

政學

CIVILITAS

《政學》為香港中文大學政治與行政學系資助，並由本科生負責一切編修工作之學術年刊。我們希望透過出版《政學》，能夠提升本港大專學生探究政治學的興趣；並以本刊作為一個學術交流平台，讓各政治學本科生分享其學習成果和心得。

《政學》之一切編修工作，包括招稿、校對、排版、以至審批來文素質等工作，均全權由本科生所組成之編輯委員會負責。所有文章會交由本系教職員所組成之學術顧問團審閱，惟編輯委員會掌有一切決定權。

《政學》目前雖以香港中文大學政治與行政學系之本科生為組成骨幹，惟我們歡迎及期望本港各政治學本科生能夠參與其中，以共同建立一個屬於本港所有政治學學生相互交流及學習的平台！

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公共空間與社群：從榕樹頭說起

莊港生 賴譽文 鄭健銘

前言

我們希望從公共空間與社群互動的角度探討榕樹頭的空間利用的改變對附近社區的影響，並從而推導出公共空間與社群的整體關係；最後會嘗試將由此所得的空間與社區模型擴充套用到香港社區未來的發展新方向，以達到「以小見大」的目標。

因此，本報告會分為甲、乙兩部份；甲部份希望能概括地勾勒出榕樹頭一路而來的發展及空間利用轉變。而乙部份則會分析榕樹頭此種空間利用轉變背後的源起、影響及其對空間—社群關係的可借鑒之處。

甲、空間轉變

我們把榕樹頭的空間轉變分為源起期、繁盛期及管制期。由於有關文獻的缺乏及零散，我們只能大約指出某時期應大約由甚麼時候到甚麼時候。雖然未能指出確實年份，但我們相信只要所用資料能正確地描繪出榕樹頭的發展轉變及方向，對本報告乙部份所作的分析應不會帶來影響。

源起期（約由香港開埠初期至二戰前後）

榕樹頭早年只是位於油麻地天后廟前的一塊空地，因植有數棵巨大榕樹而得名「榕樹頭」。在榕樹頭的早年歷史中，有兩個地理因素對其空間利用的形塑有著深遠的影響。

第一個因素是榕樹頭與油麻地避風塘的關係。儘管現在的榕樹頭與天后廟離海的距離相當遠，但是早年的榕樹頭其實正是位於海邊。根據 1948 年的地圖顯示，油麻地避風塘的海岸線即在今天的新填地街一帶，榕樹頭側邊的眾坊街，即地圖中的公眾四方街一直延伸至海邊；在更早年的時間，該處即為公眾四方碼頭。



圖一 1948 年九龍地圖：位於永星里及街市街中間的公眾四方街即為今眾坊街，其時臨近海邊

由於鄰近油麻地避風塘及碼頭，大量水上人、碼頭工人及往來渡海者皆聚集在附近地區。鄰近油麻地避風塘海邊的這一因素引導出影響早期榕樹頭空間利用的第二個因素，天后廟的出現。



圖二 早年天后廟前之
商販攤檔

正因為這一地區鄰近油麻地避風塘及碼頭，對出海域海運繁忙，往來船隻眾多，避風塘內更住有大量水上人；水上人社群篤信天后，認為需要天后在此地保佑聚多渡海者，故在 1876 年把官涌街市的一座天后廟遷至廟宇現時所在的位置¹。當時的天后廟對出的一塊空地即是現時的榕樹頭，貫穿其中的一條街道就是廟街（又可按天后廟居中的位置把廟街細分為南面的廟南街及北面的廟北街）。



圖三 1950 年日間的榕
樹頭

由於位處天后廟的前面，榕樹頭這塊空地經常聚集了不少前來上香、還神的渡海者或正在休息的碼頭工人。在榕樹頭的例子中，天后廟清晰地發揮了華人廟

¹ 《讀舊文匯，認識廟街掌故》，(2007 年 7 月 21 日)，文匯報

宇在傳統社區中的社交場作用，不但為鄰近的水上人社區提供祭祀的功能，更有著社交場所的角色，成為鄰近社區的聚焦點。這些社區參與者以天后廟為中心點，擴散往廟前的空地及左右的廟南廟北，眾多商業活動亦逐漸出現，以服務這些人士，故榕樹頭及廟街地區迅速繁華起來。換言之，天后廟為榕樹頭及整個廟街地區提供了日後必需的社區脈絡及凝聚力。

繁盛期

隨著填海工程的進行，油麻地避風塘的海岸線不斷後退(由新填地街移至渡船街)，榕樹頭與天后廟離海邊愈來愈遠，碼頭及水上人社區對之的影響力亦順理成章地不斷消退。此時的榕樹頭出現了眾多的商業活動，日漸繁華；榕樹頭的社交場所地位亦日顯重要，發揮著類似「社區中心」的角色，意謂其使用者不再局限於水上人及碼頭使用者，還聚集了眾多來自其他鄰近社區的低下階層市民。例如據我們在榕樹頭所訪問到的老人所憶述，從前他們在榕樹頭遇到的人中，有些是住在旺角、深水埗等地，每天下班後便到榕樹頭消遣、聊天直到晚上(有時更會到深夜)，他們更能知道大家的姓名；可見榕樹頭的社交場所作用。

伴隨著榕樹頭的日漸繁華，榕樹頭的空間利用亦不斷發展及多元化。此時的榕樹頭的空間仗使用布局已漸成形；從天后廟的主祠走出來，穿過廟前一堵灰白色的、分隔廟內外空間的矮牆，我們便來到廟街及榕樹頭。由於繁忙的商業活動及人流，榕樹頭前的這

一段廟街已跟榕樹頭的空地融合在一起，構成一個整體的空間。在天后廟灰白矮牆前的這一邊路邊，有著許多的不同流動小販，在擺賣蔬果、民間小吃及各式日用品，也有露天剪髮等現時已絕跡市面的攤檔。



圖四 荷里活電影「蘇絲黃的世界」(1960)中的榕樹頭街景

在毗連榕樹頭的另外一邊路邊，有一列用木搭建的大排檔及露天食肆。在這一列大排檔後面的榕樹樹蔭下，有著一間紅牆綠瓦的小冰室(美都餐室老闆娘指，該冰室應是在現時榕樹頭公園近上海街與眾坊街交界處的燈柱的位置)。白天的榕樹頭已經是熙來攘往、十分熱鬧；但到了晚上再往榕樹頭裡邊走去，便會有各式各樣的雜技賣藝、江湖賣藥、民間小工藝、棋檔、占卜星相、講古檔及露天歌壇等攤檔。露宿者亦是榕樹頭的空間使用者之一。這個「平民夜總會」式的佈局直到榕樹頭毗連上海街的一邊為止。越過上海街，便是社會福利署以木搭建、負責向貧苦市民派發救濟品的辦事處(即今梁顯利社區中心)。



圖五 出處同上；圖中街道即為廟街，右邊之白牆為今天天后廟前之矮牆



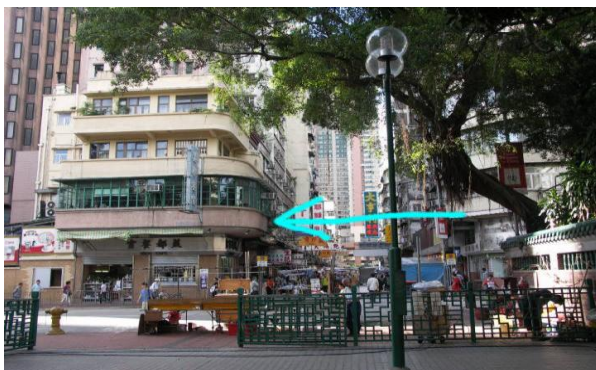
圖六 出處同上；廟街左邊即為今日之榕樹頭



圖七 早年之上海街，右邊長有樹木處即為榕樹頭，中間之橫街為眾坊街，右邊當為今之梁顯利中心及油麻地警署，又圖正中之建築為美都餐室



圖八



圖九

圖八、圖九：兩圖皆由榕樹頭往廟北方向拍攝；箭號所指處均為今日之美都餐室，由此可證「蘇絲黃的世界」取自廟街實



圖十. 早年由美都餐室鳥瞰拍攝之榕樹頭全景；圖正中樹木、矮房覆蓋處即為榕樹頭，圖左處為廟街，圖右處是上海街，榕樹頭後面的建築物是今日街市街公廁座落處

在並無中央規劃的情況下，榕樹頭出現多元化、內容豐富的空間使用；其中的主要使用為大排檔、講古、露天歌壇、江湖賣藝及占卜星相等。簡述如下：

大排檔

如「蘇絲黃的世界」(1960)中的片段，或文匯報圖片所示，五、六十年代的香港街邊大排檔主要是以木搭建而成，檔前會排放若干桌椅。一方面為了營業，另一方面亦可順便向光顧的客人顯示所用食材質量，大排檔多會把食材吊在攤檔前，每當有客人點菜後，便立刻從勾上拿下來，當著客人跟前煮食(對比今天那些有牌食肆把食材放在廚房裡黑箱煮食，到底是進步還是退步?)。



圖十一 50、60年代的香港大排檔

值得一提的是，在榕樹頭的個案中，這些大排檔發揮著很重要的社交場所功能。就如我們所訪問過的一位

在廟街北經營士多的東主所述，廟街的街坊、商販往往會在閒暇時聚在這些大排檔吃喝聊天、聯繫感情；他個人認為這些熟食檔的消失令街坊商販們失去聯誼的場所，對鄰近社區的人際關係冷漠化有所影響，用他的個人話語表達就是「咁我地都無理由棟係人地賣鬼佬野(即遊客紀念品)既檔口前面吹水口者」。另外，前文所述的榕樹頭公園老人表示，當時的榕樹頭、廟街一帶的露宿者最多時有近 30-40 位，但大排檔的經營者及食客並沒有非常排斥他們，食客們甚至會一邊吃飯，一邊與鄰近的露宿者搭訕聊天。由此可見，由於當時一般低下階層都需要長時間工作才能維持生計，他們特別需要像大排檔這樣的低消費、營業時間較夜的食肆供他們聚腳、消遣，以及作為社交場所。榕樹頭的大排檔起著將一向呈現異質性的不同個體黏結到同一個社區網絡上的功能，對榕樹頭的空間使用意義重大。



圖十二 1963 年榕樹頭的大排檔

講古

榕樹頭得名於當地聳立的數株巨大的細業榕(據報紙所說,較大的一株已有過百年歷史)²,而「榕樹頭下講古」的說法亦是源起於此。這些講古檔的說書人(俗稱「講古佬」)專門章回體中國傳統故事,如《水滸傳》、《三國演義》、《西遊記》等。據報紙資料說,二十年代的時候,聽一次「古」要一、兩分錢;講古佬會放一杯茶、若干張小凳、再燒一炷香,就開始講「古」,香燒完,故事就「請待下回分解」。坐凳的聽眾一定要付錢,在後面站着圍圈聽的,不一定需要付錢。這些榕樹頭講古佬當中最著名的是方榮,他在五十年代更被麗的呼聲邀請到電台開咪講古³。我們所訪問到的榕樹頭公園老人們說,當時的榕樹頭講古檔約有5-6檔,較受歡迎的講古檔的聽眾可多至50-60人。

露天歌壇

在榕樹頭表演的露天歌壇都會搭起布棚,象徵式為客人阻擋外來天氣的干擾。布棚的最入邊即是「舞台」,歌手或演唱者站在「舞台」中央,在他身後圍繞著樂手(多是胡琴等傳統中國樂器),前面則放著供若干張摺凳供聽眾坐下欣賞歌曲。在榕樹頭的全盛時期,露天歌壇更會預先準備好茶水,供老主顧、願意花錢點曲的客人一邊聽曲一邊品嘗,與現時位於廟街店舖室內的歌座可謂分別不大。這些露天歌壇最初只

² 《「飛哥跌落坑渠」高官起哄聚首榕樹頭·見識廟街歌王》, (2007年7月25日), 香港經濟日報

³ 《榕樹頭下》, (2007年7月25日), 信報

是演唱粵曲，後來才兼唱粵語時代曲。跟講古檔一樣，坐凳的聽眾才一定要付錢，不想付錢的坊眾可站在遠處欣賞。曾幾何時，榕樹頭的露天歌壇在香港的粵語歌壇發展史中有著相當的位置。於粵曲界而言，由於他們不像粵劇界般可在戲院表演，他們最初只能在酒樓演唱，隨著酒樓演唱式微，他們便轉到榕樹頭、廟街演唱，其後再轉到廟街的歌座表演。據我們訪問過的廟街「豔陽天歌座」東主方先生所說，榕樹頭的部分露天歌壇後來成功轉到廟街的室內歌座經營，而兩處的歌星、樂手亦時有流動。另外，尹光等草根風格甚烈的粵語時代曲歌星的歌曲亦是先因在榕樹頭大甚歡迎、廣為傳唱，然後才流行起來。榕樹頭歌壇最興盛時有近八檔，可有近數百人圍觀⁴。



圖十三 榕樹頭對開處廟街(近街市街一段)的一檔露天歌壇

⁴ 《歌舞昇平榕樹頭 一曲唱盡未了情》，(2006年6月27日)，星島日報



圖十四 榕樹頭對開處的另一檔露天歌壇

江湖賣藝、占卜星相

在早年榕樹頭眾多空間使用中最令人津津樂道者，定然是表現形式以至內容都極為多元、不一的江湖賣藝、占卜星相等攤檔。



圖十五 榕樹頭現時的風水命理攤檔

江湖賣藝種類紛繁，由雜技表現、馬騮戲、江湖朗中販賣奇藥偏方、也有有黑幫背景的商販售賣性商品及色情影帶(據我們所訪問過的一位現時仍在榕樹頭售賣遊客紀念品的商販表示，所有擺賣色情用品的商販都必須向黑幫交保護費)。從前的占卜星相檔則會拿著大光燈(即俗稱的照田雞)為客人睇相睇掌、測字批命。這些商販多數已在榕樹頭開檔了相當長的一段時間，據上文所述的受訪商販表示，當中一部份販賣各式雜物、擺設或遊客紀念品的商販更已是承繼父母的檔口、第二代在此擺賣的了。



圖十六 榕樹頭附近(近甘肅街處)一檔擺賣性商品的商販

以上多種的不同形式的空間使用相互交融在一起，構築了往昔榕樹頭平民夜總會式的、嘉年華式的空間使用；透過這種類近嘉年華的狂歡，背景豐富的低下層市民成功地聚集在一起，創造了屬於他們的空間，暫忘在日間的生活逼人和社會宰制。如那些被訪的榕樹頭公園老人及一位在榕樹頭街市街公廁工作的

清潔工所說，從前的這種榕樹頭生活每晚往往可持續到深夜兩、三點。當中建立起的人際關係之多姿多彩絕非今天的榕樹頭可比。因此，我們認為，在榕樹頭的發展中，人們最初固然是為了謀生而聚集在這處，但空間卻不單單只是謀生工具；透過往昔榕樹頭自由、多元的空間使用，榕樹頭的空間使用者除了為榕樹頭注入了更多生活內容外，更成功發展出豐富的基層社交網絡和人際關係。如一位在該處擺檔多年的女商販所說，從前的商販關係密切，可以互相幫忙，幫鄰檔開檔、看檔、甚至照看孩子，「而家都可以幫你開檔，盛惠廿蚊一次喇，吾該！」

管制期

由此，進入了探討榕樹頭的管制期。而榕樹頭的管制期亦可以因為回歸後政府管制加劇而分為前後兩期。

1. 榕樹頭公園的出現

香港政府在八十年代初，政府在上海街對開位置興建梁顯利社區中心，並順道一併整頓榕樹頭及附近的廟街社區。政府首先把天后廟跟前的榕樹頭擴建成公園，把天后廟併入該公園之內，從而把廟街攔腰截斷為南北兩段。政府更希望進一步整頓整條廟街的無牌商販經營，但由於遭受了來自廟街商販及黑幫的激烈反抗而最終作出妥協。政府只把甘肅街以南的廟街(即廟南)變作廟街夜市，並對其中的商販進行登記，將之轉化為有牌小販，接受小販管理隊的管理。小販管理

隊每天都為巡查廟南，查核小販們的身份及執照。以甘肅街為界，政府默許廟北及榕樹頭的流動商販可維持原有無牌、地下秩序經營，但堅持取締原有的一切無牌熟食小販、大排檔。

經過政府介入整頓後的榕樹頭，由天后廟前的一塊純粹空地，變作康樂及文化事務署轄下的一個公園，受到「遊樂場規例」⁵的限制，其空間利用進入了限制期，呈現了用途種類不斷萎縮的趨勢。原先的所有大排檔均被取締，江湖賣藝、雜耍、講古全數消失。露天歌壇只餘下二至三檔，連同餘下的占卜星相檔退縮至街市街一段。至於餘下的售賣古玩、遊客紀念品的攤檔則聚集在榕樹頭公園鄰近眾坊街一段以在甘肅街的一段行人路。而聲勢也因政府在對外旅遊推廣時刻意忽略而大減、甚至比不上廟南夜市。



圖十七

⁵ 可參閱附錄三的「遊樂場規例」(節錄)



圖十八

圖十七、圖十八：兩圖均為現時從美都餐室處攝得的榕樹頭；圖十七中，商販們正在開檔



圖十九(下圖) 地面角度拍得的現時榕樹頭全景

政府為加強對榕樹頭的管制，特意在榕樹頭公園鋪設欄杆、圍牆及長椅，以分割榕樹頭的空間連貫，減低社區使用者的空間發揮可能。政府又禁止露天歌壇使用擴音器，使其聲勢大減(直到 1995 年才因其生意實在艱難而默許再使用擴音器)。

2. 後榕樹頭時代

我們所訪問到的榕樹頭使用者皆一致同意，自

1997年回歸以來，政府對榕樹頭的管制進一步加劇；故此，榕樹頭公園進入了後榕樹頭時代，空間使用的隨意性及多樣性進一步受到限制。

首先，政府著手要消除露宿者對榕樹頭的空間使用情況。據所訪問到的公園老人們表示，在九十年代中期，榕樹頭公園的露宿者維持在二十多位的數目。另據美都老闆娘憶述，當時的露宿者主要都睡在公園內的長椅上，部份更會用紙皮圍繞所睡的長椅搭建紙皮屋，以放置自己的個人物品及標示所佔據的「地盤」。但回歸後政府即增加洗地，令致露宿者要不斷搬動個人物品，不能再長期停留在同一個地方；另外，政府又在長椅中間加設把手，令露宿者夜間不能再睡在長椅上。老闆娘表示經此改動後，大部份露宿者已離開榕樹頭，轉移往附近的天橋底等地方露宿。若遇上寒冷天氣警告生效，梁顯利社區中心便會開放予附近地區的露宿者避寒，到時便可又看到整群露宿者在梁顯利社區中心活動。

再者，政府亦加強防止小販在榕樹頭公園擺賣。例如在回歸前後，政府翻新增設了公園內的欄杆，又不成文要求榕樹頭至甘肅街一段的無販小販必須在油麻地圖書館在下午五點關門後才可開檔，否則會派出小販管理隊掃蕩。

原因及後果

特區政府在 1997 年後對榕樹頭公園的加強管

理，除了因為要對應回歸後的華人香港政府要比港英政府管治得更好、更有秩序。另外，這種看法亦可以遠在回歸前已存在、只是回歸後因公務員政治潔癖心態而不斷加強整固、各級官員層層加碼而更為明顯流行的**行政國家(Administrative State)心態**以及**中產階段心態**等的原來解釋。

行政國家心態方面，隨著工業革命開展以來，現代主義思想(Modernist Ideology)興起，認為透過人的不斷自身努力及完善，社會可以達至無止境的進步及發展(unlimited progress)，而具體方法則是透過科學化管理(scientific management)。這種科學化管理的想法最初肇因於對自然資源的管理，如林業管理，由種甚麼樹到何時砍伐、怎樣砍伐皆有詳細研究⁶。用意是希望透過標準化、簡單化等科學技術手段，增加某空間於其管理者眼中的可辨性，從而使管理者能有效控制及管理空間。其後隨著現代城市興起，市政當局抱持著同一套關注於「空間可辨性」的思路，在有關專業人士(如醫生、建築師、工程師等 Social Engineer 或 Urbanists)的幫助下，同樣依循著標準化、簡單化的方向，用各種技術層面、生活層面的細緻管理，去形塑他們心目中理想的社會到底應是怎樣。由這些行政者的視角出發，這首先要是一個強調秩序、方便管理的空間，政府能對此施加細緻管理而不會遭遇太大阻力。套用在榕樹頭的例子，香港政府(這邊行政國家心態在回歸之

⁶ Scott, J. C. (1998), *Seeing Like a State: How Certain Schemes to Improve the Human Condition Have Failed*, (New Haven, Conn.: Yale University Press), p. 11-52

前已有)認為往昔的榕樹頭嘈雜紛亂、空間使用不一而足，作為外來者的政府對之連基本的辨識(legibility)也掌握不來，更遑論全面理解及有效管理。對這些官員而言，把舊的一切全盤剷除，再重新構築是更為輕鬆容易的事情。

中產階段心態是指隨著中產階段在後工業化社會的興起，他們會壟斷社會上的論述空間，其美學會逐漸影響政府等機構在構建社會時的看法。中產階段心態的美學主要可表現於對平衡(Balance)及溫和(Modest)的追求；而體現形式則是**儀態、整潔、安全**；本質上則只局限於**外表**上的呈現。由此發端，中產階段心態認為公園是供人休息的場所，在休息場所自然有其一套應有的行為規範。既然是休息，便不應有擺賣營業的用途，故政府順理成章在榕樹頭公園架設欄杆，阻止小販擺賣；只是休息，不是睡覺，故在長椅中間加設手把，阻止露宿者睡覺。政府亦透過「遊樂場條例」的細緻規定，希望杜絕一切中產階段認為在公園休息時不應做、不能做的事。但一切「問題」、「病態」只是從外表上改變了，其實只是被掃往社會上的其他較不顯眼的角落，正如上述露宿者問題並無真正解決，只是暫時離開了榕樹頭的舞台。

行政國家心態與中產階段心態相結合，便導致了變作公園後的榕樹頭出現空間迪士尼化的趨勢。**空間迪士尼化**的主要表現是政府(或其他占有主導地位的社會、政治、經濟團體)希望能把某空間內所有的人際互動都預先設定好，一切都能按照劇本演出下去，絕

不會有意料之外的事情發生⁷。所以政府把大排檔的食客與食客間的互動移除、把露天歌壇的歌者與聽眾間的互動移除，把永遠在以身體佔領空間、定義空間的露宿者移除。榕樹頭公園被最小化為公園，只剩下公園。

小結

在 Lefebvre 的理論中，先有國家機器憑空創造 Representation of Space，然後空間使用者以對抗的形式呈現其 Representational Space；在 Lefebvre 的想像中，空間是先於行動的，是預設的(pre-given)，個體只是被動地進入空間。但在榕樹頭的例子中，卻是先有民間的 Representational Space，然後政府介入，企圖塑造其想像中應有的 Representation of Space，繼而引起來自 Representational Space 的對抗，這種先後次序的顛倒正如同天安門廣場的例子一樣(Lee, 2008)，發現了空間次序的可變性、多變性，表達了個體的行動先於空間(Action Prior to Space)，空間不是預設的，個體有其主觀能動性，即使面對政府的介入干擾，個體還是能作出對抗；但正如天安門廣場的例子所顯示，這種民間對抗在榕樹頭亦正在不斷減弱。

乙、分析

在本部份，我們會先討論政府用了甚麼策略來成功改變榕樹頭的空間利用；然後再論述在我們眼中，一個理想的公共空間的內容以及生成條件。

⁷ Mitchell, D. (2003), *The Right to the City: Social Justice and the Fight for Public Space*, (New York : Guilford Press), p. 118-160

(A) 政府所用策略

在榕樹頭的個案中，政府使用、遵從了類似葛蘭西所發現的霸權(Hegemony)建構模式，以希望鞏固其對榕樹頭空間使用的控制。我們在此會嘗試用葛蘭西的理論去分析政府對榕樹頭的介入。

首先，葛蘭西認為，國家要能成功地凌駕其中的公民社會，建構霸權，享有知識體系、道德情感上的不可挑戰、逾越的領袖地位，其自身必定要達到 Integral State 的地位。要如何達到這種國家權力不被個體所能威脅的、獨尊的 Integral State 的地位呢？葛蘭西提出了主要透過兩個步驟。

第一個步驟是強制(Coercion)。這階段的國家主要是憑藉其對強制力的壟斷地位(近似於韋伯所提出的對主權的定義)，透過強制手段，迫令社區上(如榕樹頭及其鄰近廟街社區)的不同使用者遵從國家所定義為合適、頒令遵行的空間使用守則⁸。某些原有的空間使用可能被放大為唯一的用途(如休憩)，某些則被邊緣化為禁忌的圖騰(如露宿、擺賣)；明顯的強制手段可以包括根據「遊樂場條例」對違反者施以檢控；較為隱瞞的強制手段則可以包括在長椅中間加設手把、用欄杆圍牆隔離公園，增加洗地次數等。這些強制手段的目的是希望在空間使用者(如一向在榕樹頭擺賣的小販、表演的歌手)間造成震攝的效果，令政府的空間

⁸ Robert Boccock. (1986), *Hegemony*, (Chichester : E. Horwood), P.28

預設能落實執行到日常生活的層面。換言之，政府希望以懲罰作為個體與政府對抗的高門檻，令反抗只成為想像、往昔的空間使用只成為追憶。

但葛蘭西認為第二個步驟---共識(Consensus)對於政府建構霸權的嘗試更為關鍵⁹。只通過強制，人民仍是有反抗的可能，只要客觀環境許可，如政府管理能力鞭長莫及的時候和場合(如小販管理隊下班後)，人民便會透過各種形式、途徑，去顛覆政府的強制性空間定義。他們可以在入夜後擺賣，可以在個人閒談間對政府強權作出聲討、嘲諷。對政府而言，這種庶民反抗會增加政府進一步推行強制性空間定義時的困難度，長遠來看，更是對其統治的潛藏威脅。葛蘭西指出，政府會透過知識的構建來塑造共同的信念和看法，令個體潛而默化地認同政府的觀念而不自知，從而用共識的假象來驅趕一切異議(如對空間使用的不同看法)。在空間使用的課題中，政府可通過大眾傳媒及全民思想運動達到目標。

大眾傳媒方面，電視、電影作為文化產業、文化消費的重要一環，發揮著替政府向市民灌輸偽意識(False Conscience)的重要角色。我們從小在文化產業中接觸到的榕樹頭、廟街就是三教九流聚集、治安不靖、良民備受黑幫魚肉之地，政府極需整頓介入。電影「廟街十二少」(1992)中描寫的廟街及榕樹頭幾近無政府狀態，黑幫公然在街上動員數百人互相仇殺，甚至放炸彈炸掉、放火燒掉整條廟街，人身安全在廟街及榕樹

