

李怡：一年來九七問題的本質轉變

## Playing by Peking's Rules

By Lee Yee

Translated by Geremie Barmé

IN THE PAST YEAR there has been a distinct change in how Hong Kong people view their future after 1997, the year this British colony reverts to Chinese rule. The change is seen most clearly in attitudes among business leaders and professionals. The focus of their energy has shifted away from earlier attempts to ensure that Hong Kong will be run by local people after 1997—a goal that pretty much has been abandoned as hopeless—to making sure that the current system doesn't change before 1997. The crucial element in bringing about this sea change in attitude has been the way in which Chinese officials are interpreting the 1984 Joint Declaration between China and Britain on Hong Kong, as well as the stance Peking has taken during the early stages of the drafting of the Basic Law, the mini-constitution that will govern Hong Kong after 1997.

Business leaders and professionals form an extraordinarily cohesive social stratum here. It is their interdependence and mutual cooperation that lie at the base of Hong Kong's prosperity and strength. They have profited greatly from Hong Kong's free environment, its British-based legal system and taxation laws that lean heavily in their favour.

### Serious Doubts

There is little reason to doubt that if the 1997 question wasn't hanging over their heads, they would continue to discourage the development of representative

*Lee Yee is editor-in-chief of The Nineties 九十年代, a Hong Kong monthly magazine.*

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and democratic government as they have in the past. After all, elections are a costly business. Moreover, a representative government would most likely result in the grass-roots levels of society becoming involved in the actual governing of Hong Kong. This invariably would lead to demands for an amelioration of the much-neglected social welfare services and result in concomitant tax increases. Such developments would directly infringe on the privileges of the rich.

But with the advent of 1997 all has changed among the capitalists. One of the central issues that concerns them now is how the freedoms they currently enjoy are to be maintained after 1997. At the moment British law provides this security, but after the Chinese takeover, there is considerable doubt as to whether a communist government can or will do likewise.

China has summed up its stance on the subject with a simple but alluring slogan: "Hong Kong people shall rule Hong Kong; the system will remain unchanged." But surely this begs the question: Just how are Hong Kong people supposed to rule?

Many people here have serious doubts about the validity of the concept of self-rule. But let us digress for a moment and have a look at what guarantees the Chinese have allowed Hong Kong according to Annex 1 of the Joint Declaration, published in September 1984.

In terms of the relationship between Peking and Hong Kong it is stipulated that "Except for foreign and defense affairs, which are the responsibilities of the Central People's Government, the Hong Kong Special Administrative Region shall be vested with executive, legislative and independent judicial power."

As for the political system after 1997, Hong Kong is supposed to enjoy a democratic and representative government. The Joint Declaration says that "The legislature of the Hong Kong Special Administrative Region shall be constituted by elections," and "The executive authorities . . . shall be accountable to the legislature." Given the fact that Hong Kong has been promised a high level of autonomy, it is this democratically elected government that should in principle ensure the maintenance of freedom in Hong Kong after 1997.

The Joint Declaration also talks about the selection of high officials. "The chief executive of the Hong Kong Special Administrative Region," it states, "shall be selected by election or through consultations held locally and be appointed by the Central People's Government. Principal officials shall be nominated by the chief executive of the Hong Kong Special Administrative Region and appointed by the Central People's Government." These stipulations, it would seem, favour the development of local political parties, if for no other reason than that the chief executive and the overwhelming majority of principal officials will naturally form into interest groups with common political concerns.

The publication of these three points in Annex 1 initially emboldened business leaders and professionals here to work conscientiously for a Hong Kong administered by Hong Kong people. Some of their number honestly believed that with British rule assured in the lead-up period to 1997, and with the possible development of some form of democratic government, the political blueprint as outlined in the Joint Declaration could actually be realized after 1997. Thus they busied themselves

during the first half of last year, energetically planning and discussing the possibilities of a ministerial system in the government, the future of political parties, direct elections and so on.

Peking, however, has its own, very different, views on the subject. Since the first meeting of the Basic Law Drafting Committee last July, the Chinese have missed no opportunity to air their views on the subject of political change before 1997. These can best be summarized as follows:

—Peking has indicated that it will not even consider the possibility of changing the constitution out of deference to the Hong Kong Basic Law; nor is it prepared to stipulate in the Basic Law any items in the constitution that do not apply to Hong Kong.

—China interprets the word “elections” not as meaning either direct or indirect elections, but rather as “the election of nominated candidates”. As for their understanding of just how “accountable” executive authorities should be to the legislature, they have made it clear that they do not support a system of checks and balances, but rather conceive of accountability as meaning that the executive is merely bound to “elucidate to, explain to and advise” the legislature of the decisions it makes.

—Peking doesn't support the establishment of political parties in Hong Kong, either in the run-up to 1997, or after. In fact, China doesn't encourage any form of “collective bargaining” that Hong Kong people may wish to engage in.

—China opposes any major political developments in Hong Kong before 1997. It doesn't want to see representative government or direct elections.

—In the eyes of the Chinese, the British government is duty-bound to ensure the “prosperity and stability” of Hong Kong before 1997. This doesn't mean it should encourage or support political reform. China wants to be consulted on any political changes contemplated prior to 1997, and it is obvious that it will pursue its role as consultant with vigour.

Peking isn't above indulging in histrionics when it wants to make a point on the Hong Kong question. Witness the dramatic outburst last year by Xu Jiatur, Peking's top representative here, concerning “Keeping to the rules”. This was done to make the point that Peking would not countenance representative government or party politics in Hong Kong. By acting in this manner, the Chinese forced the British government to discuss matters related to Hong Kong's pre-1997 internal administration during joint talks that had nothing to do with this subject. China never hesitates to make the point that it is a power broker that won't sit by silently on the sidelines.

### **Practical People**

Business leaders and professionals in Hong Kong are all masters at sizing up which way the political and economic winds are blowing. When China started dropping its loud hints on the question of political reform in Hong Kong, they realized it was time to reinterpret Annex 1 of the Joint Declaration in a way that is more in keeping with Peking's line. They could see it would be futile and even

counter-productive to support attempts at meaningful political reform in Hong Kong.

Alan Lee, a member of the local legislature, started out as an enthusiastic supporter of political parties in Hong Kong. Yet recently he has announced that he has relinquished any hope of establishing political parties. He has said he has been forced to realize that there is no way the Chinese government will allow Hong Kong people to rule Hong Kong in the future.

Few public figures here will admit that they lack confidence in Hong Kong's future. Whatever optimism they may have has more to do with the internal political developments in China and the assurances given them by Peking, than with anything written in Annex 1 of the Joint Declaration. After all, capitalists are practical people. Why should they bang their heads against the Great Wall of Politburo opinion? It is for good reason they have stopped dreaming about the post-1997 pie in the sky and are getting down to the serious business of making money while the Union Jack flies.

Thus, many businessmen now oppose direct elections and are generally unenthusiastic about representative government; they are doing their level best to cooperate with Peking. This isn't out of any altruistic desire to maintain Hong Kong's stability; it reflects the wish to *fat choi* (get rich) together. As for the professional population, just take a look at the figures: Emigration is on the rise.

The issues that really concern Hong Kong's business leaders and professionals have less and less to do with 1997. What they're interested in is 1990 or thereabouts, when it will be time to start transferring capital and figuring a way out. The 1997 line of defense has been abandoned, and the holding position is now 1990.