumchun on the Hong Kong border, or by air from Tokyo into Peking or Shanghai.
- The only way to enter China from Hong Kong is by train. Canadian airlines (Canadian Pacific) fly to Hong Kong and to Tokyo, but as yet do not fly to either Shanghai or Peking. You may fly into Peking any day of the week except Saturday.
- Train from Hong Kong - arrange through China Travel Service (Luxingshe), Hong Kong, 77 Queens Road, Central Hong Kong (tel. 5-259121); China Travel Service (Kowloon), 27 Nathan Road, first floor, entrance on Peking Road, Kowloon, Hong Kong (tel. 3-664127).
- It is most advisable to stop at least overnight at either Tokyo or Hong Kong in order to overcome the "jet lag" caused by the trans-Pacific flight.

Travel within China

Air

- Tickets will be bought by the guide or host organization.
- Passengers are limited to 33 lbs. (15 kg.) of checked luggage and will be charged for being overweight. There are daily flights between Kwangchow (Canton), Shanghai and Peking.
- Service between smaller centres is less frequent and smaller aircraft are used. There are few flights at night or in inclement weather. This may oblige the host organization to reschedule flights and entails delays.
- Light meals served on longer flights; on shorter ones, gum, candy, dried fruits and tea are served.

Peking - Shanghai	1½ hours
Kwangchow (Canton) - Peking	3½ hours
Kwangchow-Shanghai-Peking	4½ - 5 hours

Train, Bus, Taxi

- First class passenger cars normally accommodate only 32 persons. Accommodation designed for four people are usually shared by only two foreigners. In dining cars one may breakfast on Western food; other meals normally feature Chinese cuisine.
- Dining, conversation, even sleep, are frequently interrupted by loudspeaker announcements of stops, time, news reports, and interludes of revolutionary Peking Opera and martial music. Though one should diplomatically seek permission, it is often quite easy to turn off the loudspeaker, particularly in the private "soft seat" compartments, where the switch is underneath the table.
- Stops are sometimes long enough to allow passengers to get off the train to stretch their legs and buy local delicacies from vendors at the station. This is generally discouraged, however, because the crowds interested in seeing foreigners are often so large that visitors might find it difficult to move around.
- Within a city, most groups travel on Chinese or Japanese-made tour buses, although local travel of some officially-sponsored groups is by "Shanghai sedan", etc.
- In major cities, most hotels that serve foreign visitors now have small fleets of taxis for hire. For a fixed hourly rate, drivers generally will wait while the visit goes about his business or sightseeing activities.

Things to take with you

- Instant Coffee -- (In China coffee is rare and of questionable quality)
- Western liquor -- (if you are so inclined). Good beer is available locally.
- Patent medicine (take your favourite cold or headache tablets and a diarrhea medicine)
- Colour film (not available in China -- bring lots)
- Reading material, guidebooks -- see suggested list
- Shortwave radio

- Razors (battery or 220 V/50 AC); razor blades
- Feminine napkins, tampons
- Clothes (summer)
 - shortsleeve shirts, blouses
 - rainwear
 - comfortable walking shoes, sandals
 - 1 suit, 1 evening dress (pantsuit optional) for formal banquets
 - sweater
- (winter)
 - sweaters
 - warm underwear
 - warm coat, gloves, hat

Customs

- On arrival at the border post you will be ushered into a waiting room and asked to fill out forms declaring foreign currency, jewellery, watches, cameras, tape recorders, film and blank tapes carried in with you. You may bring in 2 cameras - still and movie (super 8) or two still cameras. There is no restriction on the amount of currency or film you may bring in (as long as it is within "reasonable" bounds). Customs officials are courteous and helpful.

Behaviour

- Chinese tend to be rather formal at first; highly conscious of protocol and hierarchy.
- Cheerfulness and warm cordiality will tend to let your hosts relax a little, so that by the end of your tour your relations may be on a much more informal level.
- Flirting, patting, and off-colour jokes must be avoided. Such behaviour will deeply shock the Chinese and will mar the visit. The handbook for foreign students states: "In China, relations between men and women are solemn and legitimate".
- In general, complex jokes are unlikely to be understood but Chinese are extremely fond of slapstick outside of the most formal occasions.
- It is in your interest to maintain good relations with your guides and interpreters. They can be useful keys to China's culture and politics but their instructions need not be dogmatically followed. You can walk around town and it is possible to arrange a meal in a restaurant.

Communications

- Mail service into and out of China is good. There are post offices in most hotels from which letters and parcels may be sent (there is an inexpensive book rate).