⁹ Ibid

頭全然不受保障。電視劇集「廟街孖兄弟」(2000)中的廟街印象較為「現實」，但仍著力描寫黑幫在廟街的統治位置，其廟街印象仍不能脫離以往的刻板描寫。大眾傳媒如此形塑，普遍市民也就跟著認為廟街、榕樹頭一帶的治安極度惡劣，極需政府介入。

另一方面，香港政府在回歸之前就已懂得透過全民思想運動影響市民思維以達到某些政策宣傳的目的。「清潔香港運動」是其中一個影響範圍最廣泛、效果最深遠的全民思想運動。香港政府在 1972 年發起「清潔香港運動」，開始在全港範圍廣泛提倡設置及使用街邊垃圾桶，並首次強調街道整潔(暢通無阻亦是整體的一個重要概念)的重要性；又以「垃圾蟲」的形象負面化不跟從政府清潔政策的人。「清潔香港運動」其後擴展至市民生活習慣層面，例如強調無牌熟食小販的食物不潔淨、傳播細菌。政府又透過鋪天蓋地的宣傳(海報、宣傳片、學校活動)把政府所定義的一套清潔及不清潔的準則烙印到普羅大眾的心中，令市民也開始認同政府把無牌小販等同骯髒、阻街的看法。由是，政府在 1980 年代初把榕樹頭的空間使用轉化為單純的公園的時候能夠得到市民的認同和支持。例如，無論是在榕樹頭公園內的老人，抑或是每天面對著對面樓下榕樹頭公園的美都老闆娘都認為現在的榕樹頭比以往好，因為清潔衛生得多，露宿者亦大大減少；儘管只要再追問他們到底是從前的榕樹頭還是現在的榕樹頭好玩有趣，他們都會承認當然是從前的榕樹頭多姿多彩得多，然後再附加一句：「時代要進步、要發展，係咁架喇！」。清潔、衛生、發展等現代主義思想、中

產階段心態、行政國家考慮，現在都已銘刻在香港市民心中，成為市民間的共識。

憑藉著國家機器所擁有的絕對優勢資源和位置，政府不但以強制手段迫令市民跟從官方對榕樹頭在內的公共空間的使用定義，更成功在市民心中建立了對政府說法的認同和同識。榕樹頭的使用者從前或會質疑政府的橫蠻無理，並伺機顛覆。但**現在卻不但是面對強權(coercion)而不願顛覆(unwilling)，更是面對霸權(consensus in hegemony)而不能(unable)顛覆**。圓形監獄(Panopticon)模式中的自我管制(self-discipline)成為現實。

在這樣的情況下，我們看到在結構(structuralist)---後結構(post-structuralist)的空間理論框架下，在榕樹頭的現實例子中，個體(agency)的反抗正逐漸衰弱、更顯無力；更甚者，他們在為求生存而反抗的同時，亦會同意政府的空間使用霸權，否定自身的空間使用，導致自我摧毀(self-degeating)的情況(例如，無牌小販在榕樹頭擺賣，但亦同意空間使用不應阻街；老人們緬懷往昔的榕樹頭，卻又同意以往的空間使用是骯髒、無序、落後、應被取締的)。由此視之，個體在整個空間理論框架的定位其實是相當無力、軟弱的，甚至有傾向結構的趨勢。此情況跟西洋菜南街相類，街道使用者作為空間的個體不同意取消步行區，卻又同時表示即使取消步行區亦不會有很大反對和抗議。個體嘗試反抗結構，卻又顯得如此無力和不專注。

(B) 理想公共空間

我們的最終目標，是建立我們心目中的理想公共空間，從而保存值得我們所珍惜的社群。在我們建構理想的公共空間前，我們會先揭示政府和社會論述對『社群』(community)的狹隘理解。然後我們會從理論層面闡述理想的公共空間的模樣，同時對 Hannah Arendt 對「自由」的實現條件作出修正。在實踐理想公共空間層面，我們會先提出政府過往對「安全」與「衛生」的迷思，然後提出可行方案。

(B1)政府的理解

中產心態：政府對於社群的理解是單角度單方向的。政府堅持只從中產的角度理解它認為最『正確』，根據其理解推展相應的措施已達至其理想中的社區。最顯而易見的就是政府認為一個社群，不論任何階級的人皆應保持中產人士的態度(manner)。例如公園的長椅只供坐而不供躺卧。小販，露宿者等都不能在公共地方存在。這些都是政府為了達至「視覺上」整潔的社區的手段：「順眼」的留下，「不順眼」的通通掃走。

忽略社區網絡(social network) 的重要性：此外，政府亦忽略了社群的獨特性。對政府來說一社群皆可以任意複製(copy and paste)，意即即使破壞了某一社群，只要在另一地方建立相同的物理環境，如相同的設施，此社群便能得以重建及保存。然而社群中最重要並不是硬件，而是內裏的軟件，即空間的使用者

與空間的群帶關係。我們可以啟德機場大笪地為例：政府試圖在機場中的一大片空地建立不同的攤檔，從而重新建立大笪地作為市民聚腳玩樂的地方。最後大笪地因人流太少而宣告失敗。當中的原因是政府並沒有想過之前大笪地的興盛，乃建基於其社區網絡內的濃厚人倫關係；而一個社群內的社區網絡 是不可以複製的。

(B2)社會論述的理解

對社群出現歧解的不只是政府，普羅市民、媒體、學術輿論等的社會論述，亦對社群沒有全面的理解。社會論述對社群的狹隘理解可從大眾以經濟思維來分析社群的存在價值看到。而這種狹隘的經濟思維在社群的理解上正是見木不見林的表現。

旅客心態：市民大眾對社群的存在一般只以旅客的心態理解。以廟街為例，一般人認為廟街應得以保留的原因不外乎「廟街能表現香港街道特色」，「廟街是香港不可或缺的旅遊景點」。廟街因此淪為一個圖騰(icon)。大家並不關心廟街的人倫關係、人情味。消極點說，社群對大眾來說只是一個馬戲團，街坊淪為戲子，民間生活淪為雜耍。

經營模式：香港文化研究學者葉蔭聰曾寫過一篇文章《小販不是問題》¹⁰。文章提到小販的存在價值在於做小販的經營入場費低，使得低下階層能夠進場賴

¹⁰ 葉蔭聰，《小販不是問題》，(2006年7月2日)，明報

以為生。作者純以經濟作用確立一社群成員－小販的存在意義，這亦是不少社會言論的普遍特點。然而小販的存在價值**不只是經濟性質的**。我們認為小販進一步而言是**社群的促進者**。第一，從事小販的生產成本低，致使收費相應便宜。便宜的收費正好給予基層市民合適的聚腳地。小販因而成為社群組成的良好平台。第二，小販的營業模式並不是單純的買賣關係，而是我們所謂的「做街坊生意」。小販熟食檔是街坊閒餘的聚腳地，很多時候檔主也能和街坊建立朋友的關係。小販與其顧客所建立的朋友關係，遠比買賣關係重要。這種友情對於社群的建立起到積極的作用。

總體而言，政府及社會論述對空間和內裏的社群只有經濟上的認識，而忽視了社群中的社區網絡對其使用者的重要性。**在此我們需要澄清的是，我們並非否定經濟思維，只是我們要全面理解社群，定然要突破經濟思維的界限。**

(B3)理想的社群及其功能

我們討論一個理想的公共空間，其實是希望保存可貴的社群。公共空間和社群有著不可分割的關係。人進入公共空間，互相溝通，從而建立一個社群。公共空間對社群的建構起著摧化的作用。

我們心目中的理想社群，能夠容納不同類型的使用者。縱使他們追求不同的生活方式，但彼此仍能互相包容，每人都有著選擇自己生活方式的權利。要建

立此理想社群，我們提倡政府應任由社群自由發展，使用者可自由溝通交流，從而建立有人情味的社區網絡。以榕樹頭為例，它的前身只是一片空地。在沒有既定方向、計劃及時間限制下，使用者在空地上隨心地設置攤檔，日積月累，在沒有公式化的情況下遂漸形成之社群。縱使使用者們在發展社群的過程中不受任何成文規條控制，然而他們選擇以溝通來解決爭執和問題，在人脈網中產生種種潛規則。由於**互動(interaction)**在社群組成中有著相當大的重要性，社群中使用者發展的關係較為緊密，從而建立有人情味的**社區網絡(social network)**。

在早年的榕樹頭，街坊們都願意互相幫忙。我們曾訪問過一位使用者，她說從前榕樹頭的檔主們均樂於免費為有需要的人開鋪，街坊在買餸時可以把小孩子暫放於店內由店主拓管。有時候街坊們有生活上的困難如缺糧，大家也能不分彼此地互相幫忙如借米、和缺糧的街坊一起吃飯等。可見社群中任何的使用者有需要都可以找別的使用者幫忙，此種有人情味的社區網絡能夠發揮使用者互助互動的功能。

然而，由於政府的介入，榕樹頭中的社區網絡被瓦解，街坊互助的景象已不復再。使用者們若有任何需要，只能通過政府的援助渠道。社群中互助的功能被撤抵破壞。

總括而言，社區網絡的建構對於良好社群的建立非常重要。有人情味的社區網絡能使使用者們發揮互

助的功能。下一部份，我們會進一步闡述社區網絡中的互助互動對使用者作為「人」的重要性。

(B4)人的存在價值(對 Hanna Arendt「自由」的概念修正)

社群的重要性不只是互助的功能，一個良好的社群更能確立人的存在價值。我們以一位榕樹頭的使用者為引子。這位老伯三十年前已在榕樹頭聚腳。從前他是一位工廠工人，人工不高，閒時喜歡在榕樹頭和朋友聚會，談天說地。街坊們亦不會介意彼此的身份地位，彼此也是互相接納支持。老伯告訴我們，當時他雖然並不富裕，但仍然感到快樂。

後來，工廠生產線北上，工廠倒閉。老伯轉行成為公廁看守員。政府清拆榕樹頭後，聚腳的地方消失了，社區網絡亦被打散了。老伯說他失去了不少朋友，閒時也沒有了地方和朋友聚頭，加上現時工作的工種被歧視，使他有著被邊緣化的感覺。

我們可嘗試從 Hanna Arendt 對自由的見解看這位使用者的故事。總括來說，Hanna Arendt 認為自由就是人可以選擇且追求到自己希望得到的生活，從而獲得快樂，達到不受操縱的境界。然而，要達到這種自由，使用者必先在物質上得到滿足，這亦是唯一的途徑¹¹。我們對於 Hanna Arendt 自由的定義表示認同，但從老

¹¹ Arendt, Hannah (2005), *The Promise of Politics* (New York: Schocken Books), "Introduction into Politics"

伯的故事我們可以看到，物質上的滿足並不是得到自由的唯一途徑。

老伯在榕樹頭被清拆前，做的是工廠工作，收入並不會比看守公廁高很多，可見其前後的物質滿足並沒有明顯的分別。他生活上的分別在於現在一直接納他的社群被破壞了，使他失去了支持和接納；而聚腳地的消失亦使他失去了不少朋友。失去了鄰里的接納使他若想過自己喜歡的生活，便必須跟從別人的規則來玩——成為中產，但很明顯這對他來說是遙不可及的。在沒有選擇的情況下，他沒辦法選擇自己理想的生活方式，又因不能達到社會強勢價值群體對中產儀態的要求而被邊緣化，因而感受不到自己的存在意義。這就是社會強勢價值群體對他的操縱，使他得不到自由和快樂。

由此可見，物質上的滿足並不是達到自由的唯一途徑。社群的接納和支持對於人得到自由和確立自身的存在價值是想要的。社群的最大功能，就是使人從中找到自己的價值，感受到自己的存在，從而獲得自由。

小結

總括而言，我們可以從**內在價值(intrinsic value approach)**和**效益主義(utilitarian approach)**兩種角度理解社群的功能。內在價值方面，社群內形成的社區網絡使人得到包容、接納和支持，從而感受到自我(self)存

在的感覺和價值。從上述老伯的例子可見，從前的榕樹頭的珍貴之處不在於它環境優美、設備完善，而是它提供了空間以凝聚社群，繼而提供社群聚腳的空間，建立了富人情味的社區網絡，使不同人也能從中獲得作為人應該得到的接納和尊重，體現人的價值。社群存在的最大的價值在於它令任何人，即使社會地位不高、物質不充裕，仍能感受存在的意義。

在此基礎上更進一步從效益主義的角度看，社群內形成的社區網絡所體現的**內在價值**有助社會穩定，便於管治（stable governance）。這個角度正是我們所言的**效益主義(utitarian approach)** 角度。要說明這點，我們可以從以下的問題作為切入點思考：從前香港的福利制度和現在的基本上同樣不完善，沒有明顯的分別。為什麼現在的基層市民的怨氣明顯比從前的劇增？可以作解釋的原因在於從前的基層市民無論在經濟上或心靈上需要別人的援助，他們也可以從所屬的社群中得到所需的協助，反觀政府逐步破壞社群，基層一直可依靠的支柱消失，有需要只可向政府求助。政府憑一己之力難以應付所有基層人士的訴求，以致基層怨聲載道，不滿政府之感日益增加。因此從管治效益角度出發，政府能透過保存社群減低管治的成本--即使社會福利的支出難以超越現有水平，管治的效益仍能透過社區網絡得以擴大。可能有人會質疑：當政府減少介入，任由社群自由發展，成員可能會發生衝突影響社會秩序，與剛才所言穩定管治的目標適得其反。我們的回答是，一個理想的社群即使在沒有明文規條的監管下也能發揮自治的功能。自治的方法可分

為兩大類：以溝通交流解決問題，及更重要的是，鄰里間組成互助網。下文 B6 部分會就這點加以申論。

(B5)政府反對社群自由發展的原因

良好的社群的建構需要的是任其自由發展。政府一直反對這種發展模式，原因最主要有兩個：**安全問題及衛生問題**。當我們要分析這些空間問題時，最直接的方法就是從使用者的角度出發。首先是治安問題，以廟街為例，我們訪問了某士多的老闆，他說廟街向來都是有黑社會出沒的，但他們一般來說都不會滋擾街坊。美都老闆娘接受我們訪問時的第一句說話就是「其實廟街無你地街外人想像中咁危險，住係度既人無覺得有咩咁特別，都住得幾舒服。」；老闆娘又多次強調江湖人有江湖規矩，不會騷擾普通人。由此可見，廟街一向「危險」的形象只是外人的觀感，而實際情況並非如此。

至於衛生問題，一般人認為無牌熟食檔必定是不潔不雅，衛生問題嚴重。可是，我們其實極少聽到有人吃過這些熟食檔後身體出現問題。反觀不少著名的持牌食肆接二連三出現食物中毒事件。廟街小販不衛生，往往只是外人的主觀誤解。這是因為人們往往受到政府的思想灌輸，認為無牌就是不清潔，忽略了小販的本質不純是買賣關係，而是「做街坊生意」。他們縱使沒有牌照也需要在衛生方面向街坊負責。因為他們為了保持自己在社羣中的名聲和地位，以及維繫和街坊的關係，而需要確保食物有一定的質量。

從廟街這個案例，我們可察覺某些社區的情況其實並不是我們想象般壞，而是受到政府的「抹黑」。用此手段的原因是政府希望要營造香港是國際城市的形象。因此所有看來落後、貧窮等「不整潔」的東西如小販、露宿者等都需要被清除，以維護香港作為國際大都會需有的繁華景象¹²。我們在此質疑的是，小販這類東西真的不能在國際城市中存在嗎？我們可參考紐約這公認的國際城市，小販攤檔在當地隨處可見。再看看日本這個極為重視衛生潔淨的國際大都會亦聚居了不少露宿者。兩地政府皆沒有對這些「不順眼」的東西加以掃蕩。終究我們懷疑的是，基層如小販是否真的不應為國際都會所接受呢？所謂國際都會的迷思實在值得我們思考。

(B6) 社群自由發展的實踐方法

我們提倡社群應自由發展的具體方法有三點。第一點是設置「透氣位」，第二點是以榕樹頭為起點所需要做的工作，第三點是拓展成為全港的社區計劃。下文我們會把重點放在草根社群的建立，原因是他們現在被社會邊緣化，重現「榕樹頭式」的公共空間可讓他們得到如 B5 部份論述的自由，體現人的價值。

首先我們建議的放任社群發展，並不是指全港所有社區政府皆需要放手不管。我們先選擇一些有較多草根階層聚居的地方，然後在這些區域劃分一個像榕

¹² 此點可參照甲部「行政國家心態」及「中產階段心態」的論述。

樹頭般的地方，藉此希望給予該區市民一個聚腳的空間。這個地方不需要有完備的設施，因為我們相信即使只是一塊空地經市民的不同使用也能夠發展出一種獨特的面貌。我們相信若果這些區本身已有草根社區網絡，那便能夠透過此「透氣位」得以保存；而在草根社區網絡不存在的地區，亦可透過市民自由使用這些「透氣位」的過程日積月累的發展出獨特的社群，就好像最早期榕樹頭的發展模式一樣。

我們嘗試以榕樹頭作為起點實踐我們的計劃。榕樹頭經過政府的介入發展後已有面目全非之感，因此我們第一步希望把它還原至未經政府介入前的模樣。首先把榕樹頭的圍欄和長椅拆掉，然後廢除那些無聊的公園條例及開放時間限制。物理環境還原後更重要的是還原發展的模式：在沒有規範下任由任何人在榕樹頭內設置檔攤，甚至是無牌熟食檔也無任歡迎(無牌熟食檔的衛生問題在前部分已探究過)，希望回復昔日榕樹頭「平民大笪地」的風貌。

無疑在油麻地這種聚居了不同階層市民的地區進行還原計劃是有可能出現不同階層的衝突。比如說若果榕樹頭晚上人們表演唱歌時產生噪音問題，可能影響到一些中產人士休息的機會。我們建議例如唱歌表演等有可能做成較大滋擾的活動在十一時前便需要完結。我們對放任發展的大原則是：在顧及不同階層的人的權益下作出最大的放任，而不是單單只為某一階層發聲。我們希望建立的是一個不會只由某一階級的人主導的社會，而是不同類型的人皆能在其中互相包

容的大同社會。

除了不同階級人士的衝突，在無規範下任何市民在地方自由開檔發展亦可能會發生爭論，如爭奪某一位置開檔、檔鋪佔地多少等。爭執基本上是一定會存在的，可是我們相信即使沒有成文規條管束使用者，使用者們也能透過商量、交涉、讓步等互動來解決問題。除非我們已標籤使用者為不可理喻的蠻民，否則理性的溝通仍是能夠解決人與人之間的分歧的。

我們最終的目標，其實是希望以小見大，把保留「社群」的概念拓展到全港的社區發展。我們發現於現時香港政府在計劃發展時往往只看重經濟發展而忽視了保存社群的重要性。例如政府發展中九龍幹線，旨在舒緩油尖旺區交通擠塞的問題。可是此計劃將破壞當地榕樹頭、廟街一帶地區原有的社群聚腳地，而聚腳地對於維持一社群是非常重要的。疏導交通擠塞有很多方法，除了從興建道路方面著手，亦可從限制車輛增長、進出等的途徑著手。我們認為政府若在規劃發展時把保育社群放到與經濟發展同等的位置，其實發展的方式仍是可以很多元的。

在此我們希望重申這個方案的核心思想：此方案希望除了能讓不同人士(特別對草根而言)能夠體現自身存在意義的內在價值外，更重要一點，是希望能從管治效益的角度看，令社群有利於政府的管治。讓我們放眼過去，比較英殖時期與現今的香港：社會福利制度只對貧窮草根作最低度承擔的政策事實久已有

之，但似乎當時香港社會草根階層的戾氣遠低於今日。箇中原因在 B4 部份已作闡述：榕樹頭式的公共空間孕育了草根階層的獨有社群，不單令他們自覺體現人的價值，進一步而言，身邊的社區網絡亦在某程度上減輕了他們資源缺乏的問題，有助減底因貧窮帶來的負面情緒。現今香港，正正因為政府打散了這類草根社群，令他們解決資源匱乏問題的途徑只能集中於政府。最後惡果便呈現於政府近年在屢次嘗試調整社會福利資源時，都因為大眾強烈反響而最終導致政策制定進退失據的事實。

總結

香港在發展的道路上有不少客觀規限，例如地少人多、寸金尺土的問題，都的確確增加了發展時需要顧及的因素，從而增加了政策規劃、執行時的難度。總括而言，我們並非漠視經濟發展的重要性，我們只是爭取社群保育的考慮能夠成為與經濟發展並列的發展大方針。正因為我們從榕樹頭的個案中發現了空間對建構人倫關係緊密的社群的重要性在於這種人情味社社群能令低下階層在物質條件缺乏的當下情況下，仍能發展出互相互動的社區網絡和資本，從而體現和感受到自我存在的意義和感覺。長遠來看，這種人情味社社群的發展模式不但能尊重低下階層作為存在的個體的內在價值，更能減低政府在管治時將會遇到的難度和來自草根階層的挑戰。因此政府在社群保育的工作上實屬責無旁貸，必須在施政方面有所調整，否則社群終會因被忽視而消失，最終令到城市管治更趨

困難。

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附錄

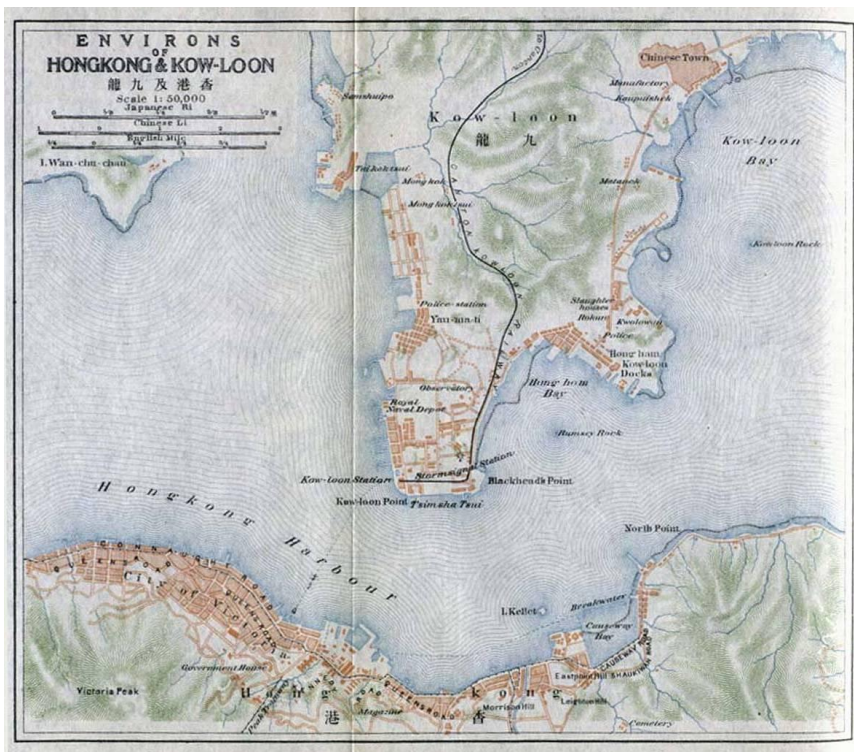
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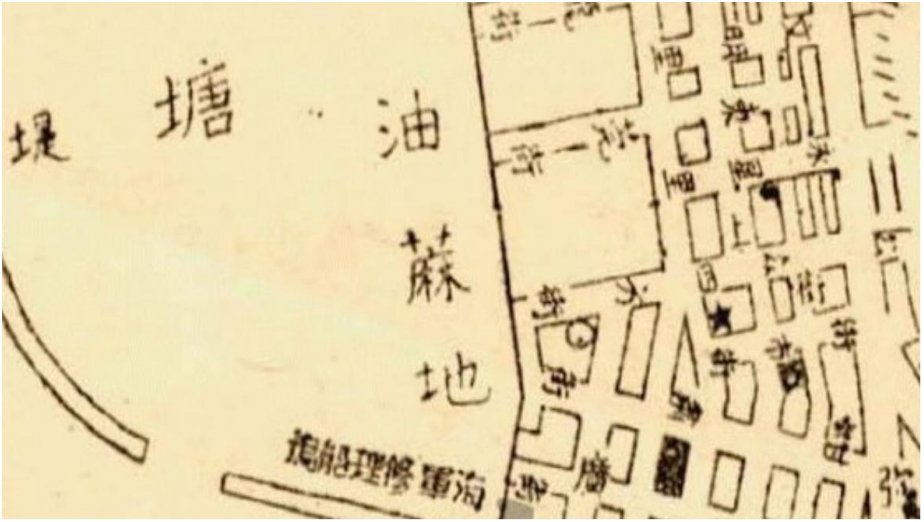
(1) 地圖

地圖 1. 1915 年的維多利亞港兩岸地圖



備註：多項大型的維港填海工程當時還未進行；紅色處為人口較多的地區

地圖 2. 1948 年油麻地地圖(內文圖一放大本)



地圖 3. 1978 年油麻地地圖



備註：最左邊的黃色街道是渡船街，中間的黃色街道是新填地街，最右邊的正是廟北街；從此圖可見海岸線已由 1948 年的新填地街移至 1978 年當時的渡船街

地圖 4. 1993 年油麻地地圖

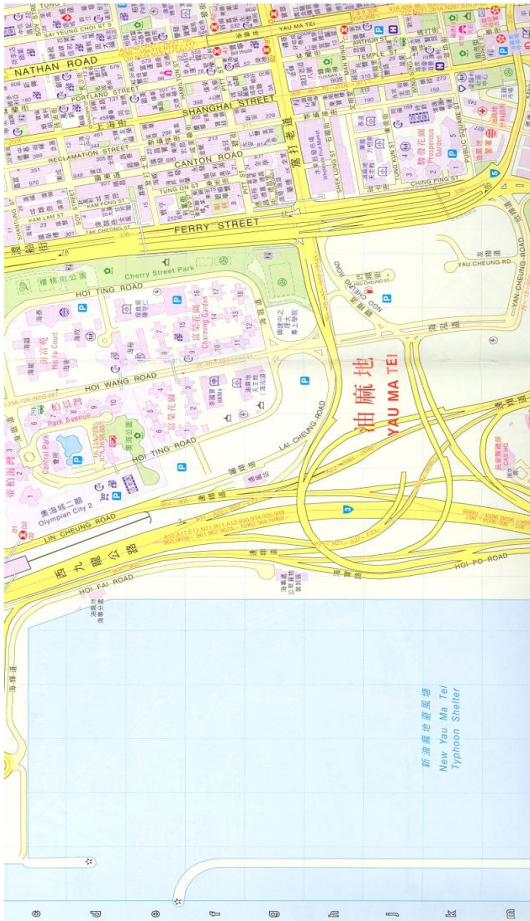


地圖 5. 1996 年油麻地地圖



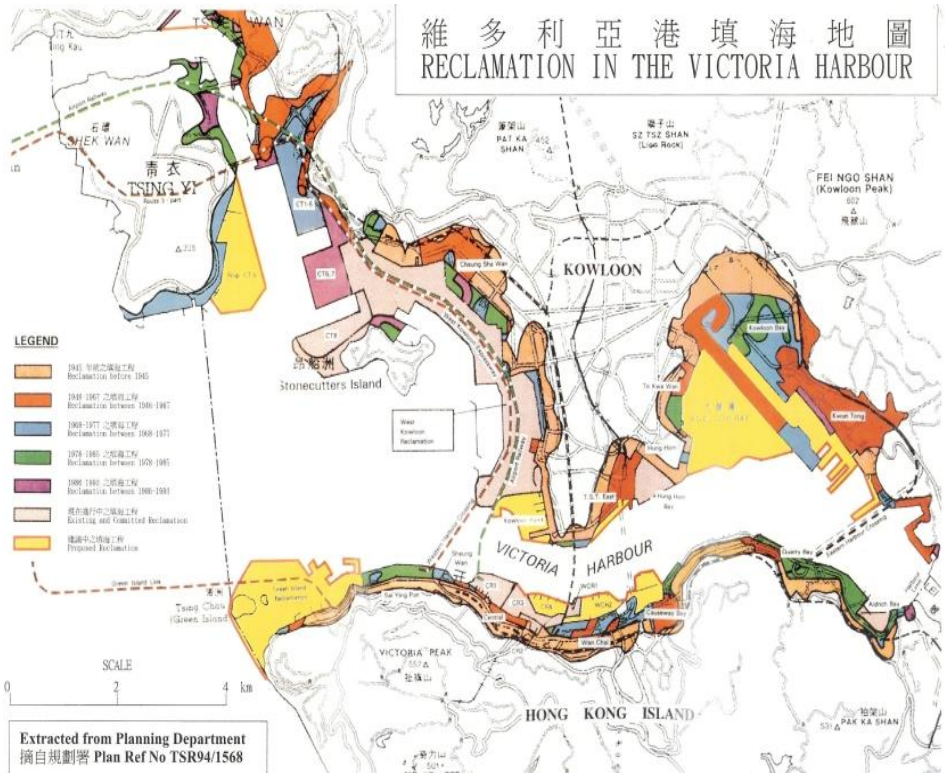
備註：由 1993 年到 1996 年，最近一次的西九龍填海工程令油麻地避風塘往外移，海岸線亦由從前的渡船街(如地圖 3 所示)移到新油麻地避風塘的海寶路一帶。

