

Case 5

The use of firecrackers is a prominent ritual in many traditional celebrations of the Chinese New Year. For the past three years, however, the administration of New York City Mayor Rudolph Giuliani has refused to allow the setting off of firecrackers in Chinese New Year celebrations. Citing safety considerations, a spokesperson for the Mayor's office recently noted an Associated Press report of a firecracker storage area in China that caught fire, resulting in the deaths of forty seven people. Opponents of the Giuliani administration's policy say they simply want to be allowed to use firecrackers in specially designated areas under close city supervision. They point out that such procedures are used in large public fireworks displays on the Fourth of July, which to their knowledge, have not resulted in any deaths or serious injuries. The opponents of the firecracker ban emphasize the enormous cultural significance for many of the Chinese people living in New York City of celebrating the Chinese New Year in a traditional manner that includes using firecrackers.

In February of 1998 Mr. Wang Jian, a twenty eight year old former U.S. Marine, set off a string of firecrackers on the steps of New York City's City Hall. Seconds later he walked down the steps and calmly allowed himself to be handcuffed by police officers who arrested him. Mr. Wang was charged with four misdemeanor counts, including reckless endangerment and disorderly conduct, and one count of an administrative code violation, unreasonable noise. Released on \$500 bail, he faced, possibly, up to a year in prison and a fine of \$1,000. "I did it to make a political statement," said Mr. Wang. "I wanted the politicians to know that the Chinese will stand up for what they believe in."

Upon his release Mr. Wang received a hero's reception from many residents of New York's Chinatown. "He did what many of us didn't have the courage to. He is not only my hero, but a hero for the whole community, said Mr. Thomas Lee, a businessman who waited in line in a Chinatown restaurant to shake Mr. Wang's hand shortly after he was released on bail.. Restaurant owners in New York's Chinatown offered Mr. Wang free meals, local businessmen offered to contribute money towards his legal defense, and even police officers showed deference towards him.

Some members of the Chinese community in New York, however, were critical of Mr. Wang's action. Mr. Richard Hsueh, President of Chinese American Voice, a radio station in Flushing, expressed the opinion that Mr. Wang went too far in expressing his point. "I do not have any problems with a safe legalized fireworks display, But [Mr. Wang] should not have done what he did, It's dangerous," said Mr. Hsueh.

Mr. Wang said that before setting off the firecrackers on the steps of New York's City Hall, he made sure the steps were empty. "Public safety was the most important thing in my mind that moment," he said.

Question: Was Wang Jian's protest against the ban on use of firecrackers to celebrate the Chinese New Year in New York City morally unjustifiable? If so, why? If not, why not?