Overseas - letter - 52 fen (0.52 RMB)
- airletter - 35 fen
- postcard - 43 fen

- Airmail normally takes about 6 days from China to Canada, and a little longer the other way.
- Those who wish to receive mail while in China should make sure to include the full title of the delegation, c/o the host organization in China or c/o the Canadian Embassy in Peking. Remember to address letters correctly to People's Republic of China.
- Use of Chinese characters for host organizations will facilitate delivery.
- Telephone service in China is good and overseas telephone calls (by satellite) are quite clear. To book an overseas call ask for the English language overseas operator. Calls can usually be put through promptly. Remember the time difference (note - all of China is in one time zone). China - 14 hours ahead of EST.

Telegrams

- In some cases phoning Canada may be cheaper than cabling.
- Telegrams cost ¥ 1.40 (yuan) a word with a 21 word minimum.
- Nightletter ¥ 0.75 per word.

Media

- If you are anxious to hear world news while you are there take a short wave radio. BBC World Service and the Voice of America can be heard in most regions of China as well as other western stations. The only other source of foreign news is the English and French summaries of foreign press agency reports compiled by the Chinese. Available daily in Peking but with a delay of some days in other cities (sometimes impossible to obtain altogether).

Dress

- Dress comfortably, not ostentatiously. Men may never need to wear a tie in China, nor will women need to wear evening dresses, although they may wish to do so at formal banquets.
- As Chinese curiosity can be unnerving it is best to minimize provocation.
- Dress conservatively as far as colour is concerned. You may not wish to look like a Christmas tree.
- Do not dress too revealing; avoid miniskirts and shorts or skimpy T-shirts. But it is quite permissible to wear skirts especially in summer.
- For winter carry sweaters that you can wear under a jacket. Not all rooms are heated, and Chinese custom is to increase the layers of clothing as the weather gets colder.

Electric Current

- 220 volts - 50 cycles
- Sockets may vary from international standard; adaptors for these are available in hotels - transformers are not.

Interpreters

- Remember to speak clearly and slowly (sentence by sentence) if you wish to be interpreted efficiently.
- When preparing lectures figure that it will take 1 hour for what would normally be a 20-minute lecture.
- Etiquette provides that the host organization in each city provides its own interpreter, these may not be up to the standard of the interpreters of the national organization, who are generally quite good.

Visits

- No matter what your official business it is almost inevitable that while in China you will be taken to visit schools, factories, nursery schools and Communes. Plain tourism is always an important component of any visit to China.

NB

- Here, the procedure is usually a "brief introduction" and tea, followed by a tour of the facilities. The same procedure applies to official government visits. Often there will be a question and answer session following the tour.
- The "brief introduction" is always an overview of the current political situation, followed by an accounting of the progress made since 1949, often with statistics.
- You may wish to thank your hosts as you leave. (Your cue for this will be a statement by your host about how grateful they were to receive you.)
- To gain the most out of a question and answer session it might be better to prepare your questions beforehand, asking only the questions you feel are important and have a good chance of getting answered.

Climate

- China's climate ranges from temperate and continental in the North and Northeast to sub-tropical in the South. When preparing your wardrobe have your itinerary as well as the season in mind.

Northeast - at Harbin in the North there is a climate not unlike that of Winnipeg with a median temperature of -18°C in winter and 21°C in summer with about 15°C in spring and fall (no snow).

North China - Peking has a very dry and cold winter, a dusty and windy spring, a hot, humid and sometimes rainy summer, and cool and fine autumn. Temperatures average -7°C in winter and 27°C in summer and 17°C in the fall.

Central China - Wuhan has a damp and cool winter and an extremely hot summer. Winter temperatures average 4°C and summer temperatures average 32°C . Spring and fall are pleasant at 21°C .

East China - Shanghai has a cool, damp winter (average 7°C) and a hot summer (32°C), and a warm fall and spring (21°C).

South China - Kwangchow (Canton) - a sub-tropical climate. Winters are damp and may be chilly at 15°C (no heating), summers are hot at 32°C , while spring and fall are still very warm.

Photography

- Chinese black-and-white film (ASA 100, 135 or 120) of reasonable quality and price is widely available (although not always ready wound in cassettes). Colour film either slide or print is not generally available. The Chinese will process Fuji, Agfa and Kodachrome colour slide films, but you may prefer to send/take these out for processing, which usually do not pose a problem. (The Chinese do reserve the right to prevent exposed film and/or tape cassettes from leaving the country under special circumstances. NOTE: Colour photographs of your hosts will be very gratefully accepted.
- Photographing in railway stations, airports and off airplanes, and from certain bridges is forbidden, but photographing most tourist sites is allowed.
- Before taking pictures of people or of street scenes it is best to ask permission of your guide or of your subject. When in doubt, always check with your guide.
- Polaroid prints are fascinating to the Chinese.