地圖 6. 2008 年油麻地地圖

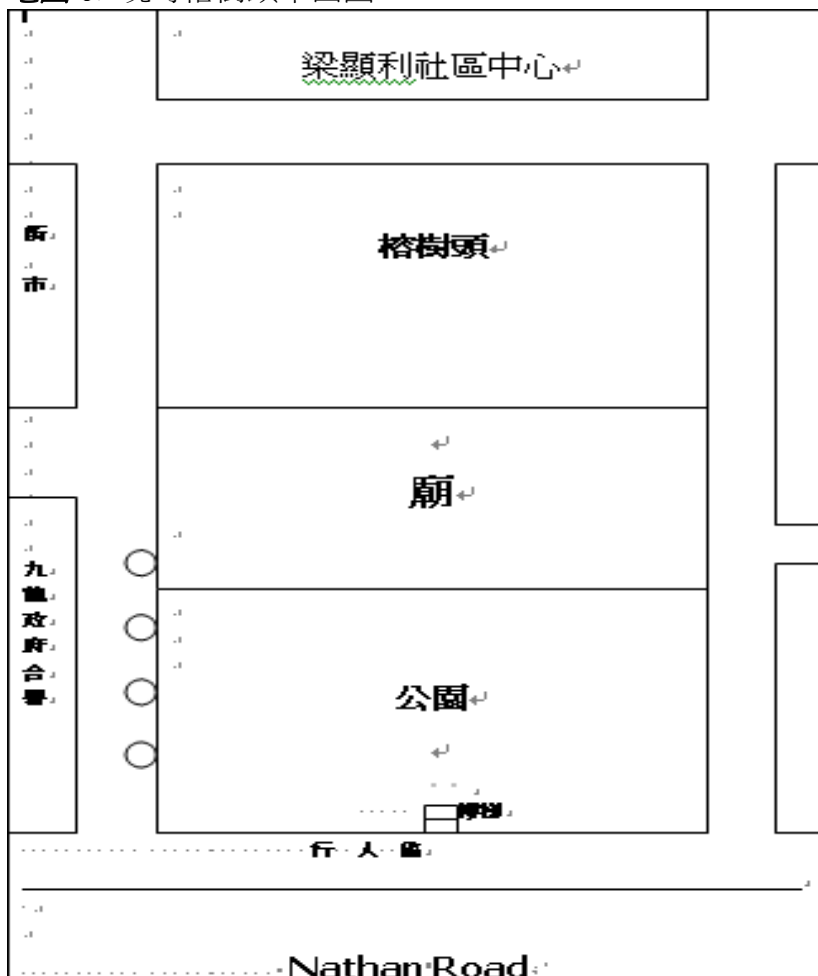


備註：油麻地海岸線由 1948 年(地圖 2)的新填地街，到 1978 年(地圖 3)的渡船街，再到 2008 年的海寶路；榕樹頭及天后廟亦愈來愈遠離海邊及油麻地避風塘。

地圖 7. 歷年維多利亞港填海地圖



地圖 8. 現時榕樹頭平面圖



(2) 訪問稿 (節錄)

1. 訪問廟街士多老闆

我：老闆，以前廟街 d 治安係咪好亂架？

士多老闆：其實又唔係。咁一向廟街都有黑社會架啦。以前佢地通常坐係涼茶舖講數，**不過又真係冇乜點樣搞 d 街坊嘞**。佢地(黑社會)都係搵食，唔會點亂黎。

我：咁其實廟街以前都唔係咁亂。

士多老闆：係呀，我幫我老豆看鋪到而家都無乜事發生過。

我：咁榕樹頭嗰邊呢？

士多老闆：我自己好少去嗰頭，不過**真係無聽過嗰邊有咩發生過**。照計榕樹頭有野發生廟街好快收到風。

我：老闆以前呢頭係咪好多熟食檔？

士多老闆：係呀。以前呢度好多賣野食嘅地方架。D 人收工就通常係度坐低食野飲野，好熱鬧。之後政府掃曬就得番你而家見到賣衫呀嗰 d。

我：咁你覺吾覺得呢度 d 街坊而家無之前咁熟同無左 d 熟食檔有關？

士多老闆：都有關掛，咁我地都無理由棟係人地賣鬼佬野既檔口前面吹水口者！

我：有無聽過 d 熟食檔食壞人？

士多老闆：唔會啦，**d 人日日食咪又係冇事**。你估出面鋪頭食野又好乾淨！以前呢頭好多人黎架，而家就冷清左好多。

2. 訪問榕樹頭唱歌阿姐

我：阿姐你係度唱左幾耐歌？

唱歌阿姐：計下計下都超過廿年，實際幾多年都唔記得喎。

我：你平時通常唱到幾點架？

唱歌阿姐：唔定架。而家係度唱歌搵吾到錢架喇。我而家唱都係 d 街坊鍾意聽，咁我見得閒咪**番黎唱順便聚下舊囉**。我唔收街坊錢架，大家開心就夠啦。D 仔子女大曬，唔使我搵錢，番黎都係見番 d 老朋友，不過好多都走左難見番。

我：佢地搬走囉？

唱歌阿姐：係呀。佢地以前係度擺檔嘛。之後政府改

建佢地都走得七七八八，我地又唔會好似而家 d 人咁有手提電話聯絡，都係擺檔嗰陣見面。而家政府清場，個個都要去第二度搵食，好難見番佢地。

3. 訪問榕樹頭打火機雕刻檔主

我：呢度 d 人(檔主)關係好唔好？

檔主：好唔好真係好難答喎。基本上平時掛住開檔都唔係好多時間講野。占卜嗰班大家後生細女會好傾 d，話嘍都係同期入黎擺檔。

我：同期入黎？

檔主：係呀，玩塔羅牌、星座個班後生女都係沙士之後先入黎開檔。果班賣古董、遊客野既就耐好多，有 d 係老豆老母就開始係度擺檔。我自己都係呢度擺左差吾多廿年，我都係靠呢檔野養大 d 子女。

我：哦，原來係咁。咁呢度會吾會好雜架？即係好似黑社會收保護費咁？

檔主：收保護費呢 d 野就好多地方都有喇，吾單止榕樹頭先係咁；係得呢頭賣成人野既都有俾保護費。

4. 訪問榕樹頭公園內的老伯

我：呢度以前點樣架？係咪好熱鬧架？

老伯：梗係喇，以前間廟前面都吾係公園黎既，再行出前面就好近海架喇；呢度一大笪空地，有好多大排檔呀、講古呀、唱歌呀、小販呀，麥都有，不知幾熱鬧。果陣時我識有 d 人住係旺角、深水埗個頭，晚晚放左工都黎呢度食野、打躉。

我：講古？多吾多人聽架？

老伯：都多架，都有成五、六檔，多人聽果檔會有成五、六十人。

我：呢度 d 枱凳呀、欄杆呀係幾時有既事黎架？

老伯：都吾係好耐渣，十幾年前到喇，果陣時呢度好多訓街友同道友週圍訓，有成廿幾個，訓到有人搬埋張梳化黎訓。政府咪整 d 枱凳呀、欄杆呀，霸曬佢地 d 位吾俾佢地訓；跟住又鋪埋地，而家呢度企理左好多。

我：咁你覺以前好 d 定而家好 d？

老伯：梗係而定好喇，乾淨左咁多，又無人周圍訓；不過佢地都只不過係去左第二度訓，佢地都係度訓左好耐架喇，以前仲未起公園個時都係度，不過都吾會攞到人地，佢有佢地訓，我有我地食大排檔，有 d 熟口熟面既仲會搭咀傾計。

我：咁你覺得以前好玩 d 定而家好玩 d?

老伯：梗係以前喇，不過時代要進步、要發展，係咁架喇！

5. 訪問榕樹頭公廁清潔工老伯

我：你係榕樹頭呢度做左幾耐野呀？

老伯：我幾廿年前仲係工廠做果陣時就黎開呢頭打躉架喇。果陣時呢度仲未係公園，好熱鬧，好多人；每次黎呢度一定會撞到一大班熟人，大家傾下、食下，周不時攞到兩三點先散。

我：點解你要轉做呢份工既？呢份工辛吾辛苦呀？

老伯：d 工廠搬曬番上去大陸，想做都無得做。洗廁所呢 d 工一定辛苦架喇，但都吾算係咩問題，搵食係咁架喇，而家咁既時勢。不過係而家 d 人見到你係洗廁所既就即刻行開，好似我有病咁。而家我好日都吾駛同人打個招呼。

我：呢度變左做公園後係咪企理左好多呀？d 露宿者同道友係咪吾見囉？

老伯：邊有吾見囉，不過係行開左攞；我而家日日都係公廁度執到大把有血既針筒，咁你話係咪吾見囉

嘞？

6. 訪問廟街「豔陽天歌座」老闆方先生

我：廟街既歌廳同榕樹頭果邊呢歌攤會吾有麥野關連？

方生：其實好多廟街既歌廳以前都係榕樹頭果邊唱歌，不過後來吾想 d 客日曬雨淋，就轉左入室內經營；我地呢邊同佢地果邊都會有 d 歌手、樂手既過場，都算有交流既。

我：咁其實廟街同榕樹頭一帶既歌廳同歌攤既運作究竟係點既哩？

方生：榕樹頭果邊既運作我就吾係好清楚，但係我地一日主要分兩場，第一場由晏晝三點到夜晚六點，第二場由夜晚七點到零晨三、四點。客人俾廿蚊茶錢就可以入去飲下野、聽下歌，想既仲可以上埋去唱。不過榕樹頭同我地呢 d 歌座一樣，最最早期都係淨係唱粵曲，後來粵曲式微、吾夠唱，先至轉唱埋時代曲。70 年代係廟街歌座最興盛既時候，最初得兩間，後來愈開愈多。

我：你點睇政府 80 年代初整頓廟街同榕樹頭？

方生：而家條街好好多，起碼有番 d 秩序，吾會成條街阻曬。

我：如果將來政府起中九龍幹線既時候重建成條廟街，你有咩打算？會吾會重新做過歌座？

方生：其實都未有諗過點打算，不過都應該會結束呢門生意，因為根本無可能再做過。**其實而家都係靠班熟客吊住條命，一打散個 network，就無可能再收得番。**

7. 訪問榕樹頭賣打火機商販溫姐

我：你係度擺檔左幾耐呀？

溫姐：我老豆幾廿年前就係呢度開檔，我做阿女個陣已經係度幫手，不過我真正係度擺檔就係廿年前。

我：你幾點開始擺檔架？

溫姐：大多數五點鐘開檔，十一、二點收檔。

我：你覺得呢度有咩大改變，自從政府係 80 年代整頓之後？

溫姐：靜左好多囉，以前榕樹頭、廟北一帶夜晚熱鬧到你直情行吾到入黎，而家愈黎愈靜，因為**旅發局淨係叫 d 外國團去廟南個夜市。**

我：榕樹頭、廟街呢一頭既街坊既關係好吾好架？

溫姐：d 街坊既都叫密切架，始終日日係度擺檔，不過以前好好多，以前 d 檔口肯幫隔離檔開檔、看檔，忙起上黎，叫佢睇住個仔都得呀，而家，都可以幫你開檔既，盛惠廿蚊一次喇，吾該！

我：咁街坊呀、商販呀之間會吾會有爭執架？

溫姐：爭執就梗有，你同你左鄰右里都會有爭執喇，係咪先？好似開檔個陣話你擺過左，跟住就嘈起上黎喇，不過傾下傾下就無事架喇，大家都係搵食，會明白既。

我：呢度會吾會話好雜架？例如話黑社會收片？

溫姐：我都聽過，不過我係度擺左廿年都未比過，都無人問我擺過。

我：如果遲 d 政府起中九龍幹線既時候重建成條廟街，你有咩打算？

溫姐：都無咩好打算，我而家咁老，適應力低，可能吾做喇，反正呢度一個月都不過搵得幾千。我本身係家庭主婦，番屋企掛。

8. 訪問美都餐室老闆娘黃姑娘

我：你對榕樹頭同廟街既印象係點架？

黃姑娘：其實廟街無你地街外人想像中咁危險，住係度既人無覺得有咩咁特別，都住得幾舒服。

我：咁呢度會吾會有黑社會騷擾 d 人架？

黃姑娘：江湖人有江湖規矩，吾會攞到 d 普通人既。

我：榕樹頭未變公園之前係點架？

黃姑娘：廟之前就係一大渣大排檔，到果個橙柱位就係一間紅牆綠瓦既小冰室，再過就係上海街，果陣上海街兩邊都有好多矮既鋪頭；而家梁顯利個位以前係社會福利署既辦事處，用木搭既建築，入面落左地下一層，d 窮人就去擺 d 米呀、奶粉呀咁既求濟品。

我：咁榕樹頭以前係咪好多露宿者架？

黃姑娘：係呀，d 露宿者訓到用紙皮搭間屋出黎；回歸之後政府就洗多左地，逼佢地無得訓死一個位；佢地而家散曬去其他地方，你只要係寒冷信號出左個陣去梁顯利，就可以見到好多。

我：而家既榕樹頭係咪好過以前呀？

黃姑娘：梗係喇，起碼無咁多露宿者；時代要進步，一定要咁發展，吾可以再咁無秩序。

我：以前呢度 d 街坊之間關係好吾好架？

黃姑娘：果個年頭梗好喇，以前吾夠米，可以過去隔離屋借米，而家邊有呢支歌仔唱呀。

(3) 「遊樂場規例」(節錄)

章：	132BC	標題：	遊樂場地規例	憲報編	L.N. 320
				號：	of 1999
條：	8	條文標	財產的保護	版本日	01/01/2000
		題：		期：	

任何人不得在任何遊樂場地內—

- (a) 故意或因疏忽而污損、毀壞、弄污或弄髒遊樂場地內或任何建築物內的或圍繞遊樂場地或任何建築物的牆壁或柵欄、障礙物、欄杆、柱子、座椅或界石，或任何種類的豎設物或裝飾物；
- (b) 爬上遊樂場地內或圍繞遊樂場地的任何牆壁或柵欄，或爬上任何樹木或任何障礙物、欄杆、柱子或其他豎設物； (1999 年第 78 號第 7 條)
- (c) 故意或因疏忽而移去在任何遊樂場地內所提供使用的工具或設備；或 (1999 年第 78 號第 7 條)
- (d) 於並非由署長撥作供公眾用於烹煮的地方生火。 (1999 年第 78 號第 7 條)

章：	132BC	標題：	遊樂場地規例	憲報編	L.N. 320
				號：	of 1999

條： 9 條文標 **草地及花圃** 版本日 01/01/2000
題： **保護** 期：

任何人不得在任何遊樂場地內下述各處步行、奔跑、站立、坐下或躺臥—

- (a) 有告示展示為不准踐踏的草地、草皮或其他地方；或
- (b) 任何花圃、灌木或植物，或任何正在整理作為花圃或供栽種樹木、灌木或植物的土地。

章： 132BC 標題： **遊樂場地規例** 憲報編 L.N. 320
號： of 1999

條： 12 條文標 **狗隻** 版本日 01/01/2000
題： 期：

(1) 任何人不得安排或容受任何其所擁有或在其看管下的狗隻或其他寵物進入或停留在任何遊樂場地內，除非該狗隻或寵物已置於恰當控制下，並受到有效的管束，因而不致對任何人造成煩擾，或令任何動物、禽鳥或水禽感到不安或受騷擾，或闖進任何用作美化環境的水裏。

(2) 如遊樂場地設有告示禁止狗隻或無人牽領的狗隻進入，則任何人不得違反該告示所載的條款，將任何狗隻帶進該遊樂場地或容許任何狗隻停留在該遊樂場地內。

章： 132BC 標題： **遊樂場地規例** 憲報編 L.N. 320
號： of 1999

條： 13 條文標 **牛隻、綿羊、** 版本日 01/01/2000
題： **山羊等** 期：

(1) 除非是根據與署長訂立的協議或是獲得授權，否則任何人不得將任何牛隻、馬匹、綿羊、山羊、豬隻、家禽或任何曳重或負重的牲畜帶進或安排將其帶進任何遊樂場地。

(2) 任何被發現違反第(1)款的規定而在遊樂場地內的動物，可被管理人員檢取，並送交警務人員看管。

(3) 任何根據第(2)款交給警務人員看管的動物，須視為是被警務人員根據《動物羈留所條例》(第 168 章)檢取的。

章： 132BC 標題： 遊樂場地規例 憲報編 L.N. 320
號： of 1999

條： 17 條文標 **風箏、模型飛** 版本日 01/01/2000
題： **機、汽球等** 期：

署長可藉任何在遊樂場地顯眼地展示的告示，限制或禁止放風箏、模型飛機、汽球或其他器件。

章： 132BC 標題： 遊樂場地規例 憲報編 L.N. 320
號： of 1999

條： 20 條文標 **構築物的豎** 版本日 01/01/2000
題： **設、商業活動** 期：
的進行及露營

(1) 任何人不得在遊樂場地內—

- (a) 未獲署長書面准許而豎設任何柱子、欄杆、柵欄、長杆、帳幕、小間、攤檔、建築物或其他構築物，或將該等建築物或構築物所需的任何物料帶進或容許其逗留在遊樂場地內；
- (b) 懸掛、攤開或放置布料製品或織造品，以便晾乾或漂白；
- (c) 售賣、要約出售、為出售而展示、出租、要約出租或為出租而展示任何商品或物品，除非該人依據與署長訂立的協議，或行使任何合法的權利或特權而獲授權在該遊樂場地售賣或出租該等商品或物品；或
- (d) 露營，但獲得署長書面准許者除外。

(2) 在未獲署長書面准許或違反該書面准許所附加的條件下帶進或留在任何遊樂場地的柱子、欄杆、柵欄、長杆、帳幕、小間、攤檔、建築物或其他構築物，或該等小間、攤檔、建築物或其他構築物所需的建築物料，均可由署長移走，而在 7 天後，如仍無人申索，則可將其售賣。該等物料的擁有人須負責修理設施損壞(如有的話)的費用以及移走與售賣第(1)(a)、(b)及(c)款所提述物料的費用。

(3) 署長如根據第(2)款售賣任何建築物料，售賣所得收益在扣除修理設施損壞(如有的話)的費用以及移走與售賣第(1)(a)、(b)及(c)款所提述物料的費用後，須轉

交該等物料的擁有人。

章：	132BC	標題：	遊樂場地規例	憲報編	L.N. 320
				號：	of 1999
條：	22	條文標	禁止使用淫褻	版本日	01/01/2000
		題：	性言語	期：	

任何人不得在遊樂場地內使用淫褻性言語以致令人煩擾。

章：	132BC	標題：	遊樂場地規例	憲報編	L.N. 320
				號：	of 1999
條：	23	條文標	禁止吐痰、拋	版本日	01/01/2000
		題：	擲扔棄物、不	期：	
			恰當使用座椅		
			等、撿拾廢棄		
			物		

任何人不得在任何遊樂場地內—

- (a) 吐痰；
- (b) 拋擲任何扔棄物、紙張或廢棄物，除非拋進為此用途而設的桶或容器內；
- (c) 將腳放在任何座椅上；
- (d) 躺在任何座椅或遊樂場地內的任何建築物內；或
- (e) 撿拾碎料、骨塊、垃圾或類似性質的東西

章：	132BC	標題：	遊樂場地規例	憲報編	L.N. 320
				號：	of 1999

條： 24 條文標 **兒童遊樂場** 版本日 01/01/2000
題： 期：

署長如已指明任何遊樂場地或其任何部分須用作兒童遊樂場，即可藉著在該兒童遊樂場內顯眼地展示的告示，限制該兒童遊樂場只供該告示所指明的人作該告示所指明的用途。

章： 132BC標題： 遊樂場地規例 憲報編 L.N. 320
號： of 1999
條： 25 條文標 **音樂及唱歌** 版本日 01/01/2000
題： 期：

除非署長已以書面准許操作或彈奏某種樂器，或利用某種樂器發出任何聲響，或唱歌，否則任何人不得在對任何其他使用遊樂場地的人造成煩擾的情況下，在遊樂場地內操作或彈奏任何樂器或其他器具(包括唱機或無線電器具)，或利用該等樂器或其他器具發出任何聲響，或唱歌。

章： 132BC標題： 遊樂場地規例 憲報編 L.N. 320
號： of 1999
條： 26 條文標 **不清潔的人** 版本日 01/01/2000
題： 期：

身上有蚤蟲或骯髒的人，不得進入或停留在任何遊樂場地內。

分析香港文化保育政策：一個政策網絡 角度

馮鍵恒

引言

文化保育是近年逐漸受到關注的議題，除了天星、皇后碼頭的抗爭最為矚目外，其他如前中區警署建築群、利東街、灣仔街市等都一度激起社會對文化保育議題的關注。面對民間對文化保育的意識逐漸增強，政府面對強烈的「發展與保育」矛盾，然而，文化保育政策卻未有因公民意識的提升而出現大改變，在城市規劃政策制訂過程中，文化保育仍然未有受到重視。

本文將會利用政策網絡(policy network)的概念，嘗試分析政府在城市規劃政策上沒有受外來環境所主導的原因。透過對香港城市規劃委員會(城規會)的分析，作者認為城規會構成了一個緊密的政策網絡 – 套用 Marsh 和 Rhodes 的術語，即「政策社群」(policy community) – 這個網絡包括了政府官員、學者、政商界人士以及專業人士如測量師、規劃師、工程師、建築師、律師等，他們互相之間存在資源交換的關係(exchange of resources)，在城規議題上亦擁有與政府相近甚至一致的立場。整體而言，這個網絡在文化保育問題上一直沒有予以高度肯定，在審批過程中亦少有顧及到文化保育；相反，民間提倡文化保育的組織雖不斷要求城市規劃過程的民主化，但始終無辦法打破

現有的政策網絡，因此文化保育在城市規劃過程中只佔有一個不太重要的地位。

環境因素

宏觀的環境(contextual factors)因素往往被用作解釋政策的出現或轉變，如有學者提出政權改變(regime change)和中央政府的因素來分析香港在回歸後的政策轉變。文化保育不是傳統的政治敏感領域，政權轉移和中央政府因素對文化保育政策都沒有直接關係。然而，環境因素並不限於政治上的轉變，社會意識形態的變化亦可被視為環境的轉變。

文化保育意識在近年日漸在香港抬頭，愈來愈多市民關注文化保育問題。提倡文化保育的組織在近年亦有長足的發展，這些組織包括本土行動、香港大眾遺產傳承、H15 關注組、長春社、文化承傳監察、重建監察、社區文化關注等。它們大多提倡開放的城市規劃過程、社區民主、文化承傳、可持續發展等觀念，要求社會在發展經濟的同時，亦要強調對歷史遺產的保存，反對純粹以經濟利益作主導的發展觀。這一類團體在組織上雖然比較鬆散，卻有很強的動員能力，成功吸納不少年輕一代的支持者。這些組織的出現一方面可以被視為民間對保育意識提高的結果，另一方面它們亦透過行動進一步推廣文化保育。

我們亦能從社會輿論發現文化保育問題已逐漸在社會受到重視。在 06 年及 07 年天星碼頭和皇后碼頭

被清拆的事件中，保育團體的抗爭引來傳媒的大篇幅報道，成為當時主要的社會議題；媒體整體對歷史文物的消息亦有更多報道，如景賢里、前中區警署、利東街等；而近年就經濟發展與文化保育作平衡的爭論之多，亦是前所未有的，可見「本土、集體回憶等訴求已成為容易喚起社會(特別是新一代)響應的號角圖騰」(張炳良，2007)。

造成香港的本土意識提升，有認為是因為香港已擺脫過去「移民社會」的色彩，在港出生的新一代對香港有著不同於上一代的感情(呂大樂，2007)；同時，香港經已進入「後物質主義的年代」，人重視的不單再是物質上的需求，更會強調其他價值(Inglehart, 1977)。若上述兩個論點均成立，則我們可以預期香港的本土意識將在可見的未來持續增長；而如果我們認為宏觀環境是影響政策的重要因素，則這種意識的改變將會令政府愈來愈重視文化保育政策。

不過，過份地依賴環境因素以解釋政策的轉變，卻可能會將政策制訂的複雜性過於簡化(Ng, 2007)。環境因素並非不重要，但環境與政策制訂並不必然存在一個直接的關係，我們必須了解參與政策制訂過程的行動者之間的互動，才能全面地解釋政策的出現或轉變。

政府未對環境壓力的回應

不能否認，香港政府在近年的確就保育問題作出

了一些回應。例如在 2006 年城規會便修訂了一個規劃綱領，強調要「在擬備發展的過程中，特別應鼓勵區內居民提出意見和參與其中，以期盡可能保存該區的特色、社區精神及社會網絡」；在 2007 年初民政事務局便曾就文物建築保護政策進行公開諮詢；行政長官曾蔭權在爭取連任的政綱和 2007 年施政報告中均提及「進步發展觀」，包括「保存歷史建築……活化歷史建築，使它們融入社區之中，與社區互動，從而帶來社會及經濟效益」(2007-2008 施政報告)；在 2007 年政策局重組後，新成立的發展局接管了原本由民政事務局主管的文物保育政策事務，統合了規劃、土地使用和文物保護事務，又設立了文物保育專員辦事處主管保育政策，其政策聲明強調「以適切及可持續的方式，因應實際情況對歷史和文物建築及地點加以保護、保存和活化更新，讓我們這一代和子孫後代均可受惠共享」。

但是，我們並不能從政府這些理念上的宣示證明政府經已在政策制訂的過程中加入文化保育的考慮。例如城規會雖然修訂了規劃綱領，卻沒有具體的指引落實有關的方針。在通過市建局在利東街的重建項目的會議中，城規會表示「支持以人為本的方針和保留社區網絡的需要，但只可以審查土地用途建議(即擬議計劃的「硬件」)，而不是落實計劃的機制(即達到保留社區網絡的規劃意向的「軟件」)」，就利東街的文化特色，城規會在會議中亦未有作任何新增的評審或考慮¹(城規會第 885 次會議紀錄, 2007) 民間團體亦要

¹ 委員會只曾討論過關於利東街內的三幢二級歷史建築物，並沒

求政府簽訂一些國際保護文物的條約²，令政府在文物保護上受一定規範，但政府卻一直未有作出回應。

政府作出最具體的政策或許是「文物影響評估」，規定基本工程項目在工程籌劃階段便需研究工程項目會否影響具有歷史及考古學價值的地點或建築物，若有影響，便須進行文物影響評估(發展局工務科技術通告第 11/2007 號)。但這都只限於政府工程，對私人發展項目卻束手無策。由此可見，儘管外界訴求日增，政府在文化保育政策的立場卻沒有出現很大變化。

以政策網絡(policy network)模式分析

既然單靠大環境不足以讓我們明白香港文化保育政策為何裹足不前，我們便需要採納其他模式，因此作者會引用政策網絡概念以分析保育政策結果。

什麼是政策網絡

政策網絡可被定義為「一群組織透過資源的交換

有討論利東街以印刷喜帖著名的特色，亦未有討論關於保留建於 50、60 年代、但未有被評級的唐樓 (城規會第 885 次會議紀錄, 2007)

² 長春社敦促政府簽訂三條國際條約，分別是International Charter for the Conservation and Restoration of Monuments and Sites (The Venice Charter)、the New Zealand ICOMOS (International Council on Monuments and Sites) Charter for the Conservation of Places of Cultural Heritage Value和Principles for the Conservation of Heritage Sites in China (長春社古蹟保護立場書, 2003)

連繫在一起，同時將其他不處於這個資源交換結構的組織排除在網絡之外」(Benson, 1982)。有別於利益或壓力團體對政府的遊說工作，政策網絡內的成員之間有一種資源上互相依賴的關係，這些資源包括財政、組織、資源、認受性等。

Marsh and Rhodes(1992)按照網絡的成員人數、互動性、組織上的持續性、立場上的一致性和成員間資源交換的模式等準則構成一個光譜。其中一端為政策社群(policy community)，在這種網絡內，成員人數不多，多為經濟利益和專業團體，就相關政策的議題有非常頻密的互動、成員的構成有相當持續性而且會分享很多共同點，他們之間各擁有一定資源，彼此存在緊密的依賴關係。在光譜的另一端則為議題網絡(issue network)，人數多且利益分散，互動不緊密，並不容易取得共識，而且成員間的資源分配並不均衡。(Marsh and Rhodes, 1992)

較緊密的政策網絡(政策社群)會造成政策的穩定性，很少會出現大幅度的變化。由於成員有較接近的背景和價值，我們亦可從中解釋甚至預測政策結果；相反，鬆散的網絡(議題網絡)則會傾向造成政策上的浮動，難以預測政策的未來走勢。

分析層面(unit of analysis)

政策網絡具多個分析層面，作者會採用中層分析(meso-level analysis)，以組織和團體作為分析單位，因

為低層分析(micro-level analysis)過份強調個人互動(personal interaction)，失去了理論的一般性，每當網絡的成員有所變化，解釋力便會大為下降；相反，高層分析(macro-level analysis)，如官商關係、政府與民間社會關係一類研究，則可能將不同團體的利益過於簡化，而且難以解釋個別的政策結果。

界定文化保育政策網絡

要利用政策網絡分析香港的文化保育政策，我們首先要界定這個網絡，以了解當中的持份者。就古物諮詢委員會和城規會兩個對文化保育有一定影響的組織中，作者認為後者才是網絡的核心所在。

古物諮詢委員會

在殖民地年代，文化保育並沒有得到政府的重視。直到 70 年代政府因清拆第三代郵政總局建築面對民間反抗，才催生了《古物及古蹟條例》及古物古蹟辦事處。但這辦事處僅屬民政局康文署下的部門，影響力有限。後來成立的古物諮詢委員會，對歷史建築作出評級。然而，除了被評為法定古蹟的建築外，法例並沒有規定其他建築物(包括被評為歷史建築的)不能被拆卸，而古諮會亦無權就此干預。加上要被評為法定古蹟的門檻極高，審批時間甚至需時一年(吳永順, 2007)，在實際上對文化保育的作用有多大是成疑的。此外，古諮會只能評定個別建築，亦與保育所提倡保護一條「線」(街道)以至一個「面」(整個區域)的理念

相去甚遠。(中西區關注組，2006)

城市規劃委員會

相比之下，城規會在文化保育上扮演的角色更為重要。城規會是根據城市規劃條例第 2 條成立的法定組織，其成員除了數名官方成員外，皆由行政長官委任。由於它有權審理規劃許可和修訂圖則的申請，若要拆除歷史建築而將土地用作其他發展用途，必須經過城規會的通過。所以，要保存某幢歷史建築以至整個區域，城規會的決定起著關鍵作用。

城規會 — 政策社群

既然城規會是關乎文化保育最重要的政策網絡，我們可以透過探討其緊密程度以分析保育政策結果。

成員數目

一個緊密的政策網絡的參與者有限，而且部份組織成員會有意地被排除在外(Marsh and Rhodes, 1992)。城規會成員人數一般為三十多人，這個數目比起政府很多其他的委員會雖然為多，但由於城規會的工作量甚重，而且自 91 年以後還下設兩小組委員會(都會規劃小組委員會和鄉效及新市鎮規劃小組委員會)，成員除了處理城規會事務，還須兼管小組事宜，因此這個人數並不算很多。

緊密性

比起人數問題，網絡的緊密性似乎更為重要。一個緊密的網絡可體現於其頻密的互動(frequency of interaction)、其持續性(continuity)以及其一致性(consensus)(Marsh and Rhodes, 1992)。

城規會委員的互動非常頻密。根據城規會的辦事程序與方法，城規會定期在每隔一個星期五召開一次會議，而下設的小組委員會會議同樣每隔一個星期在城規會不開會時的星期五舉行。因此，委員基本上每個星期都要處理城規會事務，密度相當高。

城規會在組成和價值上均保持相當的持續性。政府代表方面，城規會內一直維持有五至七名官守成員，包括發展局、規劃署、運輸及房屋局、民政事務總署、環境保護署、地政總署等政府部門的代表，而擔任城規會主席的亦一直是官守委員³，確保政府在委員會內的影響力。非官方成員方面，行政長官會每隔兩年重新委任新的城規會委員，當中新獲委任的非官守委員往往佔一定數目(見下圖)。不過，這卻不表示網絡的組成經常產生變化。正如前文所述，我們的重點放在中層而非微觀的分析，個人的轉變並必然構成很大影響，重要的是參與的人有接近的背景或屬於某特定組織。雖然委員是以個人身份而非代表某個組織

³ 殖民地年代為規劃環境地政司，回歸後先後有規劃環境地政局局長、房屋及規劃地政局常任秘書長(規劃及地政)及發展局常任秘書長(規劃及地政)

接受任命，但我們仍能從委員的背景看出政府的任命準則。除了官守委員，委員主要包括學者、少量政界人士⁴、商界人士、專業人士如測量師、規劃師、建築師、園境師、律師等，可見委員的專業背景非常重要。這些專業人士一般亦有不少是來自該行業的專業團體，如現任城規會副主席黃澤恩是前工程師學會會長、陳旭明是測量師學會會長、陳弘志是園境師學會會長。而且，這種委任準則已沿用多時⁵，足見網絡在組成上的穩定性。

任期	非官方委員數目	新獲委任的非官方委員數目
2008-2010	31	6
2006-2008	32	11
2004-2006	33	15
2002-2004	33	5

當然，委員之間 (如各類專業人士)有各自的利益關注點，未必就所有事務上均有共識，但至少在文化保育議題上，除了建築師學會外⁶，測量師學會、園境師學會及工程師學會普遍都沒有強烈的訴求。同樣

⁴ 民建聯的陳曼琪和李慧琼都是本屆的城規會委員

⁵ 如在 1991 年，城規會內亦包括建築師學會會長李景勳、測量師學會資深會員譚希仲等

⁶ 就中環街市、天星碼頭、皇后碼頭、前中央書院遺址活化等問題上，香港建築師學會均曾多次發表支持文化保育的聲明，甚至批評政府的處理手法不當 (香港建築師學會網頁)

地，委員會內的學者多來自地理、環境生態、建築一類學科，只有少數來自文化或文物保護界⁷。我們當然不能由此斷言有關的專業人士或學者在委員會內不會支持文化保育，但由於他們與政府之間存在既有的資源交換關係，他們未必會就自己所屬範疇以外的議題(即文化保育)衝擊網絡內的共識，這樣卻又進一步強化了這個共識。

資源交換

要理解為何這個網絡如此鞏固，又為何外來的力量沒有能力進入網絡的核心，我們便需要了解這些核心內的成員之間存在著的資源交換關係(Marsh and Rhodes, 1992)。一個團體或個人能否走入網絡核心在很大程度上視乎其他行動者對他的依賴性，當擁有的資源愈多或愈重要，其他行動者對其依賴亦有所增加，在網絡內的地位便會愈鞏固。

雖然城規會成員是由政府所任免，政府亦須依賴外來力量。Sub-government 的出現並不是政府隨意制造出來的東西以讓其他團體分享決策權力；相反，正是因為政府對外來團體有所依賴，才建立 sub-government 以作吸納。整體而言，政府對外有所依靠是出於數個原因。首先，香港的議會政治仍未臻成熟，利益團體不能透過議會與政府溝通，因此雙方需要網絡以作直接接觸；其次，在欠缺民主的政治體制下，政府要建立認受性必須通過與個別團體的聯繫；最後，由於社

⁷ 例子包括研判文物保護的 Pamela Rumball Rogers，她由 2000 年到 2005 年出任城規會委員

會對政府的期望不斷提高，政府面對的訴求日增，而這些事務亦日趨複雜，政府要處理這些問題，同時又要防止官僚架構大幅膨脹，便需要建立政策網絡以借助外來的專業技術(Ng, 2007)。由於城市規劃牽涉到大量的專門技術，政府有確實需要引入相關的學者和專業人士以提供意見，彌補官僚體制內的不足，同時增加政策制訂的認受性。

對相關的學者、專業團體或執業人士而言，獲邀參與公共政策的制訂是對其成就的認同，有助提升其名望和專業地位⁸；同時，走進政策網絡的核心亦有助建立人際網絡和獲取相關資訊，對學會或私人業務均有幫助。對於網絡內的商界人士，加入城規會更可能得到直接的商業利益，如去屆城規會委會中便有二人從事地產行業⁹，雖然城規會設有防止利益衝突機制防止直接的利益輸送¹⁰，但進入政策網絡的核心仍可取得重要資訊或左右涉及地產行業整體的政策。對政黨人士而言，進入政策網絡有助政黨增加其政策影響力，同時可以為黨員提供參政機會。由此可見，在政策網絡中的成員均擁有一定資源，而他們亦從參加網絡換來另一些資源。

相反，欠缺或沒有資源的個人或團體便難以進入

⁸ 如建築師學會和測量師學會均有強調其參與訂定政策和為政府提供諮詢服務，作為其學會服務社群的證明。

⁹ 二人為嘉華集團副主席呂耀東和恒基地產營業部總經理謝偉銓。

¹⁰ 如當委員會討論的事項涉及到委員的利益，有關委員需要退席

政策網絡。由於委員由政府所委任，因此政府有能力摒棄一些持對立意見但擁有資源不多的成員，如保護海港協會主席徐嘉慎指他在 1988 年至 1996 年獲委任入城規會，但由於在 1994 年提出反對填海，至 96 年便不再獲委任(明報，2008 年 9 月 22 日)。同樣地，大多數民間保育團體的成員亦沒有獲委任加入，除了長春社外，近年新興的保育團體都未能進入網絡中。值得提及的，是城規會設有公開諮詢機制，容許公眾提出意見¹¹，但這些意見的作用成疑，如在市建局就利東街重建方案，城規會收到的 279 份公眾意見，只有 5 份支持申請，其餘的大多表示反對，不過城規會最終卻通過了該個方案，反映出公眾意見亦只能在網絡的邊緣位置，不能進入政策網絡的核心，因而亦難以影響政策結果。

因此，我們發現城規會是一個緊密的政策社群，至少在保育政策立場上有一定共識，普遍委員都不存在強烈訴求，對於以經濟發展為先的原則大致沒有提出挑戰。其他支持保育的民間團體或人士卻被摒棄於網絡核心以外，這大概解釋了為何香港近年的保育意識抬頭，但在保育政策上卻沒有重大突破。

網絡未來可能出現的變化

¹¹ 根據城規會〈辦事程序與方法〉「於圖則制訂過程中，須公開草圖供公眾查閱並容許公眾提交申述、公開對草圖的申述供公眾提出意見、公開建議修訂供公眾作出進一步申述，以及公開所有規劃申請和覆核申請供公眾提出意見。」

當然，即使是一個緊密的政策網絡亦不代表它將恒久不變，政策網絡仍會受外來因素所影響(Marsh and Smith, 2000)。作者於此提出三個可能出現的變化。第一是現有委員的價值取態可能會有所轉變。雖然我們難以量化這個因素，但概念上是可能的，尤其是城規會內有一定數目的官方成員，政府為顧及整體認受性，需要回應民間訴求，這亦會影響其在城規會的取態，但這個改變應該是逐進的。第二是外來力量成功進入網絡。由於保育團體得到的社會認同日增，轉化為重要資源，城規會要維持其認受性，或不得不將保育團體也帶入網絡之中。不過，考慮到城規會一直強調其專業性，而保育團體則具較強的政治化色彩，這個可能大概不會在短期內實現。第三是其他網絡的挑戰。政府已逐漸意識到文化保育應發展為一個獨立的政策領域，新成立的文物保育專員辦事處、古物諮詢委員會等組織，或會演化為另一個文化保育的政策網絡，取代了城規會在文化保育上的角色。屆時，要分析文化保育政策，便需要了解新興的網絡。

總結

近年，文化保育在民間愈來愈受到重視，民間保育團體的發展如雨後春筍，社會上關於文化保育的討論亦相當熾熱，在某程度上構成了一種社會意識形態的轉變。但這個環境變化卻不足以影響文化保育的政策網絡 – 城規會。城規會是一個緊密性甚高的政策社群，足以抵抗外來環境變遷所帶來的壓力，社會上對文化保育的訴求仍未能進入網絡內，令城規會在處

理保育問題上只作出口號式的宣言，卻沒有相配合的行動，這說明了為何香港的文化保育政策未有取得重大發展。如果這個緊密的網絡能持續承受外來壓力，即使香港進一步擺脫「移民社會」心態、「後物質價值」進一步提高，文化保育政策亦未必會有突破。

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A Critique and Modification of J.S. Mill's Conception of Liberty¹

Li Ho-fai

Introduction

In his influential writing *On Liberty*, J.S. Mill has outlined the boundaries between society and individuals and has explained how the protection of certain individual liberties in the self-regarding realm of individuals can benefit the society as a whole. He asserts that individual liberties should be allowed because these can help the development of individuality of each individual and therefore allow the individual to “become more valuable to himself, and is therefore capable of more valuable to others”.² To Mill, the development of individuality is valuable only when it contributes to the overall utility in the society. In this article, I am going to argue that Mill’s utilitarian defense of individual liberties is untenable. I also attempt to explore Mill’s conception of human being outlined in *On Liberty*, and to base the justifications of his conception of liberty not on the ground of the principle of utility, but on the intrinsic

¹ I am heavily indebted to John Rawls and professor Po Chung Chou in the formations of the philosophical argumentations of this article. Admittedly, many concepts and argumentations in regard to human being are inspired by them. Therefore, the academic credits of this article, if any, should be with no doubt attributed to them as well.

² J.S. Mill, *The Basic Writings of John Stuart Mill: On Liberty, the subjection of women and utilitarianism*, New York: Modern Library, 2002, p.65

value of what Mill calls “individuality” in human kind.

Inadequacy in Mill’s arguments for individual liberties

Since Mill aims to apply the principle of utility to solve all ethical questions of human kind, he regards individual liberties as instrument for social progress³. For Mill, the justification of individual liberty is twofold. First, it allows all human beings with mature faculties to develop themselves as human beings and therefore to prevent themselves from degenerating into a machine⁴. Second, the society will experience social progress when there is diversity in the society, especially when the diversity is demonstrated by persons of genius. For Mill, it is of great importance to provide the soil of freedom for those persons of genius to develop themselves so that they can contribute to the overall development of society by providing a better alternative way of life to that provided by the majority of average people⁵. In terms of utility, individual liberty is justified as it engenders the development of the few persons of genius because these persons of genius can lead their lives from which the other human being can learn.⁶ With all human beings

³ Ibid., p.13

⁴ Ibid., p.61

⁵ Ibid., pp.66-77

⁶ It is true that the principle of liberty is applied to all human beings with mature faculties. Nonetheless, the justification by Mill lies in the benefit which the individual liberty can give to a small group of genius in the society. He believes that a small group of genius, once they are allowed to enjoy liberty, can demonstrate their valuable

developed, the utility in the society will eventually increase. Therefore, if the society of human kind is to have social progress, the developments and innovations which are propelled by a group of genius are necessary.

Nonetheless, Mill has undervalued the tension between individual and society. Very often, the interest of individual and that of society do not coincide, and if the two conflicts, the utilitarian calculation will definitely favor the majority but not the minority.

For example, we can assume that the permanent interest of human being is security, for the deprivation of life is the end of any other interests. When a country is under the threat of terrorist attack, and there is reliable information to support the suspicion of a small group of people, then with utilitarian approach it would be justified to restrict the liberty or even to kill the small group of people in exchange for the sense of security for the majority. It is fine as long as the utility generated from the sense of security is greater than the utility lost from restricting the liberty of the few people. If the permanent interest of human being is quantitatively measured, it is expected that the majority would always prevail, and the permanent interest of individual and her liberty may not be effectively protected. From this

originality to those “who do not desire liberty or do not avail themselves of it” (Ibid. p.66). Mill holds that “it is necessary to preserve the soil in which they (the persons of genius) grow”. (ibid., p.67) Therefore, it is reasonable to say that the development of the persons of genius is the justification of the principle of liberty which applies to all human being with mature faculties.

example we can see that the destruction of individual liberties and individual sovereignty over her body and mind can be justified as long as there is another means available to better maximizing the utilities in society. Thus, in Mill's account, there is no guarantee that "in the part which merely concerns himself, his independence is, of right, absolute"⁷, because the protection of individual liberties for the greater summation of utility in the society is not necessary at all.

Nonetheless, Mill's conception of human being is insightful, and such conception should not be totally disregarded just because Mill places the justification of his conception of liberty solely on the utilitarian arguments. In the following, I am going to argue that individual liberties, namely the liberty of thought, of free discussion, and to effectively carry out self-regarding actions⁸ are constitutive to the realization of Mill's individuality and therefore they should be protected.

Mill's conception of human being

As my argument for the protection of individual

⁷ Ibid., p.12

⁸ In Mill's own words, he argues for three specific liberties: liberty of conscience, of tastes and pursuits, and to unite with another voluntarily. (Ibid., p.14) In respect of the importance of liberty of free discussion to which Mill has given in *On Liberty*, I re-write the specific liberties that Mill will reasonably agree: the liberty of thought and the liberty of free discussion (the liberty of conscience), and the liberty to carry out self-regarding actions (the liberty of tastes and pursuits, and the liberty to unite with another voluntarily).

liberties lies heavily in Mill's conception of human being, it is necessary to first explore Mill's conception of human being in depth.

Mill puts great emphasis on the establishment of the absolute private realm of individual as he believes that individual, in contrast to society, has a part of life that has direct interest only to herself, that owes duty only to herself, that only primarily concerns herself, and that only regards herself.⁹ He holds that, in this private realm, the individual should be able to choose her taste and mode of life with no hindrance from the others. His advocacy for such private realm actually results from his conception of human being, which is consisted of three distinctive human capacities: 1) the capacity for originality, 2) the capacity for rational self-direction, and 3) the capacity to improve or to learn from experience.

Capacity for originality

In agreement with Wilhelm von Humboldt, Mill holds that human being is by nature in rich diversity,¹⁰ and every human being is by nature unlike one another as they are not built after a model.¹¹ Mill also notes that human being possesses desires and impulses which contribute to a part of a perfect human being.¹² Instead of something we should endlessly hinder like what is said in Calvinism, Mill holds that the desires and impulses are actually energy for human development. He asserts his

⁹ Ibid., p.58

¹⁰ Ibid., p.75

¹¹ Ibid., p.61

¹² Ibid.

argument with a metaphor, “human nature is...a tree, which requires to grow and develop itself on all sides, according to the tendency of the inward forces which make it a living thing”.¹³ From the metaphor we can see that the energy of each individual not only allows her to grow and develop, but also lets them grow into different shapes and modes, like all trees are similar but none is identical. Therefore, with the natural energy, human being is capable of individual spontaneity and originality.¹⁴ As the capacity for originality allows individuals to be different from customary practices or to create new things for their own, the possession of such capacity therefore entails that each individual is unique as a human being.

Mill regards the natural desires and impulses of human being as attributes of originality, and he also holds that cultivation of conscience and self-control is necessary for individual to divert these feelings to do good.¹⁵ Thus, desires and impulses are the expression of individual own nature, and these are also in need to be modified by the individual’s own culture.¹⁶ It is clear that Mill does not regard it good to allow the capacity for originality being unfolded in an unlimited manner, but instead asserts that, strong energy, which is composed of strong impulses and desires, can lead to something good as long as human being has strong conscience.¹⁷ From

¹³ Ibid.

¹⁴ Ibid., p.59

¹⁵ Ibid., pp.61-62

¹⁶ Ibid. p.62

¹⁷ Ibid., p.61

this we can see that Mill recognizes the energetic nature of individual, but it alone is not enough to justify the protection of individual liberties.

Nonetheless, Mill does not agree that every individual is bestowed with originality. The possession of originality or individual spontaneity is restricted only to those persons of genius.¹⁸ Yet, Such assertion does not consist with his former assertion for individual's originality. If originality is the combination of "individual vigor" and "manifold diversity" as Mill holds,¹⁹ then it is untenable to hold that originality can only be possessed by a few geniuses, but not all average human beings who have vigor and ability to demonstrate deviation from custom. To put it another way, if originality means the powerful ability to create something new or to do things in her own uncustomary way, then every human being is by nature capable of doing so. Logically, there is no necessary connection between genius and originality as those geniuses do not have to employ their intelligence onto creating new things or deviating from the custom. Empirically, each individual around us is capable of having innovative thoughts and carrying them out, given the environment is encouraging or enabling. Perhaps some people may not feel the use of originality or make full use of it, but it does not entail that they lack the capacity intrinsically.

Capacity for rational self-direction

¹⁸ Ibid., p.66

¹⁹ Ibid., p.59

In his writing, Mill argues for the importance of making choice in one's life. He believes that human being possesses "the faculties of perception, judgment, discriminative feeling, mental activity, and even moral preference"²⁰ which are the "distinctive endowment" of a human being.²¹ It is only when an individual develops these faculties and chooses a suitable life that the individual is acting like a human being but not an ape which merely imitates what others do.²²

For this reason, Mill strongly opposes to follow custom blindly because following custom merely as custom, even though it is human experience rightly interpreted, does not cultivate the in-born capacity for rational self-direction of human being and not necessarily suit the life of each individual, let alone the custom is sometimes, if not often, the human experience misinterpreted. What is worse is that custom demands the obedience of individuals, but reasons are not necessarily given.²³ In the meantime, the custom hinders the development of individual faculties by turning everyone in the society alike. Therefore, as Mill has repeatedly asserted that human being is not a steam-engine without a character, human being needs to employ the above-mentioned faculties so as to be a human being. In his own writing, Mill says,

²⁰ p.60

²¹ Ibid.

²² Ibid.

²³ Ibid., p.8

“He must use observation to see, reasoning and judgment to foresee, activity to gather materials for decision, discrimination to decide, and when he has decided, firmness and self-control to hold to his deliberate decision.”²⁴

From the above passage we can see Mill’s assertion on the significance of individual choice and rationality. While making choice is an act of self-direction, reasoning, making judgment, and holding onto the judgment are the employment of rationality. Mill believes that human being is able to and should do these.

Capacity to improve/to learn from experiences

The concept of capacity to improve or to learn from experience is derived from Mill’s conception of human being as a progressive being.²⁵ Mill believes that human being is born imperfect, therefore the faculties of human being need to develop over time. Also, he asserts that human being is fallible, meaning that the truth human beings know is always half-truth.²⁶ To recognize these is to assert that there is room for improvement for each individual, and there is no one who can claim in possession of the ultimate truth and force others to obey it. Given enough options, human being can make improvement by learning from various experiences, whether of her own or of others.

²⁴ Ibid., p.61

²⁵ Ibid., p.13

²⁶ Ibid., p.58

Mill's Conception of human being, individual character, and individuality

Mill said, individuality is demonstrated when an individual is allowed to do whatever she wants in the self-regarding realm in which things only concern herself and do no harm to others.²⁷ The three above-mentioned human capacities are significant for each human being as the combination of these lead to the formation of individuality. In Mill's eyes, individuality is important because it serves to make the life of each individual more valuable to herself, and the three capacities are conducive to that purpose. For the capacity for originality, it actually serves as a justification of individuality since the possession of such capacity implies that each individual is unique and the absence of obstacles to the expression of individual originality will allow the individual to demonstrate her own energetic nature and her difference from other individuals, and therefore live as a human being instead of a mechanical steam engine or something made after a model. As a human being, an individual will not be satisfied with her energetic nature being hindered or being molded into exactly the same as the others'.

For the capacity for rational self-direction and the capacity to improve, they are indeed constitutive to individuality by contributing to its development. Individuality will lose its moral worth if it is kept undeveloped and remains in its immature state. To make

²⁷ Ibid., p.58

individuality valuable to each individual, it has to be under the individual's self-control and direction. Therefore, individuality can only be of significance when the individual who possesses it can exercise the capacity for rational self-direction and the capacity to improve, because the two capacities allow the individual to live up with the life plan decided by her own and to find out what life-style best suites her own character by being exposed to different life experiences. The necessity of the development of individuality coincides with Mill's idea of maturity of human faculties as the basic criterion for an individual to "interpret experience in his own way".²⁸

It is through the expression of individual's own energetic nature which is modified and developed by her own interpretation of experiences that the individual is said to have a character.²⁹ Or in other words, it is only when the capacity for originality is recognized, and the capacity for rational self-direction and the capacity to improve are employed that an individual's character can be formulated. Such individual character is the expressed form of individuality. In this sense, the distinction between individual character and individuality is trivial.