Tape-recording

- Always ask permission before tape-recording speeches or lectures.

Entertainment

- More than likely you will be treated to some kind of evening entertainment in each city you visit. This may be a sports match, an acrobatics show, modern revolutionary opera, ballet, puppet show, or variety show. All drama revolves around some political theme in today's China, but it need not be heavy-handed, and the technical quality is often very good. However, villains and heroes are always very clearly defined, as in Peking Opera.

Some Books to Read

- You might wish to read Ruth Lor Malloy's Travel Guide to the People's Republic of China, William Morrow & Co. Inc. (New York; 1975). Ms Malloy is a Canadian and her book contains all the general information a tourist should know about travelling in China, and is written in a light, witty style. This book is best to read before you go to China.

- There are many excellent books about China you might like to read now or take with you. Here are just a few:
 - William Hinton's Fanshen (available in paperback). Takes you to a village in North China in the late 40's and gives an excellent worm's-eye view of the Chinese revolution.
 - Stuart Schram's Mao Unrehearsed (in Penguin paperback) is a collection of unofficial versions of some of Mao's speeches published during the Cultural Revolution, in a very readable volume which captures Mao's wit as well as his political style.
 - David & Nancy Milton's The Wind will not Subside. The Cultural Revolution viewed by two Americans who were in Peking at that time, and gives a picture of the passions which have ruled China's recent past.
 - Jan Myrdal's Report from a Chinese Village shows a remote and rural China, with many of personalities in it from a village in North Shensi in 1960.
 - Ross Terrill's Flowers on an Iron Tree, Atlantic Monthly Press 1975, is a readable look at five cities in China - many of which you will probably visit in China. Mr. Terrill gives not only a description of each city but distills its essence and importance to China as a whole, giving a capsule history of modern China along the way.
 - Han Su-yin's the Crippled Tree.
- None of these books is an academic treatise, and all were chosen as possible pillow companions for your trip. Those who want a more complete bibliography can find one appended. Those who wish a more complete guide to China should buy or borrow Nagel's Encyclopedia Guide to China, a book truly encyclopedic in its detail on China's history and places of interest (as well as its price). Somewhat outdated (not much revised since 1965) it is still unexcelled and includes maps of every city you might possibly visit.
- (Odile Cail) Fodor's Guide to Peking contains much useful information for those who will be in Peking for more than a few days, including most of Peking's better restaurants.

Etiquette and Protocol

Hierarchy and Protocol

- Chinese have a strong sense of hierarchy. The leader of a delegation - and every delegation must have a designated leader - will travel in the lead car, with his counterpart, while other members will travel behind, either by car or by bus.
- At dinners the delegation leader will sit with his counterpart host.
- Official delegations should provide the Chinese with a protocol order: Delegation leader(s) at the head followed by the rest in alphabetical order.

Punctuality

- Unlike some other Asian countries, Chinese are punctual. You are also expected to be so.

Clapping

- You will generally be greeted by hand-clapping wherever you go. It is customary in China that one responds by clapping briefly in return.

Criticism

- After a visit one will often be asked for "criticism and suggestions". Here you may be sincere if you wish, but try to be realistic and to the point. It is sometimes wiser to make a very brief point or no comment at all.

Tipping

- There is none in China. If you are particularly well disposed towards a staff member you may wish to give him/her a flag pin or some such similar souvenir.

Banquets and feasts

- You will have at least one or two of these while in China (usually one in each city). Here there will be a speech by the host followed by many toasts - to friendship, to developing relations, to the health of the guests, of those present, etc. You will be expected to reply in kind.

- Chinese are not heavy drinkers despite the ferocious power of some of their liquor (e.g. Mao-tai). You will notice that even during toasts they may not in fact be "emptying their glass" as in the meaning of the Chinese toast "gan bei".
- Chinese meals are made up of many different dishes and courses and you are expected to taste a little of each one. Often your host will place food on your plate for you. Plan for this and try not to fill yourself on the early courses. If you definitely do not want any more, place your hands over your bowl when your host tries to put some more on.