To sum up, the three human capacities are the constituents of individuality, and lacking any one of the capacities will result in the failure of formulating individuality. The capacity for originality asserts individuality in a negative sense that it is only with the lack of hindrance of originality that individual

²⁸ Ibid., p.60

²⁹ Ibid., p.62

uniqueness can be revealed in individuality. The capacity for rational self-direction and the capacity to improve assert individuality in a positive sense that it is only through the cultivation of the two capacities that each individual can make individuality valuable to herself.

Justification of Mill's conception of liberty: A revision

Any justification of Mill's conception of liberty must also take into consideration that of individuality. I have asserted in the beginning of this essay that the utilitarian account of Mill's conception of liberty is in tension with individual liberties in many cases, especially when an individual's loss of liberties can generate enormous utilities to everybody else in the society. To better defend Mill's conception of liberty, we must search for alternative ground for the protection of liberties.

As mentioned above, individual liberties can be alternatively entailed from the conception of individuality. I argue that the alternative ground can be found in the re-assessment of the moral worth of individuality. Every human being is capable of having and developing individuality and she should be allowed to do so because it entails that an individual has a character that distances her from an ape or a steam engine. The formation of individual character is important as it provides the basis for self-recognition for each individual who wants to lead a life under her own control. Every human desires to be recognized as a unique and self-directing person in society. If an

individual does not recognize herself as a unique and self-directing person, then she is not able to enjoy the values of her life because she has lost herself in the group of people, i.e. the society which demands conformity and obedience from her. Indeed, the ownership of the sense of self-recognition is fundamental as it helps each individual to appreciate the values of life in a substantive way when she is situated among other individuals in the society. It is only by forming a character of her own that an individual is able to rigidly recognize herself as a unique and self-directing person. An individual cannot make life valuable to herself when she is lack of self-recognition, let alone substantial formulation of her own well-being. It is because the life she leads has no direct interest to her at all. In short, I argue that individuality is desirable to every human being as it asserts individual's self-recognition in contrast to society.

From this proposition I further argue that the protection of individual liberties is a necessary condition for each individual to develop individuality she has. As a result, it is then justified to allow certain individual liberties in society. For example, individual needs the liberty from the hindrance of originality, the liberty to rationally direct her own life plan, and the liberty to learn and improve for the betterment of her own life. In *On Liberty*, Mill illustrates the necessity of liberties in the formation of individuality with the counter-example of "custom".³⁰ What he wants to say is that the act of making choices entails the expression of individuality,

³⁰ Ibid., p.60

and individuals need certain liberties in the process. For Mill, the liberty of thought, the liberty of free discussion, and the liberty to carry out self-regarding action are liberties required to help an individual to make choices and therefore to develop her individuality. When an individual wants to think about how to lead her life and which life-styles among the many is the most suitable and valuable to her, she needs the freedom to deliberate, to decide, and to try it out physically. It is the reason why the liberty of thought and the liberty to carry out self-regarding actions are essential. These liberties ensure that the individual's originality will not be hindered in the self-regarding realm and her rational self-direction over her own body is expressed substantively. In the meantime, she needs abundant information for making decision. Also, after her trial of life, she may find herself mistaken and in need for adjustment of her original plan. For these purposes, an individual requires the freedom of free discussion, in honor of the fact that she, as a human being, is a fallible and progressive being.

Instead of giving moral weight to the concept of individuality, some scholars such as John Gray have tried to defend Mill with the notion of autonomy. Gray's notion of autonomy suggests that Mill regards a free human being as being capable of making choice and self-determination.³¹ However, Wendy Donner has correctly pointed out the inadequacy of Gray's notion. Gray has, as Donner says, missed out the important part of Mill's conception of human being: the need for human

³¹ John Gray, *Mill On Liberty: A Defense*, London; New York: Routledge, 1996. pp.73-85

development.³² For Gray, individuality is equal to the capacity for rational self-direction. Yet, as repeatedly mentioned, Mill's concept of individuality involves at least two more: the capacity for originality and the capacity to learn from experiences. While Donner has rightly pointed out that individuality requires development before it bears the full values that it should have, she also fails to grasp the importance of the capacity for originality in Mill's concept of individuality. I argue, in the above, that both the capacity for originality and the capacity to improve should not be overlooked. If individuality is to bear merit in each individual's life, the three human capacities should all be included in the conceptualization of what is individuality.

In short, to justify individual liberties with the concept of individuality, we do not necessarily need to look for its function for the maximization of overall utilities in society, but we need to re-assess the moral worth of individuality, which is attributed from the three human capacities mentioned above. Since it is essential for each human being to have individuality to make her life valuable, the liberties of each human being are necessary for the protection and flourishing of individuality.

I have to admit that the revised Mill's conception of liberty, which emphasizes the importance of the moral worth of individuality, is somehow similar to the concept

³² Wendy Donner, *The Liberal Self: John Stuart Mill's Moral and Political Philosophy*, Ithaca, N.Y. : Cornell University Press, 1991, pp.179-183

of right³³ since individuality is treated as intrinsically owned by each human being and its moral worth is seemingly overriding when conflict arises between individual and society. Yet, after the reasoning laid out above, I am obliged to argue that we as individuals have a right to individuality. Therefore, the society has the responsibility to protect the right and to flourish its development.

Implications of the revised Mill's conception of liberty

Following the revision of Mill's conception of liberty, there are implications for the design of society. In regard to the capacity for originality, Mill is cautious that society always demands conformity from individuals. By doing so, society is to crush the uniqueness of each individual and attempts to turn each of them into the same. To respect the human capacity for originality, the society should resist the temptation of homogenizing people. Mill believes that it can be achieved if the self-regarding realm of individual is protected against the tyranny of opinion by the majority.

In regard to the capacity for rational self-direction, Mill believes that such capacity should be developed so that human being will not be degenerated into ape or steam-engine. In the self-regarding realm of individual, the individual should be allowed to employ such capacity

³³ Dudley Knowles, *Political Philosophy*, London : Routledge, 2001 , pp.155-159

to direct her life in the way she deems the best. Thus, the society should provide an environment that helps develop such capacity.

In regard to the capacity to learn from experience, the implication is that the society should allow “experiments of living”³⁴ and certain liberties for each individual to find out the best way to improve their lives. The only condition is that the “experiments of living” cannot do any harm to anyone. In respect of the individual as a progressive and fallible being, the society should provide an environment of a variety of options for individuals to improve their lives in the self-regarding realm of individual.

It is only through the recognition and development of these three human capacities that the character of each individual can effectively be built and consequently the sense of self-recognition, which is deemed essential to each individual for the substantial formulation of her own well-being. In honor of the individuality of each individual, the individual’s liberty of thought, of free discussion, and to effectively carry out actions should be protected by the society in the self-regarding realm. In the defense of individual liberty, it is better that we do not appeal to the principle of utility as Mill does.

Conclusion

Besides looking for justifications of Mill’s

³⁴ Ibid., p.58

conception of liberty with utilitarian approach, I have attempted to demonstrate that the justifications can also lie in the emphasis on the intrinsic moral worth of Mill's concept of individuality, which is composed of three distinct human capacities: the capacity for originality, the capacity for rational self-direction, and the capacity to learn from experiences. The importance of these capacities is that they contribute to the formulation of individual character, helping an individual to form her self-recognition, in contrast to the homogenizing power of society. Overall, Individuality should flourish without hindrance when the development of it does no harm to others. The implication of the free development of individuality is that the society should provide an environment in favor of the development of individuality, i.e. to protect individual liberties of thought, of free discussion, and to effectively act in the self-regarding realm.

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Cochabamba's Failed Water Privatization Program

“Water is a limited natural resource and public property. It is fundamental for life and health. The right to water is essential in order to live a life of human dignity. It is a condition for achieving all other human rights. Water ought to be treated as a social and cultural property and not as primarily an economic good. By whatever means access to water is achieved, it should be long-lasting in order to ensure the right to water for the current generation and for coming generations”

(The United Nations Committee for Economic, Social and Cultural Rights, November 27, 2002)

The purpose of this paper is to analyze the privatization initiative of the water and sanitation system of the city of Cochabamba, in Bolivia in 1999, through which a 40 year concession of the system was granted to Aguas del Tunari, a subsidiary of the consortium of London-based International Water Limited and San Francisco based Bechtel Corporation. The paper will begin with some background material including general information on the water and sanitation sector, the privatizing method of concessions, and information on the particular case at hand. We will then proceed to perform an analysis of the privatization

initiative of the water and sanitation system of Cochabamba. Through this analysis, we will be able to conclude that this particular privatization initiative was unsuccessful not only because its results greatly failed to meet goals and expectations, leading to unwanted outcomes as well as the eventual cancellation of the program, but also because such consequences served to strengthen Bolivians', as well as many Latin Americans' disapproval for privatization initiatives. This is important because the public's opposition to privatization can undermine any of the potential gains that may be achieved through it. Finally, we will end the paper by providing suggestions for improvements regarding this particular privatization initiative as we believe that, if carried out properly, it could have greatly improved the previously existing, inefficient public system. We base such belief on the fact that empirical studies on the privatization of water systems, in general, "find statistically significant evidence that private operation [when carried out properly] is correlated with greater efficiency." (Kessides, 2004, p.255)

The Water and Sanitation Sector and Its Privatization

Before pursuing a more in depth analysis of the water and sanitation privatization in Cochabamba, one needs to first be familiar with the fundamental characteristics of the privatized utility: water and sanitation. These two are essential for life. Broad access to them yields public health and environmental benefits. They also play a critical role in

economic development. As a result, governments tend to have a particular interest and concern for this sector. The fact that “the water and sanitation system is characterized by a high degree of ‘natural’ monopoly,” (World Bank Toolkit, 1997, p.1) and that it involves great social concern as well as political sensitivity have caused some governments to be slow in taking steps to secure private participation in it. Yet, others have taken the initiative to involve the private sector to: (1) Bring expertise and new technology (2) Improve economic efficiency (3) Inject large-scale investment capital or gain access to private capital markets (4) Reduce public subsidies or redirect them to the poor (5) Insulate the sector from short-term political intervention, and (6) Make the sector more responsive to consumers’ needs and preferences. (World Bank Toolkit, 1997, p.10)

In the case of developing countries, private sector participation in water and sanitation has been a relatively recent phenomenon. In fact, although before 1990 almost all developing countries relied on government provision, (World Bank, 1999, p.2) “the number of private water projects reaching financial closure has increased more than tenfold between 1990-1997.” (World Bank, 1999, p.57) Among these, one can find a large number of successful programs including those that took place in the cities of Buenos Aires, Lima and Santiago (Kessides, 2004, p.254), where after reforms, labor productivity increased, water and sewerage coverage expanded, and operating costs dropped. (Kessides, 2004, p.254)

When considering privatizing water and sanitation, governments must take into account the special features of this sector. First of all, because water and sanitation are essential for life, they are subjects of great social concern and political sensitivity. As a result, any action taken by the government on this sector will be followed with great scrutiny by the public, and any mistake along the process will have magnified responses. In addition, this sector has the disadvantage of requiring high costs to obtain accurate information, since many water assets are buried, and large amounts of fixed capital investment. (World Bank Toolkit, 1997, p.10) This is a particularly important problem for low income countries such as Bolivia because not many private water companies will be willing to take on full operational and investment responsibilities that require such high costs in places where the risk of returns is considered to be relatively high. To make matters worse, because water is expensive to transport over long distances and cheap to store, in many cities, water and sanitation utilities are local and small. Because such small utilities do not offer opportunities for exploiting economies of scale, they are generally unattractive to the private sector. (World Bank Toolkit, 1997, p.14) All the mentioned characteristics of the water and sanitation system provide a strong rationale for governments pursuing privatization of this sector to carefully balance the essential need of the consumers for access to water and sanitation with the financial interests of the private suppliers.

Characteristics of a Concession

Concession, the privatization method chosen by the Bolivian government for Cochabamba's water and sanitation system is, in fact, the dominant form of private participation for the water and sanitation sector, "accounting for 50 percent of all water and sewerage projects." (World Bank, 1999, p.9) In a concession, which is usually auctioned and lasts for 25 to 50 years, the private firm that wins the bid is granted full use rights to the assets of the government, becoming responsible for all operations, maintenance and investments related to these assets. At the end of the contract, all assets, including those created by the private firm, revert to the government. (World Bank Toolkit, 1997, p.16) This privatization method is optimal when large investments are needed to expand or improve the quality of services. In fact, the reason why concessions are so attractive to governments is that they "pass full responsibility for operations and investment to the private sector, and thereby, bring to bear incentives for efficiency in all the utility's activities." (World Bank Toolkit, 1997, p.6)

Nevertheless, a problem with this type of privatization method is that it confers a long term monopoly on the concessionaire. The quality of government regulation, therefore, becomes essential in determining the success of the concession, particularly regarding the distribution of its benefits between the profits for the concessionaire and lower prices and better services for the consumers. In addition to implementing a proper regulatory framework in place, governments must

also be careful in designing concession contracts and the conditions included in them.

Background on the Cochabamba Water and Sanitation Privatization Case

The privatization case at hand is the 1999 privatization initiative for the water and sanitation system of the city of Cochabamba, in Bolivia. Bolivia, with 65 percent of its population living below the poverty line, is the poorest country in South America. (Arias et al., 2006) Cochabamba, its third largest city, lies in a high altitude, semi-desert region of the country, making water a scarce and precious resource. As a consequence, Cochabamba had long been suffering from water scarcity as well as insufficient and irregular provision of water services, including sanitation. Before the privatization initiative taken by the government in 1999, SEMAPA, the public water and sanitation provision company of the city, had been managing the sector for decades with the help of government subsidies. The inefficiencies of this public management were evident as “by 1997, the municipal utility covered only 57% of the population, had 50% losses in unaccounted for water, and was severely indebted.” (Clarke et al., 2004, p.42) Due to the inefficiencies of SEMAPA’s management, a series of alternative forms of providing water had emerged in Cochabamba, including public wells, organized cooperatives or water committees, and the sale of water by water trucks. (Peredo, 2003, p.13)

In an attempt to improve the water and

sanitation system of Cochabamba, in 1999 the Bolivian government took the initiative to privatize it through a 40 year concession contract granted to “Aguas de Tunary,” a subsidiary of the consortium of London-based International Water Limited and San Francisco based Bechtel Corporation, who was the single bidder for the concession auction. As we will see in the next section, the bid of Aguas del Tunary was accepted despite serious omissions and irregularities. As a result, the private firm was able to greatly increase water prices soon after the concession agreement. In fact, water tariffs increased by about 35 percent almost immediately after privatization, soon skyrocketing to an increase of 200 percent. (Clarke et al., 2004, p.42) As a consequence, the project ran into widespread opposition in the form of civil disturbances, violent street riots, and protest demonstrations, during which “several days of violence left more than a hundred people injured and one person dead.” (Wolf et al., 2005, p.89) Such pervasive civil disorder finally led the government to revoke the concession and return the utility’s management to its former public operator, SEMAPA. In the next section, we will analyze and assess more in depth this privatization initiative in order to support our view that it failed in two levels: first, it failed in achieving desired results to improve the performance and efficiency of the sector, but it also reinforced an already prevailing anti-privatization sentiment.

Analysis and Assessment of the Privatization of Water and Sanitation in Cochabamba

In order to begin analyzing and assessing the privatization initiative of the water and sanitation system in Cochabamba, one needs to, first of all, assess whether private participation was appropriate at all in this case. From a more general point of view based on empirical studies on the privatization of water systems, which “find statistically significant evidence that private operation is correlated with greater efficiency,” (Kessides, 2004, p.255) privatization in Cochabamba seems like an adequate option. Positive past experience of water and sanitation privatization in cities such as the ones mentioned earlier in the paper, Buenos Aires, Lima, and Santiago, also support privatization in Cochabamba. Before moving further, however, one needs to remember that privatization is not a panacea for all problems and that “private participation must be tailored to meet the unique needs, goals, and constraints of each country and city.” (World Bank, 1999, Introduction) That is, there is not one model that applies to all cases. The implication is that the fact that water and sanitation privatization programs worked in these other cities does not automatically mean that privatization in Cochabamba will be appropriate and/or successful. Yet, given the evident, large inefficiencies of the previous management by SEMAPA, the state owned company of the Bolivian city, we argue that at minimum, if carried out properly, a privatized water and sanitation system could have improved on the existing state-owned management. We also have grounds to believe that the poorest of the city, who previously had the least access to these utilities could have greatly benefited from privatization. We derive this view from the empirical

evidence provided by work offering insights on the distributive effects of the privatization of infrastructure in Argentina in the 1990s. These studies found that all income groups benefited from the efficiency, quality, and access improvements resulting from the privatization of utilities, and that the poorest groups, in particular, benefited the most. (Kessides, 2004, p.57) Thus, due to all the potential gains that privatization could have brought to the inefficient state-managed system, we believe that privatization was, in fact, appropriate for Cochabamba.

Having decided that the water and sanitation sector of Cochabamba would be better off after privatizing, as long as it was carried out properly, the next step would be to consider whether a concession, which is the privatization method that the government of Bolivia chose, was the best option to have pursued given the prevailing conditions of the city at the time. Here, we also agree with the government's choice of a concession. Other available options of privatization would have been a service contract, a management contract, a lease, a BOT, or a divestiture. (World Bank Toolkit, 1997, p.6) The key in the Cochabamba case is that the water and sanitation system of Cochabamba was in need of a large amount of investment in its infrastructure in order to expand the coverage of the water and sanitation supply, as well as to improve the quality of such services. (Claire, 2000, p.16) Thus, given this key issue, none of the other options, except for divestiture would have been as adequate because the others are most appropriate when there is

only a limited need for new investments. The problem with divestitures in the water and sanitation system, however, is that “given the national economic importance of infrastructure services, governments generally find divestiture ideologically or even constitutionally difficult to contemplate.” (World Bank Tool Kit, 1997, p.8) Therefore, we deem appropriate the choice of a concession in Cochabamba.

Thus, we believe that in the Cochabamba case, the choice of privatization itself and the choice of concession as the privatization method were appropriate. However, in our opinion, and as we will show, everything else in the process had important flaws which led to negative outcomes, causing the opposition of the public, and the eventual cancellation of the program. From our point of view, we find four main causes for the failure of the water privatization in Cochabamba:

- (1) lack of competition in the bidding process
- (2) poor design of the concession contract
- (3) lack of a supporting, appropriate regulatory framework
- (4) disregard of public opinion and lack of information given to public

First, the process of auctioning the concession for the water and sanitation system of the city of Cochabamba was characterized by a lack of competition among bidders, since only one bidder, Aguas del Tunary, was present. It is important to remember that

one of the advantages of concessions is that they are bid by the price, bringing in competition for the market. This ensures that bidder who wins the concession is the one proposing the most favorable terms, that is, the highest investment targets and productivity goals for the lowest tariff. However, in the case of Cochabamba, such advantage of the concession method was eliminated as “pervasive corruption and irregularities marked the privatization process from the very beginning; the first two bidding processes didn’t work, and in the second, only one company, Aguas del Tunari, presented a bid.” (Peredo, 2003, p.6) Here, rather than putting out a call for new bids to introduce competition for the market, the government accepted the bid of Aguas del Tunary, agreeing to all of their commercialist conditions. (Sheila, 2002, p.2) This was a great mistake since “experience suggests that many of the efficiency benefits from involving the private sector stem from competitive pressures, not just the presence of a private owner. Competitive pressures also affect the amount and appropriate form of sector regulation needed: the more competitive pressures brought to bear on a utility, the less regulation may be required.” (World Bank Tool Kit, 1997, p.20) This is important to remember because governments, especially those with limited regulatory capacity, stand to gain a great deal from introducing as much competition as possible. Bolivia, however, failed in doing so from the very beginning of this privatization process.

This leads to the second mistake in the course of this privatization initiative: while

granting Aguas del Tunari a long term monopoly on the water and sanitation system of Cochabamba, Bolivian government made little effort to secure a favorable contract. In fact, urged to secure the contract, Bolivia granted all the conditions demanded by the private company including: an overlong, 40- year concession period, a guarantee of a rate of return of 15 to 17 percent which was to be indexed to the dollar making consumers bear exchange rate risks, and the consent to immediate increase water tariffs by 35percent. The overlong concession period meant was calling for problems as it was granting Aguas del Tunari with a long term monopoly power in providing water and sanitation services to the residents of Cochabamba. In fact, the longer a concession lasts, the less effect the initial rounds of bidding will have on the terms of the concession over its full life. In this case, where there was essentially no bidding process, agreeing on a long term contract was to produce detrimental results. Moreover, so little information was available on the existing system that there was almost no basis for establishing the terms for such a long-lasting concession contract. Furthermore, the Bolivian government's contract with Aguas del Tunari guaranteed a 16% rate of return per year on the corporation's investment, regardless of how it would be achieved. (Lobina, 2000) Such clause placed all the risk burdens on the consumers who would have to bear the costs of these guaranteed results. This indicates that the privatization process, which was initially intended to improve the water and sanitation systems of the city, and thereby benefit its consumers, was rather placing a burden on them. To make matters even worse, this

guaranteed rate was to be indexed to the dollar, thus adding an exchange rate risk to consumers. All of these, together with Bolivia's consent to allow for an immediate increase water tariffs by 35 percent, allowed water tariffs to soon skyrocket increasing over 200 percent, and thus hitting consumers very hard. In fact, the monthly water bill reached \$20 in a city where the minimum wage is less than \$100 a month. (Peredo, 2003) This was calling for strong opposition from the public. Moreover, the contract, while guaranteeing returns for the private investor, did not specify clear targets or objectives to be achieved by it. It did not define the concessionaire's obligations in terms of service coverage and performance standards to be achieved. We consider this comparable to granting almost a "free lunch" to the private investor.

In addition to granting a long term monopoly through a rather unfavorable contract after a non-competitive bidding process, Bolivia was lacking a supporting regulatory framework for its privatization initiative. Under a successful concession, the government would have to establish a regulatory framework within which the private conglomerate would operate, so as to prevent the use of monopoly market power. This is because "credible, stable regulation is required to achieve the benefits of privatizing and liberalizing infrastructure." (Kessides, 2004, p.81) Such a regulatory structure would secure accountability by dispensing monetary compensation in relation to the quality of services provided. However, in Cochabamba, "the government failed to adopt a regulatory position within the market model... therefore enabling Aguas del

Tunari to abuse its power of ownership and establish a management system that was antagonistic to the needs of the majority of the population.” (Chan et al., 2007, p.6) A supporting, stable, and credible regulatory framework would have needed to include elements such as a sound legal system and supervising institutions, which Bolivia lacked. Instead, the change in the law governing water systems that occurred right after the privatization merely weakened the government’s position, increasing the power of the private firm rather than limiting it. In line with the privatization contract with Aguas del Tunari, Law 2029, signed by President Banzer on October 29, 1999 served to legitimate the contract itself, “granting private control to any wells that had been locally paid for, built, managed, or run.” (Joseph, 2005, p.1) Aguas del Tunari took over management of community-based water resources and residents were expected to pay accordingly. Control of other water sources in Cochabamba was seized under a law stipulating that only the contracted company could distribute water. Under this law, everyone, including cooperatives and peasant irrigation systems, was required to be connected to the concessionary’s network. This became another source of protest among the public.

The fourth mistake that occurred during the privatization initiative at Cochabamba, and probably one of the most crucial ones in this case as it led to a large scale public uprising, was the negligence of the public’s opinion and the lack of information given to them. The whole process was characterized by a lack of transparency as well as the lack of information provided to the public, who eventually were the

consumers. The burden placed upon the people of Cochabamba was the evidence of the level of indifference that the both the Bolivian government and the private company Aguas del Tunari had toward the general population. Opposing the water-rate hikes, the citizens of Cochabamba held an unofficial referendum in which an overwhelming majority -- 96 percent of 50,000 voters -- disapproved of water privatization in the city. (Sadiq, 2002, p.1) Yet, government officials refused to listen to the public voice and consider terminating the contract. Without any reform in sight, the masses took the issue to the streets, where the Bolivian president, Hugo Banzer, once used violent repression instead of reexamining the contract. This served to further aggravated public opposition, causing riots and protests spread beyond Cochabamba borders that finally led the government to withdraw the contract. (Simonson, 2003, p.26) One particular aspect that the government failed to take into account, which would have helped it predict the negative public response, is the cultural ideological regards towards water of the Cochabamba citizens, who saw this asset as a social rather than an economic commodity. Such view is illustrated by the words of Oscar Olivera, a leader of the struggle against Cochabamba's privatization: "We owe nature to use the gift of water in accordance with our sustenance needs, to keep it clean and in adequate quantity... nature gives water to us free of cost, buying and selling it for profit violates our inherent right to nature's gift and denies the poor of their human rights." (Oliviera, 2000) Here, one needs to keep in mind that a privatization process is hard to carry out to achieve desired results even when most of

the economic, structural, regulatory requirements are in place. Even in the case where all these supporting elements are present, an additional factor needs to be in place: the support of the public. It is essential to assure the support of the public for a privatization program be successful because failure in doing so will certainly lead to a tremendous backlash of detrimental effects on the privatization initiative, as it turned out to be the case in Cochabamba. Public opinion is particularly crucial when dealing with any infrastructure sector, especially water and sanitation, because of its importance and direct effect on consumers. In the case of Cochabamba, the Bolivian government did not take any action to create positive public opinion regarding the decisions that it was taking. Even worse, by not informing the public and not allowing it to participate in the initiative, the government alienated the people from a process that would have direct negative consequences on them. Furthermore, it did not compensate the consumers for any of such consequences. As a result, in the end, the Bolivian government and its privatization initiative in Cochabamba received a backlash from the public.

It is important to remember that “assessments of privatization in the developing world are strongly influenced by attitudes toward privatization.” (Kessides, 2004, p.94) In fact, it is often the inability of governments to manage the public image of privatization and to communicate its benefits that has led the public to stop supporting privatization, and to even oppose it. Therefore, it is essential for governments to inform the public about the potential benefits from

privatization and to let them know that, often, these benefits are slow to appear and that short-term pain, such as a rise in tariffs and unemployment, may occur. The lack of provision of such information to the public combined with the large increase in tariffs that resulted as a consequence of poor planning of the initiative amounted to large public dissatisfaction towards privatization in Cochabamba, which spread across the entire country, and even to other parts of Latin America. Part of such public dissatisfaction has been reflected in opinion polls such as the “Latinobarometro,” which indicated that in Latin America between 1998 and 2002, the percentage of people supporting privatization fell from 51 to 35 percent while the percentage of those who believed that privatization had been beneficial for their country fell from 46 to 28 percent. ¹ (Kikeri, 22) This is relevant because it shows that the failure of privatization plans in the developing world, such as the one in Cochabamba, increases negative public perception towards privatization. Privatization cannot succeed in the absence of public support.

In conclusion, looking at the privatization initiative in Cochabamba, one can argue that due to poor planning and execution of the reform, including lack of competition in the bidding process, poor design of the concession contract, lack of a supportive regulatory framework, and disregard of public opinion, this privatization program failed in two levels: first, it failed in replacing and improving the inefficiencies of the previously state owned management, as tariff increased immediately after the concession while

no significant improvements in the system were reported. Second, it increased public opposition towards privatization in Cochabamba, as well as in other regions in Latin America. From the point of view of the government, such failure of the program weakened the public's trust on the government and also brought about economic losses as "Aguas del Tunari filed a complaint against the Bolivian government in the World Bank's trade court, the International Centre for Settlement of Investment Disputes, demanding \$25 million in compensation for the canceled contract." (Wolf, 2005, p.89)

Recommendations

Having analyzed and assessed the privatization process of the water and sanitation system of Cochabamba as well as the consequences that it brought about, we will now provide some suggestions that might have helped to avoid the unwanted results that the reform produced, allowing the Bolivian government to maximize the potential gains from the privatization of the system.

First of all, the tendering process should have been made more competitive. In the bid process for the concession, when only one company, Aguas del Tunari, submitted a bid, the Bolivian government should have put out a call for new bids instead of directly inviting Aguas del Tunari to take over the system. While making such an assertion, we do recognize the difficulties and implications involved in

taking such a decision: the problem that many developing countries, such as Bolivia, face is that there are very few investors who are willing to take on full operation and investment responsibilities on projects in these countries. This is because in many of the developing countries, usually, due to the initial lack of infrastructure, high levels of investment are required. Also, due to the nature of water, which is often buried underground, costs of obtaining information on the asset are high. In addition, to make matters worse, high risks of return are involved as there is always the risk that consumers may not be able to afford paying the utility tariffs. Political risk and the uncertainty of government commitment also plays a role in these high risks of return. As a result, some of the projects in the developing world may not be too appealing to private investors, making it hard for these countries to attract private investors. In rejecting the bid of Aguas del Tunari to call for new bids, Bolivia might have risked ending up with no investor at all for the Cochabamba project. However, the problem of attracting investors could be solved if in addition to calling for new bids, the Bolivian government had committed itself to providing some sort of investment subsidies to the firm that won the bid. This could have been achieved following the Chilean example of setting up a special fund to competitively allocate a one-time direct subsidy to the private water distribution companies to cover part of investment costs. (World Bank Toolkit, 1997, p.8)

While introducing more competition in the bidding process for the concession, we

think that the Bolivian government should have also spent more time and effort in the pre-contract stage of the privatization process. “The pre-contract analysis is vital in deciding the form and timing of private sector involvement, and in designing the contract and the accompanying regulatory regime.” Because in the case of Cochabamba such an analysis was lacking, a contract with a private foreign company was secured only by offering big concessions and leaving much risk with the consumers, who soon saw these costs reflected in their water bills. We think that if the Bolivian government had invested more time, effort, and resources in this stage, it would have avoided the conflict that arose later on with incalculable costs in both social and economic terms.

One aspect that we think should have been considered in this pre-contract stage is an analysis of the financial viability of the project. This aspect is essential because otherwise, one will be wasting time and resources designing a private sector arrangement that is not financially feasible or is not affordable to users. The Bolivian government should have spent time assessing the consumer’s ability and willingness to pay for services through methods such as questionnaires. Such analysis would have indicated the government, from the beginning, that an increase in water tariff rates would place too much of a financial burden for most consumers in Cochabamba. Due to this weak financial viability, the state could have then reconsidered the privatizing initiative, or it could have been more active in trying to find a solution for these problems to still be able to carry on with the privatization

reform. A solution to improving the financial viability of the program could be contribution through subsidies. As mentioned before, these subsidies could be competitively allocated to the private firm that won the concession bid, allowing them to cover for some of their investment costs and reducing the burden they placed on consumers to recover such costs. Another option, although we think that it would be more costly and time consuming as it would require an in depth analysis, would be directing subsidies directly to the consumers, paying particular attention in identifying and targeting to the most needed. In addition, Bolivia should have designed the contract terms of the concession to Aguas del Tunari more carefully, clarified the exact goals and targets to be achieved by the private firm. Although Bolivia had the objective of improving the preexisting conditions of the water and sanitation system in Cochabamba, it failed in spelling out in the contract with Aguas del Tunari the exact objectives to be achieved. Another problem that we find in the contract is that we consider that there should have been a trade-off between the length of the concession and the returns guaranteed to the private firm. When Bolivia agreed to grant a 16% of returns to Aguas del Tunari, it should have done so with the condition that the concession period should be reduced. However, by granting the private firm a 16% of returns, in addition to a 40 year concession, or a monopoly over the water and sanitation system, Bolivia provided it with an almost free lunch.

Some of the literature that we examined claimed that the Bolivian government

was urgent in carrying out this privatization initiative, as privatizing drinking water services was one of the conditions imposed by the International Monetary Fund (IMF) in order to renegotiate Bolivia's foreign debt in 1998. If this had been the case, and urgent action had been needed, ruling out the possibility of sufficient time to spend in the pre-contract analysis stage, then Bolivia should have adopted a short-term private sector arrangement rather than a 40 year long concession.

In addition, Bolivia should have also placed more attention in developing a supportive regulatory and institutional framework, lessening the risk that the resulting private sector arrangement would diverge widely from what was originally intended, and limiting its monopolistic powers. An institution in charge of following and supervising the results and operations of the privatized firms post-privatization, for example, might have been effective. One limitation Bolivian Government or other developing country governments facing for establishing regulatory framework is that, they have limited administrative capacity, little or no regulation experience, and little tradition of creating independent regulatory agencies. (Benjamin, 2004, p.903) To cope with this problem, governments can contract out parts of the regulatory function- the collection and processing of data on companies performance. For example, the Gaza government hires a reputable auditing firm (Deloitte and Touche, Norway) to perform an annual audit of the operator's technical and financial performance. The auditor also reports to the administration authority on the

operator's financial statement and any issues arising from them. This approach has worked well that every time the auditor downgraded the performance indicator, performance improved substantially in the following year. (Sagbir et al, 1999. P.39)

Lastly, a main element that the Bolivian government should have taken into consideration throughout the process is that of social participation. The Bolivian government should have granted public access to information on the reform, making it a more transparent arrangement. As we saw, excluding the public from the decision making process creates ground for problems and conflicts. To avoid these, the government should have, first, informed consumers on the potential benefits that the privatization program was aiming to bring about. In order to do this, it might have been useful that the private operator itself, in this case Aguas del Tunari, entered a frank dialogue with Civil Society Organisations. At the same time, regulatory bodies should communicate openly with consumers to explain the reasons for reform as well as potential drawbacks. Also, the Bolivian government should have factored in the public opinion throughout the reform. In particular, we consider that the voice of the urban poor, the stakeholder with potentially most to benefit from the new arrangement, needs to be strengthened within the overall regulatory framework. In order to mitigate negative effects on local communities as well as to reduce their opposition to privatization, the Bolivian government could compensate the small-scale operators, instead of taking away their wells without any

indemnification. To enable water access for the poorest group after privatization, tariff policy shall guarantee cross subsidy to accommodate supply of basic human needs level for the poor, such as the one practicing in Botswana and Philippines. (Environment and development challenges, 2005, p .2)

Conclusion

As we have showed throughout this paper, the failure of Cochabamba's water and sanitation privatization was mainly due to insurmountable problems regarding the privatization program design and management by governments, rather than to problems of privatization in and of itself. It is essential to remember that when carrying out privatization of infrastructure, private participation must be adopted by a case to case basis to meet the unique needs, goals, and constraints of each country and city, rather than replicate the standardized model from other countries. Although we recognize that water privatization in Cochabamba is a complex and hard process to successfully carry out, we still think that but it is desirable, and that it can succeed with the right implementation and a well-designed process.

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Evaluation of the Tibet Independent Movement: From the Perspectives of Internal Colonization and Political Opportunities

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Introduction

In March 2008, there were large scale protests in the western China where most of the Tibetans live in. The protests were followed by demonstrations in Europe and the United States during the Olympic torch relay amid a strong outcry of 'Free Tibet'. The issue eventually induced more side-effects including China's accusation of bias of the western media, mainly CNN and BBC,

boycott of French supermarket Carrefour and American fast food restaurants McDonald and KFC, and a tension between China and the western world. However, regarding the reason of the protests, the Chinese official and media only kept accusing ‘the Dalai Lama clique’ of instigating the protest and spitting Tibet from a part of China (Peoples’ Daily), without providing concrete reasons of why the Tibetans did respond to him.

This article attempts to provide an explanation on the Tibet independent movement as a whole since 1950s after the Chinese liberation (or occupation) of Tibet, instead of the specific protests recently. Instead of arguing the host of the 2008 Olympic Games of China as the only cause of the protests, the author sees it as just a political opportunity to the independent movement. Deeper understanding of the macro sitting and the history of China are needed to provide a full picture of the movement. The author suggests that despite a large effort on modernization, China fails to prevent ethnic mobilizations due to an existence of ‘internal colonization’, under which the Tibetans are placed in a disadvantageous position economically and politically in

the process of modernization and this encourages them to mobilize against the majority Han Chinese. While most Tibetans live in the poorer western parts of China, even within these so-called peripheries, Tibetans are in a less favored position than the Hans and a 'two-tier subordination' is formed. This asymmetric Han-Tibetan relationship is further framed by the pro-Tibet elites as injustice and the central government is blamed for creating this injustice. Eventually more and more issues, for example, environmental degradation, cultural cleansing, lack of democracy, are framed as the results of the ethnic problem and the 'independence of Tibetan' is constructed as the final solution.

If 'internal colonization' can be seen as the incentive of ethnic mobilization in Tibet, the availability of political opportunities determines whether the mobilization can be made possible. Opportunities of mobilization include room created by political institutions, geopolitical advantage, favorable international context and accommodating strategies put forward by the central government. Although the political institution of China, including the absent of

democracy, the unitary system and the division of minority ethnic groups into separated administrative units, leaves little room for the Tibet ethnic mobilization, external support from the US, the European Union and India does offer momentum to the movement. Also the change of leadership in the central government of China imposes certain influence on the level of political opportunity for mobilization.

Why Tibet?

Tibet is concerned because of a couple of reasons. Although over 90% of the Chinese population is Han, the number of ethnic minority is still very large in absolute terms.¹ The management of minority ethnic groups has long been given a high priority among the Chinese decision makers. It is believed by the Chinese government that ethnic issue is highly related to other social issues and the unification of the country. (The State Ethnic Affairs Commission of PRC) Any

¹ According to the official census in 2000, the 55 minority ethnic groups in China consisted of a population of 106,430,000 (The State Ethnic Affairs Commission of PRC)

mismanagement of the Tibet problem may lead to problems in other ethnic groups. Therefore, despite the population of Tibet ranks only the ninth among the minority ethnic groups in China², the Chinese government never underestimates the problem of Tibet.

Tibet is located in an important strategic position. There are various natural resources in Tibet such as natural gas, petroleum, hydro-electric power which provide great support to the rapid development of China, especially the eastern hinterland. The region is the source of the Yangtze River that China is reluctant to lose the control of it. The over 4000m highland is also significant for military defense. Therefore, any change in Tibet will likely to impose fundamental effects on China.

Some scholars suggest that when a state undergoes the process of modernization, people from the periphery will eventually merge into the core and a national identity will then be developed. So modernization is a way to settle ethnic disputes. While they may have

² Zhuang, Manchu, Hui, Miao, Uyghur, Tujia, Yi, Mongol have larger population than Tibetan

correctly predicted, in the case of Tibet, the conflicts between the core and the periphery in the beginning period of modernization, the persistence ethnic confrontation together with the modernization of China is beyond their prediction. However, since the idea that modernization will dilute ethnic sentiment is still more or less reflected in the mindset of the Chinese policy makers, it is important for them to realize the fact that modernization may exactly do the opposite.

Theoretical background

When discussing the ethnic confrontation between Tibetan and Han Chinese, one should avoid adopting the primordial argument which states that people have a strong primordial attachment which links themselves with the group which they belong to. Primordialism states that this attachment is 'given' due to the interaction within the primordial group and cannot be explained by other social factors. (Geertz, 1963) In the case of China, primordialism fails to explain why most of the ethnic

minority can live along with the Han Chinese while some, such as Tibetan and Uyghur, do not. Also it cannot explain why in the past Tibet had once been incorporated by the Qing dynasty without vibrant uprising.

In addition, we should not be distracted by such statements as, on one side, 'Tibet has long been a part of China' made by the Chinese officials and, on the other side, 'Tibet had long been an independent country before Communist Chinese invasion in 1950' made by the exile independent activists. This question deserves much concentration in the study of Tibet, but it has little to do with the contemporary ethnic conflict between Han Chinese and Tibetan. It should be noted that 'modern hate', instead of hatreds date from the past, is more likely to create ethnic problem. (Rudolph and Rudolph, 1993)

There are a few arguments based on the level of economic development to account for ethnic mobilization. The 'wealth hypothesis' is a major theory in post-Soviet studies which holds that republics with better structural economic conditions are more likely to demand independence from Russia since they expect a

better future after independence. But it can hardly explain the exceptional cases like Chechnya. Also it cannot be applied in the case of Tibet since Tibet ranks last on almost every indicator such as total revenue, taxes remitted, per capita income, joint ventures, literacy and even life expectancy at birth (Dreyer, 2006), while its demand of independence is almost the highest in China (except Taiwan).

Similar argument was put forward by Gourevitch. He suggests that nationalism is likely to be strong when there is noncongruence between the political and economic leadership. Congruence between the two strengthens the dependent relationship between the core and the periphery and the core will not face challenge from the periphery. In contrast, if the political core loses its domination in economic development, the new arising economic locomotive may find more possibility to survive even if it breaks away from the core. (Gourevitch, 1979) However, the reality in Tibet refutes Gourevitch's argument. The political and economic domination of the eastern hinterland of China and the absent of sign of rapid economic boom in Tibet, together with the strong

ethnic nationalism in Tibet contradict Gourevitch's prediction.

Early modernization and ethnic mobilization

Although the author mentioned that modernization does not necessarily bring in a national identity, the diffusion model of national development should not be completely rejected. It actually describes quite precisely that early modernization process fosters interactions between the core and the periphery and evokes confrontation. This can explain quite well the first remarkable protest in Tibet in 1959.

The idea of modernization first sparked out in China in mid nineteenth century after the First and Second Opium Wars. However, most modernization attempts were failed due to the corrupt and weak Qing Dynasty and external military defeats. The partition of China by the western powers, the two world wars, the civil war between the Nationalist Party and the Communist Party all impeded the process of modernization. It was only after 1949 when the communist regime was established

there was a relatively stable environment for modernization in China.

Tibet had long been enjoying high level of autonomy or de facto independence until 1950 when the People's Liberation Army (PLA), the army of the communist China, entered (or invaded) Tibet. 'The Seventeen Point Agreement' was signed between the Tibetan Local Government and the Beijing Government which stated that Tibet is a part of China while the existing political system and the status of the Dalai Lama and the Panchen Lama would remain unchanged. However, up to this period, there was still very little interaction between Tibet and Han Chinese and the situation in Tibet was basically stable.

Due to the lack of influence in Tibet at that time, the communist government avoided major reforms in 1950s when campaigns such as Land Reform, Three-Antis Movement, Five-Antis Movement and Great Leap Forward, were prevailing in other parts of China. However, modernization initiatives were still imposed on Tibet. Transportation was developed. The first artery

linking Yaan, Sichuan and Lhasa and the Qinghai-Tibet Highway were opened in 1954. Telephones and telegraphs arrived in 1952. Banks (branches of the Bank of China) was set up in Tibet. Newspapers, radio programs, and the modern printing of books and pamphlets in Han and Tibetan languages were introduced. Hospitals and health units were established. Airline service started. First coal mine was opened in 1958 which created a nascent industrial base. (Grunfeld, 1996)

More importantly the central government attempted to change the social system in Tibet, which threatened the vested interests of the existing dominating ruling class. In pre-1959 Tibet there was a strong caste system under which the monks and the nobles formed the upper class while the serfs and the slaves the lowest. After 1950 this system was kept while the communist did try to undermine it through reducing the power of local Tibetan officials to tax their subjects and to hold their own courts. Political associations like Democratic Youth Federation were created in Tibet to spread the revolutionary message and Marxist ideology. Public criticism meetings which were used to eliminate nonconformists were introduced.

Schools with secular education were established. (Grunfeld, 1996) We need not view these attempts as a proof of a benign intention of the central government, as oft-claimed by the officials, but no matter what the true intention was, these initiatives did give an alternative way of live and some, if not much, improvement on the living standard to the serfs. They could then rely less on the nobles. These, however, was seen by the nobles as great challenges to their originally dominating status. Finally when some Tibetans who lived outside the Tibetan Autonomous Region (TAR) escaped into TAR and further feared the upper class in Tibet, massive demonstration broke out in 1959. (Xu, 1999) These fit well in the second stage of diffusion model which holds that the sense of cultural separateness in the periphery may escalate due to the change of their traditions. On the one hand, the communist cadres saw the nobles as evil and obstacles to modernization and socialism. They made efforts to undermine the system and eventually to overthrow it. On the other hand, the nobles endeavored to preserve their own political and economic interests, which were vested on the traditional social structure, through protesting against the intrusion of communism.

The interaction between them intensified the conflict and caused the protest.

Internal colonization after 1959

While the diffusion model seems to be applicable in the case of Tibet, it is actually too optimistic to conclude that continuous modernization will eventually create a national identity. Although quite a long period in 1960s and 1970s witnessed the Cultural Revolution in China and there is no doubt that modernization slowed down, the rapid development and modernization since the late 1970s, when China implemented the opening up reform, did not halt the Tibet independent movement. The protest in 1987-1989 and 2008 are evidences showing that ethnic mobilization is more than what modernization alone can solve.

Instead there was a so-called internal colonization in China which perpetuates the ethnic mobilization in Tibet. The theory of internal colonialism focuses mainly on the role of segregation between the core and the periphery which limits the role that a person in the periphery can

play. Due to the uneven wave of modernization, the core region, which is also the region benefited first from it, dominates the peripheral region, the late developer. The core then tries to monopolize and crystallize its interest through institutionalizing the existing stratification system such as stereotyping and discriminating against the periphery. It allocates the prestigious social roles to the people from the core while people from the periphery are denied access to them. For example, economically, the high income jobs created by modernization are reserved mainly for the core while the periphery can only be the supplier of commodities of which stability depends very much on the core. This segregation or the so-called 'cultural division of labor' gives rise to solidarity among the members of the disadvantage group and renders them to think themselves as different from the core or eventually seek for independence. (Hechter, 1975)

Here focus will be placed on the details of how Tibet, the periphery, has been colonizing by Han Chinese, the core. Tibetans enjoy less economic benefit, political representation, and cultural respect than their Han

counterparts. They are also discriminated against and stereotyped by the Chinese which make them believe that they will only be worse off under the Chinese rule. However, instead of fitting completely in the theory of internal colonization, it should be noted that there is not a clear-cut geographical division between Tibetans and Han Chinese and some interactions do exist between them. Also there is a 'two-tier subordination' in which Tibet as a whole is worse than other provinces while Tibetans within Tibet are worse than Hans. A sense of relative deprivation was produced and the pro-independent activists can thus make use of it to mobilize for independence.

Economic backwardness

As mentioned above, Tibet is among the poorest provinces in China. The benefit from rapid economic development in the eastern China is not shared proportionally by Tibet; meanwhile more resources are being exploited from Tibet to the east. Due to its remote location, foreign direct investment can hardly be attracted to Tibet. In 2007 China received foreign direct

investment of USD82 billion in totals, but Tibet received only USD25million. (DuoWei News) 95% of Tibet's trade is with Nepal, which, however, is also a poor country, and trade is not carried out regularly. Trade with India remained restricted because of political reasons until 2003 when Sino-Indian relations turned better. (Dreyer, 2006)

The Chinese government did carry out some development programs in Tibet, or the western China as a whole. However, the availability of natural resources in Tibet seems to be a significant reason for the Chinese government to develop the west. Since Tibet is rich in natural gas, petroleum, hydro-electric power, it gave much momentum to the east to sustain the high growth rate. Oil field in the Tsaidam Basin in northeastern Tibet was developed. Although it is by no mean to imply that Tibet can benefit nothing from exporting natural resources, it, however, is likely to lower the development of other more sustainable industries.³

³ This is the so-called 'Dutch Disease', which states that the discovery of natural resources may impede industrialization since the high international price of the natural resources draw most of the

Within Tibet, Tibetans have even worse economic condition than the Hans. Since the policy of population transfer in 1983 more Han Chinese have been moving to Tibet. The policy was designed strategically to allow the Hans immigrants to occupy most of the important positions in all the modern sectors of the emerging Tibetan economy. Strategic urban centers such as Lhasa and Chamdo are almost dominated by Han Chinese. The influx of Han Chinese took away better houses, jobs, schools, business and hospitals from the indigenous people. Unofficial statistic shows that in 1992 there were 12227 shops and restaurants in Lhasa, while only 300 of them were owned by Tibetans. In Chamdo, Chinese owned 748 business enterprises while Tibetan owned 92. (Dawa Norbu, 2006) In order to encourage the Han Chinese to migrate to Tibet under the name of development of the west, the government provided salary supplements to the Hans and led to a two-tier wage scale.

labor in exploiting the resources.

Preferential treatment in hiring and promotions were also reported. Jealous and resentment among the Tibetans are therefore easily imagined. Moreover the development programs mentioned above, apart from extracting the resources, were also to consolidate the rule of Tibet. The government official admitted that the program was to ‘smash our enemies who want to use the poverty and the contradictions between races to create a Kosovo-style crisis in Asia.’ (South China Morning Post, Hong Kong, 2000) The famous Qinghai-Tibet railway served also the function to ‘consolidate national defense and unity of nationalities in Tibet’. (Dawa Norbu, 2006) Some believe that roads and railways benefit only the Han Chinese who live in cities but have little to do with the lives of the great majorities of Tibetan who are in small dispersed communities in the high plateaus. Although the Tibetans did benefit from the growth of tourism, again they saw most of the benefits of tourism went to the Han Chinese. (Dreyer, 2006) In short, despite that the absolute improvement in economic condition in Tibet is rarely challenged, their relatively poor condition than the Hans gives Tibetans a perception that they are unfairly treated.

Political subordination

Although the political system of China grants ‘political autonomy’ to regions where ethnic minorities dominate the population, as we will discuss in detail later, Tibetans are still discriminated against under this system. In 1994 Tibetan cadres accounted for two-third of the total cadres in the region and more Tibetan could take up important posts in the PLA. However, most important posts in the party and the government were still occupied by non-Tibetans. Although the chairman of the TAR is always taken up by Tibetan, approval is needed from the central government and, more importantly, the party secretary, which is the real leader under the Chinese communist political system, is non-Tibetans.⁴ Statistics in 1990 show that notwithstanding the majorities of Tibetan in cultural and religious institutions such as Nationality and Region Committee (60%), Buddhist Association (98%) and Institute of Social Science (82), Tibetans took up only 22%, 40% and 54% of the posts in

⁴ Party secretaries including Zhang Qingli, Yang Chuantang, Guo Jinlong, Chen Kuiyuan, Hu Jintao, Wu Jinghua and Yin fatang are all non-Tibetans.

the Party Committee, the government and the People's Congress respectively. (He, 2006) This non-proportional political representation in the political establishment constitutes another subordination of Tibetan to Han Chinese.

Education

There is a big difference in the level of education between Han Chinese and Tibetans. Bhalla and Brenner point out that minority literacy rates in many poor provinces in the southwest China are quite low. (Bhalla and Brenner, 2006) Minority in Tibet has lower literacy rate (27.18%) than minority in any other province. However, the Han Chinese in Tibet enjoy extremely high literacy rate (96.91) when compared with the Tibetan. (Population Census of China 1990) It is true that the responsibility should not be born solely by the Chinese government. The low literacy rate in Tibet can partly be attributed to the very low population density (1.6 persons per square km in 1982) which hinders the development of schooling facilities, and to the extreme weather which discourages the inflow of teachers. (Bhalla and Brenner,

2006) Also the huge gap between Han and Tibetan may partly be due to the fact that most Han Chinese in Tibet come from other parts of China so that the poor education opportunities have less impact on them. However, whatever the true reasons is, reality seems to show a great inequality between Tibet and the rest of China and the Tibetan to the Han within Tibet. And this is more than enough for the pro-Tibet activists to escalate the sense of relative deprivation.

Culture subordination

Tibetan culture is often regarded as traditional and not suitable for modernization. It is often believed by the Chinese that if Tibet wants to develop it has to give up its own tradition and integrate into the Han civilization. And the Chinese believe that to learn the Chinese language is an important means for Tibetans to gain access to the Han culture (Lin, 2007), even though some point out that Tibetans do far better by using Tibetan as the teaching language.⁵ Tibetan students are shifted to other parts of

⁵ A school pilot project in Tibet showed that Tibetan students studying in a Tibetan-medium school passed school graduation

China to receive education. No one can work in the government without the Chinese language. (Dreyer, 2006) Although students in Tibet can choose by themselves whether to study in an ordinary school in which Chinese is employed as the teaching language or in a minority school in which Tibetan is used, having considered the benefits of the Chinese language for their future career, many Tibetans decide to study in an ordinary school, even though they see this as an alienation of their own culture. (Lin, 2006) In the ordinary schools, students are told not to bring ‘minority things’ into school and the practice of Tibetan Buddhist is said to draw tease from the others, not to mention that Tibetan Buddhist is not included in the curriculum. Also segregation between the Han Chinese and Tibetan in schools is reported since the Han students tend to think that they have higher intellectual quality. (Lin, 2006)

In addition, the general perception of Tibetans among Hans is not likely to be positive. Some Hans see Tibetans as ‘lazy’, ‘dirty’ ‘obsessed with religious’.

examinations with an average of 80%, compared to 39% of those who study in a Chinese-medium school (Bass, 1998)

(Sautman, 2007) While Tibetans think that their economic subordination is a result of the unfair treatment, Hans think that it is the character of Tibetan that creates the problem. This feeling is especially strong when the Hans realize that the Chinese government grants heavy subsidies to Tibet every year and allows Tibet's export income to be free from turning in Beijing while Tibet remains its backwardness.⁶ These stereotypes further create a sense of being discriminated against among the Tibetans. While some of the Tibetan may have internalized the perception of inferiority, others may think that had Tibet be separated from China, the situation will improve.

From the above we have witnessed an internal colonization in Tibet. Not only is Tibet as a whole is lagging behind compared to other provinces, Tibetans in Tibet lags further behind than their Han Chinese counterparts. Although the Chinese government did try to

⁶ Dreyer's work shows that huge amount of subsidy was unable to bring rapid development in Tibet. One notable statistic is that 'an increase of one yuan in output value required an increase of 1.21 yuan in state subsidies – that is, Tibet had a negative multiplier effect on investment. (Dreyer, 2006)

advance the development of Tibet, it emphasized more on tightening the control on it. While it is hard to prove that the Chinese government intended to do harm on the Tibetans, it is sure that the Han Chinese in Tibet are placed in better economic, political, cultural and social positions than the Tibetans. A strong sense of relative deprivation is thus developed among the Tibetans.