Accommodation

- Hotel costs vary by city and type of accommodation but most hotels which serve foreign guests have certain similar amenities. The rooms are usually simple but functional, containing twin beds, a desk (equipped with stationery, pen and ink), an easy chair, a bureau, and a bathroom. Lighting is often poor. (One of the strongest impressions of China can be the nightly gloom.) Each floor has a service counter where cigarettes and liquors can be obtained, refreshments and ice ordered, dining tables reserved, cables and messages received, and where you may leave your key while away. Laundry is picked up from the rooms and returned the next day; drycleaning takes a little longer.
- There is usually a store where one may buy confectionaries, souvenirs, postcards and toiletries.
- Places to change money and send cables exist in most hotels.
- Each room has a flask of boiled drinking water (room temperature) and a thermos flask which can be refilled by asking a service person. There is also a small tin of tea. (Sometimes also cigarettes and fruit.)
- Most hotels in North China (i.e. draw a line just north of and parallel to the Yangtze) have central heating or provide electric heaters. Extra blankets are also provided.
- There is no air conditioning in most hotels but rooms are usually equipped with fans.

- There are TV lounges in most hotels, which broadcast from about 7-11 p.m. each night; programmes consist of news (in the form of newsreels), and a cultural programme or film.
- Some hotels have radios (even SW) in the rooms.
- Accommodation is nearly always pre-arranged by Luxingshe or the host organization.

Dining

- Most of your meals will be taken in hotel dining rooms. Here you may have western breakfasts but other meals will more often consist of Chinese food (cooked with western tastes in mind).
- Do not worry about not being able to use chopsticks. You may either use a spoon or ask for a fork, usually available in places serving foreigners.
- No visitor to China need worry about the quality of the cooking.

Accommodation in various cities

- Peking - Most official delegations now stay in the new 17-storey wing of the Peking Hotel. One of China's newest and most luxurious hotels (complete with push-button curtains) located at the corner of Wangfujing and Changanjie just two blocks from Tiananmen, it is in the heart of Peking's business and administrative centre, just outside the old imperial city. Rooms here are about \$25.00 a day, two-room suite about \$50.00. Service staff include many young students assigned for language practise. (You may find different floors have different language specialists, corresponding to national origins of the guests.) The older wing is staffed by many who have been there since it was under French management. The rooms are also considerably cheaper in this wing.
- Dining hall serves both western and chinese food.
- Other hotels accommodating foreigners:
 - Xin Qiao (Hsin Chiao) - Southeast of Tiananmen in the old Legation Quarter; with a sixth floor dining

hall with a panoramic view of Peking, serving Western food, and a ground floor dining hall serving Chinese food. Both restaurants are excellent.

- Nationalities Hotel (Minzu Fandian), next to Nationalities Cultural Palace (one of architectural wonders of 1958) which include The Great Hall of the People, Revolutionary Museum, Agricultural Exhibition National Gallery and Agricultural Exhibition.
- Qian men - in the old shopping area by that name, not far from the area for antiques, Liulichang.
- Peace Hotel - just south of Capital Hospital.
- Some of China's most comfortable hotels are the old foreign-owned ones, still completely preserved by the People's Government.
- In Shanghai: VIP visitors often stay at the Jinjiang Hotel, away from the downtown (the old Cathay Mansions). Others stay at the Peace Hotel on the Bund (where you can have an excellent chocolate sundae on the top floor restaurant); the Shanghai Mansions, once the tallest building in China - on the other side of Soochow Creek; and the International Hotel.
- In Shen yang (formerly Mukden), capital of Liaoning in the Northeast (formerly Manchuria), the tourist hotel was once the Mukden Railway Hotel, with wide corridors, high ceilings and a marble lobby; an interesting landmark. Among the relics of those days are billiard tables which have been preserved by a caretaker whose tenure also dates from the 1940's. VIP visitors are housed in a guest house Northeast of the city.
- Sian (Shensi Province) has one huge hotel near the shopping district (Renmin Daxia), built in a grotesque Stalinist-cum-traditional Chinese style, and another smaller guest house on the outskirts of town (The Sian Hotel).
- Nanking (Kiangsu) - the Nanking Hotel is renowned for its quiet setting amidst a rose garden and its service. Some of its rooms are air conditioned.
- Soochow - The Grand Hotel is also set in a garden just a few minutes walk from the Grand Canal.

- Hangchow - has three hotels serving foreigners, all of which overlook the lake and are excellent spots for strolling, although they are at some distance from the centre of town. The food is excellent.
- Kwangchow (Canton) - most foreigners stay at the Tung Fang Hotel - across from the complex housing the China Export Commodities Fair. Accommodates several thousand of those who come each year (April 15 - May 15) (October 15 - November 15) to the Canton Trade Fair. This hotel has a newer 11-storey structure and an older eight storey structure. The older section has a billiard room (eighth floor, old section), a dining room in each of the structures, shops, post offices, and a large bar, the "Purple Cockatoo".
- There is also a Kwangchow Fair Liaison Office to assist businessmen with their appointments.

Water

- Many people drink the water in the larger cities without ill effect. But for caution's sake boiled water is provided in hotel rooms and hot (boiling) water is available almost everywhere.

Medical Care

- Medical care is provided in Chinese hospitals for those foreign guests who unexpectedly fall ill. You can expect to be treated well, according to Western medical practice, and can try Chinese medicine if appropriate and if you so wish. However, those with serious problems are usually encouraged to return home for treatment, an advice we usually concur with.
- In serious cases, it is advisable to contact the Canadian Embassy for assistance.
- Chinese do not have RH negative blood and do not stock it. Visitors with RH negative blood should be prepared to tell physicians should problems arise.
- Given the climate in North China, colds and coughs are common in winter. Visitors travelling at this time might wish to take favourite cold medicine and cough lozenges along.
- In summer especially, diarrhea is not infrequent, so take along a remedy suggested by your doctor.

NOTE: - If you are examined by a Chinese doctor - Chinese generally consider "high" blood pressure at a level considered normal in Canada - if you have had your blood pressure read recently you might want to jot it down for reference.

Shopping

- In most cities you will be taken to the Friendship Store - a store reserved for foreigners selling export quality goods as well as antiques, carpets and jewellery. There are also special antique stores which sell various antiques and curios (none more than 200 years old). Make sure you keep the red seal on the item and your receipt with you for antiques you have purchased, otherwise you will not be allowed to take them out of the country. In some cities you can also arrange for things to be shipped home.
- For simpler native crafts there are handicraft stores. You might want to wander about the streets and pick them out yourself, but make sure you have a mandarin speaker with you. Otherwise transactions might prove impossible.
- Shanghai and Peking have special shops for old books. Peking's is on Liulichang where most of the antique shops are, and Shanghai's is on Fuzhou lu. Ask your guide in each city to show you handicraft stores or fan shops.
- Some good buys:
 - Rubbings are inexpensive and take up little space, and make excellent buys.
 - Scrolls - usually copies of paintings - are inexpensive but good copies of famous paintings or good originals are expensive.
 - Silk - usually an excellent buy but you will need to have your guide with you to buy cotton, as this is rationed.
 - Furs, fur hats - especially good buy.
 - Porcelain - a good buy if you can find a way of shipping it home.

NOTE: - You might want to check with Canadian customs before you leave on your trip to determine what kind of goods you may bring back. A brochure entitled "I Declare" is available at all Canada Customs Houses.



NAME/NOM MARY SUN		FILE/DOSSIER 6-3	--3-3
POST OFFICE BOX CASIER POSTAL 500 (PEKIN),		GENERAL POST OFFICE BUREAU DE POSTE CENTRAL OTTAWA, CANADA, K1N 8T7	
DATE			

Correspondence and Christmas greeting cards addressed to the above-named person may be forwarded through the facilities of the Department of External Affairs provided the sender complies with the following conditions.

Nous serons heureux d'expédier de la correspondance personnelle ou d'affaires et vos cartes de Noël à la personne nommée ci-dessus par l'intermédiaire des services du Ministère, si l'expéditeur observe les conditions suivantes:

- (a) Correspondence must be written on *lightweight airmail paper* and enclosed in a *lightweight airmail envelope*, clearly addressed, giving the full given names and surname of the addressee, to the address indicated above.
- (b) The envelope must bear sufficient postage to cover transmission to Ottawa.
- (c) Sender's name and return address must appear in the upper left-hand corner of the envelope.
- (d) Except for the five letter acronym following P.O. Box 500, no mention of the foreign destination should appear on the envelope.
- (e) With the exception of important personal or business papers and Christmas cards, enclosures are not permitted. Envelopes containing important documents should be endorsed "Enclosures - important documents".

- (a) *Les lettres doivent être écrites sur papier mince ("par avion") et insérées dans une enveloppe du même type; l'adresse doit clairement indiquer (à la machine ou en lettres moulées) les prénoms et nom du destinataire et l'adresse tel qu'indiqués ci-dessus.*
- (b) *L'enveloppe doit être suffisamment affranchie pour l'expédition jusqu'à Ottawa.*
- (c) *Le nom et l'adresse de l'expéditeur doivent figurer au coin supérieur gauche de l'enveloppe.*
- (d) *Sauf le sigle de cinq lettres inscrit après "C.P. 500", aucune mention de la destination à l'étranger ne doit figurer sur l'enveloppe.*
- (e) *A l'exception des documents personnels ou d'affaires importantes et des cartes de Noël, les pièces jointes ne sont pas permises. Les enveloppes qui renferment des documents importants doivent porter la mention "Pièces jointes - documents importants".*