The role of elites

Relative deprivation is often exaggerated by the elites from the periphery in order to draw public support. The role of these educated elites is very important in inspiring nationalism among the masses. Gellner argues that under the uneven wave of modernization, if there are differences in culture or language between the more developed and less developed regions, the educated elites of both groups will have the incentive to mobilize the ethnic issue. The intellectuals in the more developed region want to consolidate and perpetuate their advantages, and will thus resort to ethnic factor to exclude the people from less developed region from sharing the benefit. At the same time, the intellectuals in

the less developed region will underscore the different in ethnicity too as a detached country will allow them to monopolize the political power and the significant jobs. (Gellner, 1964)

This precisely depicts the situation in Tibet. As mentioned above, the Han Chinese occupied the leading positions in the party and the government while the Tibetans were intentionally excluded. It is not difficult to imagine that the Tibetan elites are not satisfied with the existence system, except the small portion of them who are incorporated by the establishment. This is particularly apparent for Tibet as prior to 1959 the Tibetan political system is dominated by Tibetans and the exile of most elites helped maintain the interest group intact. They maintain strong motivation to break Tibet away from China so that they can reassume power, no matter in form of the old feudal system, as condemned by China, or in form of democratic government, as claimed by them.

The Central Tibetan Administration (the government in exile) and the Tibet Youth Congress are

the two most notable organizations.⁷ They have been contributing a lot in preserving the Tibetan identity through framing the Tibet issue as an ethnic one and through promoting various national symbols of Tibet. Although no one can deny the fact that Tibet has long been facing many unequal treatments, as have mentioned above, one should not neglect the positive role of the Chinese government in improving the conditions of Tibet. However through unfolding and sometimes exaggerating the bad situation in Tibet⁸, the pro-Tibet activists successfully created an evil image of the Chinese government. They skillfully capture the values that are highly cherished in the world and put the Chinese government on the opposite side. For example they frame the Tibet issue as ‘democracy versus totalitarian’, refer to the population transfer of Han Chinese as ‘ethnic cleansing’ (or sometimes cultural cleansing). They also

⁷ Other pro-Tibetan independent organizations include Friend of Tibet, International Tibet Independence Movement, Students for a Free Tibet, Tibetan Women’s Association, Gu-Chu-Sum Movement of Tibet, National Democratic Party of Tibet and so forth

⁸ Xu and Yuan employ the demographic statistics to show that the Dalai Lama’s claim regarding the number of Tibetan killed by the Chinese administration is very unlikely to be true (Xu and Yuan, 2006)

see the problem of environment degradation as a result of the mistake of the Chinese government to move in Tibet a large amount of Han Chinese. (Official website of Tibetan Youth Congress) Through expanding the discourse and incorporating more sub-issues under the ‘Tibet versus Chinese’ framework, they successfully draw worldwide attention and various criticisms on China regarding different aspects. This worldwide support in turn reinforces the Tibetans’ believe of being discriminated against.

National symbols such as national flag, anthem and emblem are created to represent Tibet. (Official website of the Central Tibetan Administration) They keep using their own geographical division instead of the Chinese’s edition. The names of the three provinces of Tibet, U-Tsung, Kham and Amdo are used instead of Tibet Autonomous Region, Sichuan and Qinghai in Chinese terminology. This at the same time makes their accusation of the Chinese population transfer more appealing. They claimed that the 6 million Tibetans are now outnumbered by the 7.5 million Chinese, (Official website of Tibetan Youth Congress) which, however,

refer not only to TAR but to the ‘Big-Tibet’ which includes part of the Sichuan Province and Qinghai Province. (Refers to Appendix I) However, Tibetans are still ‘overwhelmingly dominant in Tibetan Autonomous Region’. (Hao, 2000) The construction of these national symbols does help consolidate the Tibetans. This can be seen, for example, from the frequently wave of the ‘Snow mountain lion flag’ (the flag of Tibet) during the pro-Tibet protest.

Political opportunity

The theory of internal colonization gives us insights about how the macro setting, modernization, creates relative deprivation and thus encourages ethnic mobilization. If this capture the essence of why the elites are willing to devote themselves into the ethnic movement and why the general public is willing to respond to the call from the elites, more explanation, however, is still necessary to show how those incentives can be transformed into real ethnic mobilization.

Political opportunity is significant to social movement. While some scholars emphasize the availability of economic resources, as do those resources mobilization theorists, the author sees the availability of political opportunity as more fundamental and the political resources generated by political opportunities can more or less determine the amount economic resources, especially when the movement involves in core interests of the political establishment.

In the case of Tibet, the author suggests a few factors that affect the level of political opportunity. They are political institution, geopolitical factor and international context and the strategies adopted by the central government. These are, however, inexhaustible.

Political institution

Political institution can be a significant factor of ethnic mobilization. Institution creates the rules and the norms under which the actors should behave. Institution provides inducements to encourage actors to behave in ways which are believed to be right and discourage

wrongdoings. If heavy punishment is imposed on those who challenge the state and mobilize ethnic nationalism, the cost to do so will be high and discourage people to participate in it.

Institution of the former Soviet Union did not very much discourage nationalism, despite their anti-nationalist claim. According to Brubaker, the political institution of the USSR indeed sowed the seed of nationalism. The Soviet Union, as a supranational organization, did not promote one single interpretation of nationalism within the whole empire. Instead, they allowed or even encouraged the development or preservation of national and ethnic identities in the republics and other ethnic groups. For example, people from different republics have their own passports. Languages of ethnic minorities were ameliorated and taught in school, despite Russian was also taught. Local cultures were codified and national symbols were allowed as long as they did not contradict the Soviet ideology. In addition, the republics had the right to secede according to the constitution. All of these made

ethnic mobilization easier when liberalization started since mid 1980s (Brubaker, 1994)

The political institution of China, however, does not leave much room and inducement for ethnic mobilization. China is a unitary state rather than a federation and power is, in theory, centralized in the central government. It is by no means to say that ethnic mobilization is not possible under unitary states, but a strong centralization of power is likely to restrain the development of any political force, especially groups promoting independent, which the central state is unwilling to see. Less concern is needed when the central government decides to intervene in regional affairs. In China, although autonomous regions were set up to allow higher autonomy in regions where minority ethnic group is the majority, the power of the local governments cannot match that of the states in a federation. Chinese autonomy is characterized by a combination of political self-rule (despite with controversy), economic integration, cultural exchange and ethnic intermingling. However, some important autonomy is not guaranteed. For example, no locally elected political leaders are accepted

and final approval from the central government is needed. (He, 2006) It is argued that the opening of local elections can shift the political accountability from center to region and politicians will respond to the public in order to retain office. Thus ethnic politics will be intensified if local election and a general opinion favoring independence exist simultaneously. (Giuliano, 2006) So if local election is allowed in Tibet, it is likely that the idea of Tibet nationalism will spread widely and openly and eventually consolidate since most politicians choose to embrace it to court their constituencies. However the lack of democracy and local election in reality keeps ethnic nationalism underground in Tibet and interest can hardly be articulated. This narrows the political opportunity for ethnic mobilization.

The lack of an independent local judiciary, which can interpret local laws and exercise power without subjecting to veto by the central government, renders the actual degree of autonomy subject to changes according to other considerations of the central government. For example, the central government circulated a resolution reaffirming the leading position of Han Chinese cadres in

the Tibetan government and Party organization and demanding Tibetan cadres cut off their links with the Dalai Lama. (He, 2006) The ambiguity of the Law of Regional National Autonomy, which defines the power of autonomous regions, also undermines the realization of regional autonomy. For example, according to the law, citizens of the autonomous regions are guaranteed the freedom of religion. No government institution, social organization or individual can compel any citizen to believe or not to believe in any religion and no discrimination against citizen with or without religion is allowed. However, it also states that no individual is allowed to utilize religion to conduct any activity which disrupts social order, endangers the security of the citizens and undermines the national education system. Also religious organizations and affairs are not to be controlled by external powers.⁹ Therefore, to what extent the citizens enjoy freedom of religion is highly questioned. In short, since only limited and changeable autonomy is allowed, ethnic movement cannot be based on local government, which happened in Canada where

⁹ The Law of Regional National Autonomy, number 9, 10 and 11

Quebec state government is used as a platform to promote regional identity or even independence. Also the opportunity to develop ethnic sentiment is highly constrained by the intervention from the central government.

Since political institution affects the availability of political opportunities, elites from both pro-Tibet independence groups and China try to shape the institution to maximize their interests. The above central-local relationship was, of course, not something given, instead it was carefully designed. Both Mao Zedong and Deng Xiaoping denied the concept of self-determination. Mao was aware that self-determination was used by Japan to spit Mongolia from China while Deng saw a unitary system with autonomous regions as the best system to defend the unity of the state against secessionism. (He, 2006) On the other side, the Dalai Lama also realized the importance of a political institution which guarantees local autonomy in preserving the Tibetan identity or, as some argues, in

promoting a step-by-step secession from China¹⁰. Some has proposed the application of the ‘one country, two systems’ model¹¹, which is used in Hong Kong, on Tibet. However, it was rejected by the Beijing government as it worried that it would offer too much autonomy to Tibet. (He, 2006) Since the central government has overwhelming power in creating the institution, the current central-local relationship hardly favors the Tibet independent movement.

The design of local administrative region also hinders the ethnic mobilization. It should be noted that the demographic distribution of Tibetan does not fit the administrative division. There are about 6 million Tibetans living in China, while only about 2 million of them live in TAR. The other Tibetans settle in other

¹⁰ China thinks that the aim of autonomy is the first step of the Tibet secessionist movement. Autonomy of Tibet enables the resumption of power of the Dalai Lama and finally the declaration of independence through a referendum (Xinhua News Agency, 2008)

¹¹ Under ‘one country, two systems’ model, the Hong Kong Special Administrative Government has the power to govern Hong Kong in most aspects, except foreign affairs and defense for which the Chinese central government are responsible.

provinces or autonomous regions such as Qinghai, Gansu, Sichuan and Xinjiang Uyghur Autonomous Region.

It is suggested that a congruence of an ethnic group and an administrative unit can be highly related to the development of ethnicnationalism. Palmer Kaup points out that the division of the largest ethnic minority group in China, Zhuang, into Guangxi and Yunnan Province prevents a strong pan-Zhuang ethnicnationalism. ‘Yunnan Zhuang’ and ‘Guangxi Zhuang’ eventually become competitive groups and thus the identity of Zhuang as a whole is overshadowed. (Palmer Kaup, 2002)

Although we have no evident to show a significant weakness of the Tibetan identity due to the division of administrative unit and, indeed, Tibetans in places outside Tibet Autonomous Region also participated in recent protests, we have some reasons to believe that the restrictions¹² on inter-province movement do hinder the development of the Tibetan ethnic mobilization.

¹² For example, social security is province-based which discourage people to move across provinces.

Geopolitical factor and international context

While little political room from internal political institution is given for Tibetan independent movement, external environment does. India, the neighbor of China, is a cornerstone of the movement. The exile government of Tibet and the Dalai Lama are based in India, while many of the leaders of the pro-independence organizations receive education in India. (Official website of the Tibetan Youth Congress) Nepal also provides another base for the independent movement, although the Nepali government may not be willing to see that. For example, a Tibetan guerrilla base in Mustang housed thousands of anti-Chinese rebels who raided across the Chinese frontier. (Grunfeld, 2002) These external bases not only help spread the issue in Tibet around the world, but are also involved directly in the protests within the Chinese soil. For example in the 2008 protest the Tibetans were aware and encouraged by the actions carried out by the activists in India, which mobilized a march towards the Sino-Indian border along Tibet. (BBC News)

The factor of the Cold War cannot be ignored in the study of Tibet independent movement. During the early period of the Cold War, the capitalist camp saw Tibet as a battlefield against the communist China. However, after the split of the communist camp between China and the USSR, the west tried to build up relationship with China in order to contain the USSR. The support of the Tibetan exile government was reduced after 1972 when the US President Nixon visited China. The Nixon administration rejected a visa application of the Dalai Lama for a private visit to the US in 1973 and the violation of human right in Tibet during the Cultural Revolution were not mentioned by the US. This was, however, changed dramatically since the mid 1980s when then tension between the west and the USSR was softened under the rule of Gorbachev, thus lowered the value of China in the Cold War. (Xu and Feng, 2006) The Tibet independent movement regained the attention from the international society. Even the Tibetan exile government admitted the positive effect of the end of the Cold War. According to the book published by the exile government, between 1959 and 1987, international resolutions and recognitions

on Tibet was only made for a few times by the United Nations General Assembly and the International Commission of Jurists, while between 1987 and 1997, resolutions and recognitions on Tibet were very common in the European Parliament, the President and the Congress of the United States, Germany, Italy, Switzerland, Australian Parliament and so forth. (Central Tibetan Administration-in-Exile. Department of Information and International Relations, 1997) The Dalai Lama was welcomed by many western governments and was given to chance to deliver speech in the parliament. Based on this trend, it seems reasonable to believe that the international concern over Tibet would become more and more intense amid the prevalence of the China threat theory. Actually the tacit support to the protesters in recent protests from the international society is partly to be out of the fear of the rise of China and the reluctance of the original superpowers to accept it. Although international pressure may not be able to force China to compromise on the issue, it provides more opportunities of the movement which cannot be obtained from internal political institutions. They can now gain the chance to establish branches and spread their ideas around the

world which allow them to obtain resources to sustain the movement and keep the Chinese government in pressure.

Unaccommodating strategy

The strategies taken by the leaders of the central government also play a significant role in the independent movement. Unwillingness of the central government is believed to be a catalyst of violent ethnic mobilization. (Kohli, 1997) Despite the problem of this argument that it is hard to explain when decision makers adopt accommodating strategies, its emphasis on micro individual level cannot be overlooked.

Strategies of the central government can also influence the political opportunity to the Tibet independent movement. During 1980s under the rule of the reformists Hu Yaobang and Zhao Ziyang, control over the monks was lessened and the temples were the base of protest in late 1980s.

After the Tiananmen massacre in 1989, Zhao was replaced by Jiang Zemin and the policy over Tibet was changed. Jiang said that management of the temples had

to be strengthened; all religious activities must be carried out under the bound of the constitution, laws and regulations. Temples were not allowed to engage in politics, economy, cultural causes and the revival of feudal privilege. (Xu, 1999) Although it is oversimplified to conclude that the accommodating strategies taken by Hu and Zhao led directly to the protest in late 1980s and the unaccommodating ones by Jiang brought a relatively stable climate in 1990s, the role of the temples in mobilizing the Tibetans and linking with external independent activists have to be taken for granted, and the intervention from the government greatly determines the ability of the temples to realize these functions.

Conclusion

The early modernization of China in 1950s promoted interaction between the Han and Tibetan and eventually gave rise to large protest in 1959. This can partly be explained by the diffusion model of national which emphasizes the unwillingness of the periphery to be incorporated into the core out of the fear of losing its interest. The perceived loss of superiority under the

communist intrusion by the nobles induced them to resist communism.

Under the direct rule of China, a ‘two-tier subordination’ existed in Tibet. While Tibet cannot match the rapid economic growth in the eastern China, Tibetans within Tibet are placed in less favored economic, political and cultural positions than Hans. Tibetans enjoyed less economic benefit from modernization, were underrepresented in the political establishment, had lower education level than the Hans, had their culture and language being excluded and discriminated in schools and endured negative stereotype from the Hans. Despite an absolute improvement in Tibet, the inequality provoked a sense of relative deprivation, which was further escalated under the strategic framing of the issue by the pro-Tibet activists.

The internal colonization provides incentive to both the elites and the general public in Tibet to participate in the ethnic mobilization. However, the availability of political opportunities, which is essential for the realization of ethnic mobilization, varies from time to time. Since the Tibetan activists have little say in the

creation of the political institution in China, the existing institution is one with few, if not none, political opportunities for ethnic mobilization. The lack of local election, the unitary system and the division of ethnic group into separated administrative units all reduce political opportunities. While pro-Tibet movement can sometimes seek opportunities from soft Tibet policies adopted by the central government, most political opportunities seem to come from external support. The support from India and the western world, especially after the Cold War, gave new momentum to the Tibet independent movement.

Given these sittings, China has much to do to avoid the secession of Tibet. It should speed up the development of Tibet and show that the government is willing to treat Tibetan equally as Han, but not to assimilate Tibetan into Han. It should also be caution when carrying out political reform. Bottom-up democratization prior to the elimination of the sense of relative deprivation among the Tibetans may strengthen ethnic politics in Tibet and eventually follow the path to disintegration as happened in the USSR. Finally since the

political opportunities of Tibet mobilization come mainly from the international society, China cannot avoid competing with the Dalai Lama for international support in which soft power may be more significant than hard power. To do so China must put more effort to create for itself an image of 'responsible superpower' and to show to the world that it is willing to follow international norms rather than resorting to nationalism when being criticized, as seen currently after the protest in Tibet.

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Appendix I: 'Big Tibet' claimed by the pro-Tibet activist



Source: the official website of the Central Tibetan Administration

The Transition of the University Education System in Hong Kong and Power Dependence

Tang Kai-yi

Introduction

In recent 20 years, Hong Kong universities encountered two rapid structural changes in their schooling system, from 4-year to 3-year and from 3-year to 4-year respectively. These educational reforms not only have influenced hundreds of thousands of students' fates but also brought about one of the greatest student strikes in the local history 20 years ago. But how do these changes occur? It seems there are few researches on these transitions.

In this paper, I would like to provide my tentative answers for the above question. I attempt to explain these two educational changes by virtue of the concept of

power dependence. I suggest that the transition occurred because the power imbalance accomplishes the choice for rules of the hegemonic countries, namely the British colonial government and the HKSAR government, who decide the rules of the game.

It is worth mentioning that the “power dependence” in my paper consists of two meanings. First, this is a framework of understanding the distribution of power in a relationship, which means power is defined by the degree how an actor depends on others. Second, transitions of an established institution, namely the university schooling system, occur because of power imbalances. In other words, the change depends on the decision of the more powerful actor.

There are three sections in this paper. The first part is the theoretical framework. I would like to briefly summarize the power dependence proposed by Emerson and other related work. The second part is the brief history of the local university education. It focuses the origin and the development of schooling systems, namely the British 3-year system and the American 4-year system, in local universities. In the final part, I would

like to focus on the relationship between the process of these two recent reforms and power dependence. I would like to analyze the power structure in term of dependence among different actors, the incentive for the rulers to set up the rule of game, reactions of different actors under the power imbalance situation with a view to an explanation for the success of these transitions.

A short summary about Power-dependence

What is power and power-dependence?

I would like to summarize articles about the power dependence, such as the classic work of Emerson, which will be used as the analysis framework for this paper. In his short essay titled as “Power-dependence relations”, Emerson defines “power resides implicitly in the other’s dependency” (p.49). In the other words, “each actor’s dependence on another is a potential source of power for the other” (Molm. 1991. P.476.)

In his power dependence theory, he then defines the meaning of dependence. Since people are mutually

dependent in any social network, for example the dependence of actor A on actor B, this depends on two factors, namely the motivational investment in goals mediated by A and the availability to those goals from others. The dependence increases with the increase in motivational investment but the decrease in the availability of other sources.

Apart from these two factors, in the recent work about the dependence, punishing which affect the other's outcome becomes another factors in determining the level of dependence among actors (Molm. Pp. 475-476.). Apparently, the higher punishing ability of an actor has, the more others depend on him.

After defining the meaning of dependence, Emerson states that “if the dependence provides the basis for the power of the other, power must be defined as a potential influence” (p.49). He suggests “power of actor A on actor B be the amount of resistance of the part of B which can be potentially overcome by A” (p.49.), which provides us with a simple general formula in understanding power between anybody, such as actors A and B:

$$P_{AB} = D_{BA} \text{ and } P_{BA} = D_{AB}$$

This means that the power of the actor A on the actor B rises when the dependence of B on A increases. But, the author reminds that power becomes manifest only if the actor makes demands and the fulfillment of the demands make other feel displeased because the latter does not want to do so. This point is important for my later analysis because this explain there seems no power-relationship shown in the 3-to-4 year reform-heads of universities are not opposed to the demand by the HKSAR government because they can attain political and economic goals during the reform.

This understanding on power is quite different from the traditional view which simply treats power as an attribute of a person or a group, neglecting the fact that it is meaningless to study “power” in any relationships without specification of power over whom. (p.48.). Therefore, Emerson argues that “power is a property of the social relation; it is not an attribute of the actor” (p.48). Instead of analyzing how powerful an actor is, the degree of how each actor depends on another in any

power relationship becomes the core question.

This allows us to study a power relation through another views, rather than analyzing a specific individual or his role in a community. In the following analysis of the paper, I would like to adopt this approach to understand power, which means I am going to focus on the above three factors which determines the strength of dependence in my analysis on the power relationships, such as the relationship between the colonial government and universities.

What may happen if there is power imbalance?

Emerson further points out three features about power relations (po.50-51.). First, he suggests power advantage can be defined as P_{AB} minus P_{BA} given that P_{AB} is greater than P_{BA} . Second, the cohesion of a relation can be the average of P_{AB} and P_{BA} . Third, this provides us with new perspective to study balancing operations as structural changes in a power-dependence relation so as to alleviate the power disadvantage. Based on the above logic of power dependence, there are four different

balancing operations that can be seen in our daily life.

Operation 1: withdrawal, which means the weaker one, in this case is actor B, withdraw from the relation between A and B; therefore this diminishes the dependence of B on A. That Hong Kong Shue Yan College refused to receive subsidies from the colonial government in 1978 may be an example in the local university history.

Operation 2: Extension of power network, which means the weak actor alters the power relation through building two or more network power dependence relations in order to cultivate alternative sources and therefore lessens the dependence of B on A.

There is a counterexample that protesters of the unification of the 3-year failed to gain the support from the Mainland China.

Operation 3: the emergence of status, which means that the weaker actor is given by status recognition in one or more of many forms. Thus, the stronger actor A has higher motivational investment and the weaker actor become more powerful than before.

Operation 4: Coalition formation, which means that the weaker actor forms allies with other possible party which may form coalition with the stronger one. It is similar to the operation 2 but this denies the stronger one gain alternative sources, which in turn increases the dependence of A on B and alleviates the power imbalance.

This is similar to the situation during the change to 3-year system in the 1980's: more 21 educational groups formed a joint committee for request the 4-year system in all local universities. (Yip. 2005. p.55.) There is also a counterexample during the change to the 3-year system in the 1980's: there was the opposition from the English Medium of Instruction (EMI) secondary schools and a college (Yip. P.55.)

Apart from balancing operations, cost reductions are also found in power dependence situation. This is generally a process of a change in values so as to diminish costs when meeting the demand of the powerful one. But this is different from balancing operations, the

power structure are hardly altered. A similar example can be the setup of the credit system in CUHK that acts as a “painkiller” after the implementation of 3-year system.

A brief history of local university educational system

This part focuses on the history of university education in Hong Kong, especially about their origins and development of their schooling. (See Appendix 1)

The University of Hong Kong (HKU) is the first university in Hong Kong, which was established in 1911. One of the incentives for the British and the colonial government to set up HKU was to cultivate pro-British Chinese elites who may play important roles in the Late Qing’s dynasty reforms and modernization, which may bring about long term benefits the Britain (Luk. 2003 p.66.). The British tertiary education system, especially the format of the University of Liverpool, was the blueprint for HKU. In the beginning of HKU, there were only three faculties, namely Faculty of Medicine, Faculty

of Engineering and Faculty of Arts while disciplines like social science were absent because of the British influence (Ho. 2005. p.65.). The schooling system was also under the British effect. For stance at that time a student who majors at Arts had to study for 3 years so as to graduate from HKU.

There is only one choice for local students to attend tertiary education recognized by the colonial government in Hong Kong until the establishment of the Chinese university of Hong Kong (CUHK) in 1963. Different from HKU, CUHK was a 4-year university. This may be due to the American influence in East Asia during the Cold War. CUHK was composed by three private tertiary education institutions, namely Chung Chi College, New Asia College and United College. In 1950's, many scholars escaped from the mainland China, setting up many private colleges that lacked resources for operations. Many of them became subsidized by different USA organizations. For stance Chung Chi College was funded by some American Christian organizations while New Asia College received monetary assistances from the Yale University in order to purchase teaching materials and rent their school sites (Luk. P.129.). Thus,

these colleges were immensely influenced by USA, for example in 1960s, it is commonly said Chung Chi College cultivated “little Americans” (小美國人) (Y. Wong. 1984. p.76.) , and they not surprisingly adopted the American 4-year system.. Besides CUHK, other institutions formed in the similar period of time, like the Lingnan College (1967), the Shue Yan College (1971) and the Hong Kong Baptist College adopted 4-year schooling system as well (Ho. P.66.).

In the late 1970's, there was a controversy about the university schooling system. The colonial government issues a report to suggest the unification of 3-year system in local tertiary education. Some institutions accepted the recommendation, such as the Hong Kong Baptist College and the Lingnan College, while others insisted on the 4-year system, such as CUHK and Shue Yan College. The latter even refused to be funded by the colonial government (Ho. P.66.).

In 1988, the Education Commission Report No.3 was issued and suggested the schooling system should be unified to 3-year. One year later, the Executive Council

adopted recommendations in the Education Commission Report No.3 despite the strong opposition from students and the education sector. One of the most remarkable oppositions was that 3000-4000 students participated in a students' strike in CU campus in 4 December 1989 (CUHKSU. 1993. Pp. 67-68.).

The unification of 3-year system does not mean the end of changes in university schooling system. Before the handover, some vice-chancellors of local universities suggested the re-installment of 4-year schooling system (Hong. (洪清田). 1994.). Since the British Flag lowered in the handover ceremony, the SAR government has started planning the university educational reform. In September 2000, the Education Commission (EC) submitted the report of "Reform Proposal for the Education System in Hong Kong" to the Government. The Chief Executive soon endorsed the recommendations made by the EC In his Policy Address 2000. In 2006, 8 universities announced their admission requirements for introducing 4-year schooling system in 2012.

Power dependence and the changes in university schooling system

In the following part, I would like to discuss the relationship between power dependence and the two transitions of university schooling system respectively. Kuan Hsin-chi suggested Hong Kong be a dependent polity before and after the handover because of the authority of the British colonial government or the Central People's Government of China (1991.P.411.). This means that the change in local educational policies becomes highly affected by attitudes and decisions of these two hegemonic countries. Based on this situation of power dependence, the case of 4-to-3 reform and 3-to-4 reform will be analyzed by three aspects, including the power structure in term of dependence among different actors, incentive for the rulers to set up the rule of game, balancing operations of different actors under power imbalance situation.

Unification of the 3-year system: A manifest power demonstration?