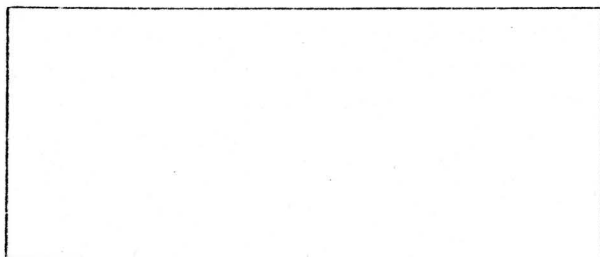
2. No record is maintained of personal correspondence forwarded through departmental facilities and no responsibility is assumed for delays or for loss of material accepted for transmission.

2. La correspondance envoyée par l'intermédiaire de nos services ne fait pas l'objet d'un contrôle officiel, et le Ministère ne peut assumer aucune responsabilité en cas de retard ou de perte de documents.

3. This facility exists only for the forwarding of correspondence, Christmas cards and important business and personal documents. Parcels, books, periodicals, newspaper clippings, photographs, postcards and greeting cards (except Christmas cards) are NOT accepted for transmission.

3. Ce service s'applique seulement à la correspondance aux cartes de Noël et aux documents personnels ou d'affaires importants. Les colis, les livres, les périodiques, les coupures de journaux, les photographies, les cartes postales et les cartes de souhaits (sauf les cartes de Noël) ne sont pas acceptés pour transmission par nos services.

TO/A



IN THE EVENT THAT IT IS NECESSARY TO FORWARD AN URGENT PERSONAL MESSAGE, IT WOULD BE ADVISABLE TO TELEGRAPH VIA COMMERCIAL CABLE, USING THE FOLLOWING ADDRESS:

MARY SUN
DOMCAN
PEKING

S'IL EST NÉCESSAIRE D'ENVOYER UN MESSAGE PERSONNEL URGENT, ON FERA BIEN D'EXPÉDIER UN TÉLÉGRAMME PAR CÂBLE COMMERCIAL, EN UTILISANT L'ADRESSE CI-HAUT.

THE PEOPLE'S REPUBLIC OF CHINA AND THE INTERNATIONAL

COURT OF JUSTICE

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Canada

In view of the dramatic shift of Chinese representation in the United Nations, it is of interest to speculate on the attitude that The People's Republic of China, as one of the major powers, will probably assume toward the International Court of Justice. What is that attitude likely to be and how will it affect the future role of the court? To state the conclusion first, China is far more likely to be negative than positive. This probability can be inferred from a number of factors.

I. DISPUTE RESOLUTION IN CHINA

The Chinese attitude will presumably reflect the Chinese emphasis, both contemporary and traditional, on reconciliation, through mediation and negotiation, in preference to adjudication or arbitration, as a method of dispute resolution. By way of elaboration let us briefly consider dispute resolution in China.

(1) Imperial China: Confucianism, which dominated the way of life of the Chinese people, was concerned with society and not with the individual, except in so far as he was a member of society. Confucian values emphasized not the rights of the individual but group harmony. The morally superior man guided by li (rules of proper conduct emphasizing moral

persuasion) adjusted his conception of his rights to the needs and demands of other members of society, yielding where necessary to avoid disruptions of universal harmony. To insist on one's rights was to demonstrate a shameless concern for one's interests to the detriment of the interests of society. Such conduct was dishonourable. "If one was recognized as being clearly in the right in a dispute, it was better to be merciful to the offending party and set an example of the kind of co-operation that is fostered in group solidarity rather than exact one's pound of flesh and further alienate the offender from the group."

However, even Confucius was aware that actuality often falls short of the ideal. Despite an inherent belief in the goodness of man, Confucianist philosophy recognized the utility of fa or positive law. Fa was penal law which embodied the ethical principles of Confucianism and it traditionally supplemented li; it was designed to ensure the preservation of natural order through the application of physical coercion. It was looked upon as a necessary evil although in an ideal society it was unnecessary.

Law in Imperial China thus developed as a hybrid of Confucianism and legalism, but the dominance of Confucianism ensured an emphasis upon amicable settlement of disputes. When disputes arose they did so within a complex social setting and against the background of a variety of norms governing proper conduct relative to specific social roles; harmony was preserved by the existence of a status-conscious, hierarchically organized, society. Dispute resolution thus necessitated a consideration of the particular dispute within its

own special context; the relevant ethical rules or social behaviour were paramount. Confucianism thus encouraged the development of an awareness of the uniqueness of every human situation; generalized categories were avoided.

In addition to a philosophical predisposition that favoured dispute resolution by mediation and compromise, the nature of Imperial governmental institutions for adjudication of disputes produced a similar preference for mediated settlement of conflicts. Virtuous citizens would, of course, in accordance with Confucian values, settle conflicts amicably, thereby avoiding the necessity of starting a law suit. "As for those who are troublesome, obstinate, and quarrelsome," said the K'ang-hsi Emperor, "let them be ruined in the law courts - that is the justice that is due to them".

Despite the existence in old China of a hierachical structure of institutions comprising the judicial system, including an elaborate method of appeals, the role of the courts in dispute resolution must be minimized. County magistrates, trained in Confucian classics, were judges of first instance, but they were primarily administrative officers responsible for the functioning of local government; they had little time to attend to their judicial duties. It must be remembered that the object of the judicial system was to punish those who violated natural order and thereby to restore harmony. Restitution and compensation were not the primary concern of courts designed to enforce penal law.

Litigation was in fact so unattractive in traditional

China that there was a universal dread among the people of coming before the courts. The hazards of litigation, apart from the delay and expense involved, included a presumption of guilt (all actions were criminal), the use of torture to extract confessions, the punishment of unjustified accusers, and often the punishment of witnesses. Little wonder then the traditional counsel: "Let the householder avoid litigation; for once go to the law and there is nothing but trouble".

There were three basic methods of extra-judicial dispute resolution in Imperial China: negotiation; mediation or conciliation; and arbitration, "one shading into the other almost imperceptibly". The nature of the method employed depended upon the power and influence, within the family, clan, village, or guild, that the mediator could assert. Social pressure within the closely knit context of village life, together with the unattractive alternative of litigation, usually forced the disputants to accept some sort of compromise. All kinds of disputes were mediated, including, in some instances, serious criminal cases.

"In line with the spirit of social harmony and compromise, the informal means of mediation and conciliation rather than the regular legal process became the prevailing forms of dispute resolution in old China: Mediation facilitated a settlement reasonably satisfactory to both parties and in addition fostered social cohesion. The system "probably had a greater capacity for bringing about recon-

ciliations and minimizing resentments than did litigation".

(ii) The Interregnum 1911-1949: Increasing European influence and internal unrest in the 19th century resulted in a western-influenced, legalist resurgence that was aimed at creating a strong centralized administration that could prevent further humiliation at the hands of foreign powers. This process of westernization was greatly accelerated by the fall of the Ch'ing dynasty in 1911. The new Chinese leaders, having cast aside their Confucianist orientation towards mediation, sought to subject the Chinese people to a greater degree of governmental control, both administrative and judicial, and thereby to transform Chinese society.

However, the Chinese heritage could not be destroyed in a day, and throughout the period 1911-1949, except possibly during the period 1928-1937, Nationalist energies were directed not at consolidating, but at maintaining, Nationalist rule. Warlordism, civil strife, including the struggle against the communists, and the Sino-Japanese war, drained Nationalist energies. European-type codes, as far as the larger part of Chinese territory was concerned, existed in theory but not in actuality.

Even if the Nationalists had been able to bend all their energies to westernization they would probably still have failed to eradicate the Confucian heritage of dispute resolution by means of informal mediation, so closely associated with the semi-feudal way of life. Modernization of methods of dispute resolution in 20th century China was necessary and

desirable; but transformation of Chinese society, if not an essential pre-requisite, was at least an important corollary to the success of such modernization. "Before the end of the Ch'ing dynasty, state legislation was never intended to provide a system of what we should call civil law, and even when the legislator found it desirable to introduce changes into the customary law, in nine cases out of ten his efforts were in vain, and it was the original unmodified custom, sometimes defying centuries of hostile enactments from both Imperial and Republican authority that survived throughout the country at large down to 1949."

(iii) The People's Republic of China: Maoist Marxist-Leninism has undoubtedly transformed Chinese society. The new philosophy envisages an egalitarian society wherein the people will be guided "not by motives of personal gain but by the principle of selfless service to the people for the common good". Like Confucianism therefore, the new ideology emphasizes man as a member of society. Chinese law (synonymous with policy) remains the vanguard of the political order and not the guardian of private rights and interests. The immediate object of Maoist Marxist-Leninism, however, is not harmony, which the philosophy of Confucius deemed advantageous to all, but the promotion of the common good.