In this part, my focus is the process of the unification of 3-year. The success of this change, I believe, is related to the relative enormous power imbalance between the colonial government and local universities. More importantly, strategies adopted by the government succeeded in maintaining and enhancing her power advantage. Therefore, in spite of different tactics endorsed by the latter, the colonial government achieved his plan which may be motivated by the political and economic considerations.

Incentives for making the rule of game: Economic and political considerations

The implementation of 3-year system in all local universities was a local educational policy. But, in my following analysis, the formulation of this policy was motivated by economic benefits and the maintenance of political effects after the handover.

This was not the first time the colonial administration attempted to introduce the unification of 3-year system. After the failure in the late 1970's, the

government initiated the plan through the Education Commission in 1988. In the Education Commission Report No.3, it states the committees disagreed with the abandonment of British 3-year system because of the handover and it was no points adopting 4-year system used in China (Yip. P.57.).

Some commentators suggest there be two reasons. In the 1980's, the Britain was faced with a serious economic downturn and colleges encountered the insufficiency in enrollment as well. The adoption of the British educational system in colonies can attract more foreign students to study in the Britain, which may alleviate adversities of the British economic and their institutions (Yip. P.60.). Besides short-term economic considerations, it may be a long term consideration that the British linkage may cultivate a group of university graduates under the British-styled education. The London government, one of the most successful colonialists, often employs similar strategies when she prepares to withdraw from her colonials. This may be favorable for political and economic interests in Hong Kong after 1997(Yip. P.58.).

Power structure: relatively great power advantage of the colonial government

In this part, I would like to argue there is a relatively strong but hardly absolute power advantage of the colonial government. It may be a common sense for everyone that the government is the most powerful in modern society, which implies the government can easily realize her will despite objections. However, the history of the local university education seemed to deny this “common sense”. The insurances of CUHK and the Shue Yan College in 1970 may be the best demonstration of the limit of the colonial administration’s power, which reflects the fact that the inertia for an established education system should not be neglected (Clark. 1983. Pp.182-184.).

The perspective provided by power dependence can help us analyze the exact power relationship among actors in the unification of 3-year system.

With a view to a simpler illustration, I would like to focus on the power relation between the colonial

government and CUHK and its students, which are the main opposing actors in the late 1980's educational reform. As I mentioned in the introduction, the analysis on the power relation will focus on three ways.

To commence with, I would like to analyze the availability of punishing, which may be the most obvious for us to study a power relation. The definition of Max Webber on the state is the "monopoly on the legitimate use of physical force"(Heywood. 1997. P.87.), which may tell us the state simply discipline objectors. This also applies to the colonial government that adopts the Education Ordinance as a legitimate and powerful tool. The introduction of Education Ordinance in 1913's Hong Kong should be remembered because this was the first regulation requiring that all education institutions must register for official records in Britain and her colonies' history. The possible political instability due to the 1911's revolution spurred the Hong Kong colonial administration on this legislation (Luk. Pp.67-68.). That the ordinance was amended in 1950's and 1970's further strengthened the colonial government in punishing schools which allows any "political activities" on campus

(Luk. P.134; W. L. Wong. 2005. P.52). The meaning of “political activities” is vague. For example the colonial government rejected a register of a teacher who was born in Hong Kong but had further studies in Beijing by virtue of this ordinance in 1971 (W. L. Wong. Pp.52-55). Even though this ordinance was seldom enforced after the late 70’s and eventually abandoned in 90’s, this posed legal threats to CUHK in 1989 because the provision of school buses for students’ strikes may be regarded as an ”illegal political activity” (CUHKSU. Pp. 67-68.).

The ability of punishing of CUHK and its students is relatively weak compared to that of the government. They launched students’ strikes and criticized the government on media, which sounded feeble for attacking the authority of the colonial government. Neither were they effective because even more than 3000 students took part in the demonstration (CUHKSU. Pp. 67-68.), which may draw some attentions from the public but fail to convince them to join the demonstration of the government policy. Moreover, the battle on media was not favorable on the student movement as there were not a few pro-government on different media. For example

during my research , an article written Steven Cheung(張五常)who favored on the 4-year system can be found but at the same time there was another article supporting the 3-year system in the name of the public interest (HKFEW(香港教育工作者聯會),1991.). Hence, in term of punishing ability, the colonial government has a clear advantage but she did not exercise in reality.

After the analysis on the ability of punishing, I would like to discuss the degree of dependence of the colonial government and CUHK on each others in term of the motivational investment in goals and the availability to those goals from others so as to study their power relation. We can begin with the dependence of CUHK on the colonial administration, which may be easily understood. There are two major factors that CUHK and other local tertiary education institutions bank on the government: the legal recognition and financial support.

There are two reasons for legal recognition to become important for those institutions. The first reason is the consequence without the legal

recognition due to Education Ordinance. As I mentioned in the above of part, the ordinance requires all schools to register. Otherwise, they are to be penalized, such as the coercive closure, even though here have not been any examples about the law being enforced on the tertiary education institutions.

Another motivation for the importance of recognition seems more attractive to schools: graduates and their academic backgrounds become recognized by the colonial government, which can help students' prospects of career and further education. Since the economic prosperity due to the Korean Wars, being university graduates most likely guarantee their success in future, for example most of them becomes civic servants, professionals or management class. There was an apparent difference in wage of between a degree holder and a secondary school leaver, which can be reflected in the Master Pay Scale of the government (Luk. P.169.). Moreover, the recognition by the colonial government can allow graduates from those colleges to study overseas more easily and conveniently, especially

universities in the Association of Commonwealth Universities (ACU). For example the ACU recognized the CUHK after the colonial government giving legal status to CUHK in 1963 (Luk. P.130.). Thus, the recognition can enhance the attractiveness of universities to students in terms of career and academic prospects, which can boast their enrolment.

Apart from the significance of legal status, the subsidy from the colonial administration is also vital to these colleges. The story of HKSYU may provide some insights about adversities of running a university without the government monetary support. In 1971, the Hong Kong Shue Yan College, the predecessor of HKSYU, was founded by a couple, Dr Hu and Dr. Chung. In 1978, they turned down the suggestion of switching into the 3-year system and thus the college was no longer subsidized by the colonial government. When interviewed by Wen Wei Po (2008.), Dr Hu said he feels no regrets at spending his all wealth on the development of HKSYU. It is estimated Dr. Hu and Dr Chung spent more than 0.4 billion on their college (Hong Kong Commercial Daily. 2008.). This reveals a crucial fact that

the maintenance of an tertiary education institutions needs plenty of resources. Dr Hu and his wife's eagerness for education may be a rare exception, which may imply the financial dependence on the government is the only way.

In addition, Cheng Kai-ming (程介明) (2008.) points out the development of private universities in Asia is thriving in recent years, for example there is 66% private colleges in Taiwan and more 85% private colleges in Japan in their tertiary education. What about local colleges? For most of the local counterparts, being financially subsidized by the government may be the sole way for survival. There is only one private university and over 80% of the expenditure of local public universities comes from the government (Luk. P.168.). Dr Hu, the founder of the HKSYU, pointed out the government have spent more half of a billion for the first five-year operation cost of the Open University of Hong Kong even though the Open University of Hong Kong is claimed to be a financially self-sustaining university (Hong Kong Youth and Tertiary Students Association. 2003. P.8.).

On the other hand, the availability of other financial sources seems rare to support the development of universities. There is a recent example showing that the indifferent attitude of local business sectors may be a possible cause. Despite the formation of a pairing fund (大學等額配對補助金計劃) by the government which rewards those institutions look for more public donations, there was more than 0.11 billion remained in the 1-billion fund (Takungpao. 2007.). What is more, the colonial government enacted some regulations so as to prevent the foreign donations which may pose potential hazards to the colonial government. In the Chinese University of Hong Kong Ordinance (Y. Wong. p.76.) , three colleges cannot monetary assistance from foreign government without the permission of the University Board which was dominated by the pro-government members. The board can also disapprove any assistance which may harm the interest of CUHK. Therefore, universities can only bank on the financial support because of the inability of seeking for other sources. Hence, the recognition and the monetary assistance may be the causes that local universities and colleges

extremely depend on the colonial government.

But, the dependence of the colonial government on universities should not be ignored. Similar to the fact that the establishment of HKU in 1911 was due to the political instability caused by the 1911 Chinese revolution, the most central function of universities for the colonial government is to maintain stability for the colonial ruling. The establishment of CUHK in the 60's was due to the baby boom after the World War II and the influx of Chinese refugees in the late 40's. The surge in the local population led to the instability of society because many youngsters cannot improve their living standard. The riots in 1966 and 1967 may give the signs of the growing dissatisfactions among the lower class. The expansion of university enrollment may be a solution. The increase in vacancy of the tertiary education provided a upward social mobilization for those from the lower class, lessening their potential frustrations on the colonial government (Luk. Pp.129, 185.). In his book, Lui Tak-lok (呂大樂) admitted he was one of the lucky fellows in the expansion of the higher education but this did not favor everyone in the 60's and the 70's (2007. Pp.9-13).

But, it is worthy reminding that there are alternatives for the colonial government encountering the social discontent. As Lui suggests, the persistent economic growth, the increase in provision of public wealth, particularly the public housing, and the establishment of the Independent Commission Against Corruption (ICAC) in 1974 were the important factors for the change in attitude of local residents toward the colonial government, which implies the main concern of the colonial administration, the social stability, does not depend on universities solely.

Reactions for the power imbalance

After the analysis on the power relationship between the colonial government and CUHK, We can see that there is a relatively strong but not absolute power imbalance.

As Emerson suggests there may be balancing operations and cost reduction should there be power imbalance (p.53.), this also occurred in the case of the unification of 3-year, especially less power actors,

CUHK and its students. I would like to demonstrate these examples in this educational reform. Coalition formations, extension of power network and cost reduction took place.

The first reaction is the coalition formation of different educational groups. Based on the Emerson's logic, the function of the weaker actor seeking for allies in a power imbalance is to avoid the stronger actor finding alternative sources for his goals, which increases the dependence on the weaker one and thus lessens the power difference. The joint committee founded mainly by students and teaching staff of CUHK can be understood as a measure to balance power difference by the above logic. The joint committee issued a proposal for the 4-year system in all local universities, which raised a public debate on the university educational system. (Yip.P.55.). At the time being, there was remarkably favorable sounds of adopting the 4-year system on media and in the academic sector. For example the head of HKU, Wang Gungwu (王賡武), and the first head of the Hong Kong University of Science & Technology (which operated in 1991), Chia Wei Woo

(吳家瑋), were in favor of the 4-year system (Ho. P.67.). HKU even launched a preparatory plan for switching into 4-year system in 1991.

Despite the fact that the situation was optimistic for the joint committee, the history tells us the 3-year system was adopted. Power advantages of the government cannot be neutralized or even reduced so as to halt the policy implementation.

The first reason is that CUHK failed to lessen its dependence on the colonial government by the extension of power network. When students launched strikes on the street, the Director of Registry Services (楊汝萬教務長) of CUHK wrote to complain to the China government of the colonial government launched the education reform, which disobeyed the Sino-British Joint Declaration. But the China government replied the local educational problem should be tackled by the Hong Kong and thus refused to intervene (Yip. P.55.). Thus, CUHK failed to seek for alternative power sources.

Moreover, the government also took actions in order

to maintain her power advantage. The colonial government successfully gained supports from the EMI secondary schools and the Hong Kong Technical College, which strengthened the power of the government by lessening her dependence on CUHK. Principals of these EMI schools opposed the adoption of 4-year system because of an early admission system (暫取生計劃) of CUHK that launched in 1983 (Yip. P.57.). This is similar to the current EAS (中六生優先錄取計劃/拔尖計劃), which allows form 6 students that received decent results in the HKCEE enters universities. The setup of this plan was to compete with HKU for proficient students but brought about an unintended consequence in secondary schools. Ample brilliant students were enrolled by CUHK, which caused chaos in form 7 classed because of enormous vacancies and the decline in academic performance. Thus, when the colonial government guaranteed universities can only enroll form 7 graduates under the 3-year system, which successfully gained the support of heads of these EMI schools. Moreover, the Hong Kong Technical College preferred to support the colonial government because it attempted in competing with HKU and CUHK and remained in its supremacy in

professional areas (Yip. P.58.). The Hong Kong Technical College eventually became the Hong Kong Polytechnic University in 1994, which may be a reward of favoring the implementation of the 3-year system in 1989.

Hence, the power advantage of the colonial government maintained. The adoption of 3-year system became inevitable. When the implementation of the 3-year system was passed in the Executive Council, CUHK and other opposing parties waived to continue struggling for the abandonment of the new system. The colonial government offered 9-year for the preparatory period of CUHK switching into the British system (Yip. P.58). At the same time, the Head of CUHK, Charles Kao (高錕), introduced the credit system in CUHK, which can be understood as a measure of cost reduction after the implementation of 3-year system. An interview of the former vice-chairman of the student union of CUHK can explain how the pain can be alleviated.

大家覺得《三號報告書》含有強烈的政治意味，必須予以抵制。然而，在學生會與校方一些討論中，

校長的說話啟發了我，雖然他沒有這樣表態 —— 大學學制的關鍵並不在於修讀年數，而在學生學得多少以及教學質素。(Chinese University Alumni Magazine. 1998.)

What he said is a suitable example of the cost reduction. Faced with the inevitable change in educational system by the colonial government, he attempted to modify his attitude and belief. This cannot alter the power relation or resist the demand of the stronger actor but at least make the weaker actor feel comfortable.

Reimplementation of the 4-year system: Without power demonstrations?

In recent ten years, 3-3-4, the new educational system, has been one of the most common phases on different media of the HKSAR except talking about tactics of football. Different from other policies in the Tung's governance, this seems to receive many supporting voices. A survey conducted by the Hong Kong Youth and Tertiary Students Association (HKYTSA) (Pp.10-11.)

revealed over 70% interviewees are in favor of the 4-year system while less than 10% think 4-year system is the strategy for universities to avoid cutting their budgets. The pro-China newspaper describes the adaptation of the 4-year system as the right way of returning to “normalcy”.

當年港英殖民政府為貫徹英式大學三年制、扼殺中國傳統大學四年制，強迫全港大學「四改三…今天，撥亂反正，「把顛倒了的歷史再顛倒過來」，特區恢復大學四年制，全港八家大學都在為「三改四」忙個不亦樂乎… (Takungpao. 2008.).

Is the reimplementation of the 4-year system apolitical? In the following analysis, I would like to illustrate how power is related to this transition: the motivation of the design of the rule of game is based on political factors about the handover while universities are in favor of the policies because of their political consideration and their budget maximizing tendency.

Incentives for making the rule of game: A conspiracy and political considerations

As I mentioned in the earlier part, the reimplementation of the 4-year system was officially initiated in the report of "Reform Proposal for the Education System in Hong Kong" and eventually decided by the Chief Executive, Tung Chee-hwa, in 2000. But I would like to propose an explanation that may be regarded as a conspiracy: The reimplementation of the 4-year system was formulated by the colonial government, which aims at destabilizing Hong Kong society through the elimination of the elitist system in local universities while the SAR government continued the policy because of political correctness.

Let's start with a non-academic article written by To Kit (陶傑) about another educational conspiracy planned by the British Colonial Government.

羅范椒芬女士跟我見面，告訴我「母語教學」是彭定康時代就策劃的，董建華先生只是執行。我說：「中國政府的思維，是彭定康和英國人撤走之前，必定埋下許多政治地雷，像民主政制改革之類，讓中國收拾一個爛攤。既然彭定康當政時

推行『母語教育』出奇地熱心，你們跟中方，為什麼要照單全收，不懷疑其中有詐？同樣是彭定康一手設計並親自批准，為什麼政制改革就是陰謀，『母語教育』就不是？這是什麼邏輯？」(Next Magazine. 2006. Pp.118-119.)

No one can know whether the above conspiracy is true or not. But these kinds of arguments for the reason of failures in the HKSAR governance can be easily found in local media, especially on Pro-Chinese media. Could the similar trap be found in the adoption of 4-year system? The reimplementing of the 4-year system may be another trap. We should bear in mind that the British system is to train a small number of elites (Zheng. Pp.94-96). The abolition of the 3-year system means the removal of the elitist education. At the same time, the expansion of the higher education could be also the scheme of the colonial government.

How can these educational policies become traps for the SAR government? This is because students and parents believe a diploma issued by a local university means a key for wealth, social status and power for many

decades, which implies the maintenance of the value of diplomas are vital to the social stability (Luk. P.169.) The excess supply in degree-holders may be a catastrophe in Hong Kong because the value of diplomas falls as if the value of money in Zimbabwe did.

A former employees of the Special Branch(政治部) also wrote his opinions on a column of the Hong Kong Economic Journal.

知識分子暴增十倍，帶來負面影響，便是今天所見的大學水準下落、高等教育經濟負擔過巨。最嚴重的後果，是精英主義的破壞，今天領導上街反政府的先鋒，是一群經歷泛大學制促成的失意教育者和不務正業的大學生組變成的社工、記者和政客。(Luo Ya. 2002.)

Therefore, the reimplementation of the 4-year system with the expansion of the tertiary education can bring about lots of political and economic problems.

Should the formulation of reintroduction of the 4-year system be a conspiracy planned by the colonial

government, why the SAR government still continued the plan of reintroducing the 4-year system? One of the most possible explanations is the political correctness. Since Hong Kong is under the dependent polity after the handover, the adoption of the 4-year system used in China can be understood as a way to express the political loyalty. The insistence of the British educational system may bring about a political trouble for local officials whose masters become Chinese since the handover.

Hence, this provides a tentative perspective for us to understand the processes of the implementation of the 4-year system when hardly are there sufficient official documents and other evidences available for our investigation.

Power structure: A invisible power relation?

In this part, I would like to argue there is an invisible power relation between the SAR government and universities. Due to the coincidence of their interests in the reimplementation of the 4-year system, their power dependence relation is not as manifest as that between

the colonial government and universities.

As Emerson states power will be expressed clearly only if “this demand runs counter to B’s (the weaker actor) desires” (P.50.). In the case of the reimplementation of the 4-year system, the weaker actor, universities, does agree with the policy because heads of universities can not only express their political loyalty but also maximize their budget in the name of the preparation for the 4-year system.

The first reason for universities to support the reintroduction is about the political correctness. In 1994, a group of university principals proposed the 4-year system should be installed in local universities after the handover when they attended a meeting of the Preliminary Working Committee(預委會). Hong Qingtian further explained why these heads of local universities changed their attitude towards the 4-year system rapidly.

為大學即將回復四年制而感惶惑不安的，理應是當日力催要強迫中大四改三的香

港教育建制人物。不過，雖然這班人不少已轉投中方陣營，但對這次轉制之議，至今大部分都噤若寒蟬。當年他們力陳的四年制浪費資源高調，亦不復多聞。究竟在今日的政治環境，他們明知大學年制的爭議，已不可避免地變成「反殖反英」的象徵之爭底下，還會否擇「善」固執，力陳「英制」的好處，抑或隨風轉軀，實在是香港政壇政治操持的一大考驗。(Hong.)

Thus, their stand on the schooling system became their tool to toady the new master of Hong Kong.

How about the economic motivation? I would like to quote a sentence which describes the similar situation.

那個令人產生疏離感的教育制度，變成了一個為人所接受的地位及資源分配機制。雖然不是「人人有獎」，但它所派出的「獎品」，確實令不少人轉移視線，不再問誰訂遊戲規則，而只求這個機制繼續有能力「派獎。」(Liu. P.11)

Lui Tak-lok explained why only few Hong Kongers challenged the established education system last few decades. The same logic can explain there is no opposition from universities to the 4-year system. The reason is simple: the system can give universities a lot of “gifts”.

We should first understand the financial situation of universities in recent years.

A document from the Council Secretariat (立法會秘書處) can tell us the financial plight of universities encountering (2002) . 3% budget which was about 0.35 billion dollars was cut in the 2003/2004 financial year while there was an additional decline in their budget which was about 1.18 billion dollars one year later. The expenditure on the tertiary education in the 2005/2006 year also decreased from 12 billions dollars to 11.4 billions dollars (Takungpao. 2005.). Therefore, we can apparently see that universities have suffered from the serious budget cut. This dissatisfied many parties in the educational sector. The Hong Kong Federation of Students and the Hong Kong Professional Teachers'

Union (2004) launched a demonstration in 2004 to contest the policy while different educational groups, especially the Hong Kong Institute of Education Student's Union who suffered most (accumulative 47% cut in its budget), angrily blamed Arthur Li on the media (Takungpao. 2005.).

While students and teaching staff adopted a fierce and direct tactics to oppose the reduction in educational budgets, what was the reaction of universities? It may be shocking and incredible that a bureaucracy did not struggle to maximize their budget. Faced up with the reduction of their budget, universities did take full advantage of the implementation of the 4-year system. When the SAR government announced the implementation of the 4-year system in 2004, she guaranteed there would be extra 1.8 billions annual expenditure for universities (Ming Pao. 2008.). Besides the increase in the annual budget, universities requested that the government should fund for the expansion of their campus (HKPTU News(教協報. 2008.). Originally, the government approved 3.4 billions dollars for 12 plans of expansion; however the latest news suggested the

government have to provide more money for universities due to the surge in constitution costs. One of the 12 plans has been largely controversial in recent months: the expansion of the University Library in CUHK (See Appendix 2).

Hence, the implementation of the 4-year provided a decent opportunity for universities to deal with the reduction of their budget due to the economic recession. This caused universities benefits financially from the upcoming change in the schooling system. Since the government's demand is also the desire of universities, I suggest there is an invisible power relation between the government and universities during the transition to the 4-year system.

Conclusion: Power-dependent transitions?

In the above part, I attempt to give a tentative explanation on the recent two transitions in the local university education system under the framework of the power-dependence. In both cases, political and economic motivations play important roles in the formulation of the

educational reforms. Under the dependent polity, the clear-cut power advantage of the colonial government and the failure of CUHK eliminating this power imbalance may be the decisive factors in the unification of the 3-year system in the late 80's while that universities chose to cooperate with the HKSAR government due to their political and economic considerations may explain that there are rare opposing voices in the reimplementation of the 4-year system.

Perhaps, it may be difficult for us to believe the above power-dependent explanations for the local educational issues. For most of us, it is more “comfortable” and “convincing” that the education reforms are for interests of students and our society. However, how can we explain these rapid structural changes within recent 20 years? My “tentative” explanations (this is why I emphasize the word of “tentative”) may be unconvincing enough in many aspects to tell us what exactly happened behind the scene, for example my explanation on the development for the reimplementation of the 4-year system may be a conspiracy. But, to my best of belief, this paper is an

attempt (perhaps a failed one) for us to begin reflecting the education reforms, especially those studying and working in universities, when the new system will be soon adopted.

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Appendix 1

A table of the development of local university education

1912 : Hong Kong University (HKU) was established, adopting British system
1962 : The Chinese University of Hong Kong (CUHK) was established, adopting 4-year system (American system)
1977 : Students and teaching staff of CUHK opposed to the implementation of 3-year system
1988 : The Education Commission Report No.3 was issued, suggesting CUHK becomes a 3-year university; several times of gathering and student strikes occurred; the largest scale of strike was about 3000 CUHK students
1991 : CUHK started adopting 3-year system
1996 : CUHK Convocation suggests the restore of 4-year system

1997 : Handover of Hong Kong; The Education Commission Report No. 7 was issued and began the review on the tertiary education
1998 : Committee of the Heads of Universities Committee proposed local universities should be 4-year for all-rounded students 'development
2000 : The Education Commission(EC) submitted "Reform Proposal for the Education System in Hong Kong" to the Government and suggested universities adopt 4-year system ;In his Policy Address, the Chief Executive endorsed the recommendations made by the EC
2006 : 8 universities announced their admission requirements for the 4-year schooling system
2012 : All local universities will adopt 4-year system

Appendix 2

教資會資助院校有關「3+3+4」學制的基本工程項目

1. 教學及行政大樓（香港城市大學）
2. 浸會大學道校園發展第1期（香港浸會大學）
3. 新教學大樓（嶺南大學）
4. 新學生宿舍（嶺南大學）
5. 綜合教學大樓（香港中文大學）
6. 綜合科研實驗大樓（第1座）（香港中文大學）
7. 現有大學圖書館擴建工程（香港中文大學）
8. 學生活動中心（香港中文大學）
9. 第8期發展（香港理工大學）
10. 現有教學大樓擴建工程（香港科技大學）
11. 新教學大樓（香港科技大學）
12. 百周年校園計劃第1期（香港大學）

《政學》投稿須知

一、《政學》為香港中文大學政治與行政學系資助，並由該系本科生發行之學術刊物，旨在提供平台讓對政治學有興趣的本科生交流及分享文章。歡迎年中任何時間賜稿。

二、本刊不接受任何已刊載之文章，請勿一稿兩投。

三、投稿時，請準備：

- 1) 不含作者資料的論文一份，及
- 2) 約一百字的論文緒論一份，及
- 3) 作者資料表（包括中英文姓名、院系級、學校及聯絡方法）一份

四、請以 **WORD** 或 **PDF** 格式將論文、緒論及作者資料表分開儲存，並以電郵方式遞交。

五、內文以三千五百字以上、一萬五千字為限，及依一般學術論文格式書寫。

六、中文稿件格式

- 一、請盡量用電腦以五碼繁體編寫

二、請用新式標點。引號用””、”，書名用《》，單篇文章用〈〉

三、注釋請寫在每頁正文之下，格式如後：

1. 合編之書

甲、張廷玉（1672-1755）等：《明史》（北京：中華書局，1974年），〈本紀〉2，〈太祖〉2，頁29。
乙、金天羽：〈戴名世傳〉，載安徽通志館編：《安徽通志館列傳稿》（安徽：安徽通志館，1934年），卷2，頁40下-45上。

2. 個人著作

全祖望（1705-1755）：《續甬上耆舊詩》（戊午〔1918年〕四明文獻社據靈蕤館謝氏藏本較印本），卷77，〈寒松齋兄弟之三.萬布衣斯大〉，頁2下

3. 論文

孟森（1868-1937）：〈關於劉愛塔事迹的研究〉，《清史論叢》，2輯（1980年2月），頁215-226。

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- A. Civilitas is an academic journal published by the Department of Government and Public Administration of the Chinese University of Hong Kong which aims at providing a platform for undergraduates who are interested in politics to share their writings and to exchange ideas. It seeks scholarly works by undergraduate students in any field of politics and international relations that are not under consideration for publication elsewhere or those that have not been substantially published before. Submission of articles is welcomed any time in the year.

- B. Please submit articles by email. The article, abstract and cover page should be in separate files in either DOC or PDF format.

- C. Any submission should contain the following: (1) An anonymous copy of the submitted article without any author-identifying information. (2) An abstract of the paper with 150 words or less and (3) a cover

page containing the identity, institution and method of communication of the author.

- D. All submitted paper should be in font size 12 and double-spaced with no less than 3500 and no more than 15000 words. Manuscripts that are not within the range will be subjected to special editorial review regarding whether the length of the articles is justified
- E. Any references to obscure materials, either published or unpublished, should be given precise information about the original source. The citation of references should follow either the guidelines of the American Political Science Association's *Style Manual for Political Sciences* or *The Chicago Manual of Style*.
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