The technique employed by the Maoists to attain this end is the renowned 'mass line'. The purpose of the mass line method is to prevent the re-emergence of a privileged

bureaucracy guided by motives of personal gain rather than by a desire to serve the interests of the masses of the people. Legalization and bureaucratization go hand in hand; thus anti-legalization is an integral part of the mass line method. At the same time, the 'mass line' encourages the resolution of contradictions among the people by the application of 'methods of democracy', namely, discussion, persuasion, education, and criticism (including self-criticism). Mediation is a natural substitute for adjudication in a society that condemns the selfish pursuit of individual interests to the detriment of the interests of the masses, and which seeks to prevent the emergence of any distinction: between the governed and the governors.

Despite the absence of detailed legal codes - all Nationalist laws were abolished in 1949, but have not been replaced - and the de-emphasization of adjudication as a method of dispute resolution, behavioural norms regulating the conduct of life in Maoist Chinese do exist; they are to be found within Maoist Marxist-Leninist philosophy, for law and party policy in modern China are indistinguishable.

Pre-1949 Development

Pre-1949 experience "is significant not so much for its own sake as for the way in which it tied the growth and ideology of the Chinese Communist Party to the Chinese peasant, the Chinese soldier, to the traditional Chinese countryside and thus strengthened the element of continuity" between traditional and post 1949 Chinese society.

In its formative years the system of people's justice

began to encourage reliance on mediation as a method of resolving both civil contradictions among the people and minor criminal cases. Mediation, as the past had demonstrated, allowed administration without bureaucratization, and it was therefore ideally suited to the task of implementing socialist theory. Mediation, however, did not simply mean compromise; the disputants were encouraged by official mediators to agree to a mutually satisfactory solution based on the principles of the new philosophy. This was preferred to impersonal adjudication in accordance with laws implementing the new philosophy.

In the period 1935-45, mediation was adopted as the primary method of settling disputes among the people; its ideological superiority was stressed and both in-court and out-of-court mediation emphasized. Mediation, it was believed, facilitated amicable dispute resolution which in turn, it was argued, strengthened the unity of the people, reduced the number of lawsuits, fostered production, and generally aided socialist construction. Prior to 1949, therefore, 'principled' mediation, a device designed to unite theory and practice, emerged as the primary method of Maoist Marxist-Leninist dispute resolution.

Post 1949 Development

The problems confronted by the communists on accession to power in 1949 were enormous. Re-organization and modernization of Chinese semi-feudal society was not something that could be done overnight. Suffice it to say that mediation

in post 1949 Chinese society remained the preferred method of dispute resolution.

One striking difference distinguishing Maoist mediation and traditional mediation is the extent to which the present regime has sought to control this dispute resolution technique. Control of, and participation in, mediation perhaps, but the Chinese communists did attempt to 'modernize' their semi-feudal country by remoulding ancient and inborn traditions. To this extent the present system of Maoist mediation is the culmination of modernization, and not westernization, efforts; and in this respect the present judicial system represents a continuum of the old.

Space prevents a discussion of the extra-judicial, intra-community mediation machinery in contemporary China. However, it should be noted that informal mediation is not restricted to the conciliation committees established throughout China in 1952-53. Mediation as a method of dispute resolution has shown itself to be particularly adaptable to the mass line technique. It is not a pre-requisite to litigation in contemporary China although it is unusual for court proceedings to be commenced without prior resort to informal mediation procedures.

Basic People's Courts, courts of first instance, are responsible for supervizing the work of the mediation committees. This is understandable; if informal mediation fails and court proceedings are started, the emphasis does not shift from mediation to adjudication. Even in court, mediation is primary and adjudication secondary. Judges not only

assume the role of conciliator within their courts but they actively encourage and supervise mediation outside the court room. Litigants, however, are undoubtedly aware of the court's power to adjudicate; otherwise judicial and extra-judicial dispute resolution differs little in style.

(iv) Conclusion

The striking and traditional preference for mediation as a method of dispute resolution will undoubtedly influence the attitude that the Chinese will adopt towards international adjudication. We in the West will have to contrast very carefully the possibilities of informal dispute resolution and its flexibility with the strictness of international law and the formality of international adjudication. We will have to contrast the Chinese awareness of the uniqueness of every situation with the general categories of international law and the impersonal character of international adjudication. The preference for mediation, without more, suggests that the attitude of the Chinese towards the International Court of Justice will be negative.

II E. THE RESOLUTION OF INTERNATIONAL TRADE DISPUTES

Amicable settlement of disagreements arising out of international trade contracts is emphasized by the Chinese. Preference for amicable dispute resolution in this context is not, however, uniquely Chinese; but an emphasis on informality is. After all, said a Chinese trade official, "You do not do business again with a partner who has sued you in court. Do you?"