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Recent History Revisited: Analysis and Hindsight

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The Criticism which is most often raised about the failings of the Colonial Administration – the British administration – is the failure to introduce what is generally called “democracy” earlier.

I found when I had already suggested the title for this talk “Recent History Revisited: Analysis and Hindsight”, that I had to go back to the beginning of Hong Kong’s colonial history to trace the evolution of what I would prefer to call the introduction of representation government.

Havering and wavering continued about admitting representatives of the public into the government of Hong Kong until the final years of British rule. It was only then that we had an elected Legislature with no appointed members, but even this, because of disagreement with China over its composition, finished its term of office in 1997 to await fresh elections after the return of sovereignty. Why did it take so long? Were the British to blame?

“One Country Two Systems”, “Hong Kong People Ruling Hong Kong” – these phrases have been repeated time and time again in the past fifteen years until they have almost lost their meaning.

The first, “one country two systems”, describes a situation which has been current since the founding of the Colony by the British in 1841. The way Hong Kong was administered and its political, social and economic systems developed were vastly different from that of the rest of China. There were always two systems. On the other hand, Hong Kong people ruling Hong Kong was an objective returned to time and time again over a lengthy period. It was not, as commonly thought, first raised by Sir Mark

Young,^{*} the Governor who in the immediate postwar period, proposed the formation of a largely elected Municipal Council. The inclusion of representatives of the public in the government was a subject much rehearsed, with different emphases at different times, almost from the very beginning of the settlement in 1841. It was not something which was just overlooked or not proceeded with in a deliberate attempt to hang on to the reins of power. Always there was a rationale for what was done, although perhaps not always acceptable to all shades of opinion.

Gladstone, in March 1848, summed up the objectives of Great Britain in its occupation of Hong Kong, and his words resonate, albeit subconsciously, until the year of the final transfer of sovereignty in 1997. "That [the occupation of Hong Kong] was decided," he said, "on solely and exclusively with a view of Commercial interests, and for the benefit of those engaged in the Trade with China. As a Naval and Military station, except for the security of Commerce, Hong Kong is unnecessary."¹ These words set the tone.

We read of Governor Bonham^{**} in 1849 recommending the appointment of representatives of commercial interests to the Executive and Legislative Councils so as to "afford opportunities at all times of enabling the public generally to make their wishes and desires known to the local Government."² In 1856 Governor Bowring^{***} writes, "My principal object is to introduce the popular element into its government, and to make that element subservient to its prosperity, as I have reason to believe its introduction would be acceptable to public opinion."³ Bowring went further to propose representation of the foreign and Chinese community. It was the middle of the nineteenth century, officials and politicians in Great Britain were totally ignorant of what circumstances were like in Hong Kong. Both these recommendations were rejected because it was thought in Whitehall that they were premature.

* Sir Mark Aitchison Young, Governor, 1941-1947.

** Sir Samuel George Bonham, Governor, 1848-1854.

*** Sir John Bowring, Governor, 1854-1859.

Nevertheless, the Governors kept on trying and in 1880, in response to a recommendation from the young and impulsive Governor, Pope Hennessy,* the first Chinese voice was heard in the Legislative Council when Mr. Ng Choy was appointed. But his appointment ran contrary to the opinions of the merchants, lawyers and professionals of the expatriate community, who in 1892 made representations to the House of Commons over the head of the Governor and the Secretary of State that they, and only they, should elect members to the Legislative Council, and that the franchise should not extend to the Chinese because their sympathies, their family interests and traditions, lay with the neighbouring Empire – meaning, of course, China. This proposal by the expatriates would have meant, in Governor Robinson's words "a small alien minority should rule the indigenous majority". The mercantile community, Robinson said, "do not settle here, and their only concern in the place is to make a competency in it as quickly as possible and then to leave it."⁴ Their proposals, to his way of thinking and that of the Secretary of State, were outrageous and had to be rejected outright. Hong Kong should remain a Crown Colony in the firm control of its Officials!

In 1884 a second Chinese Member was appointed to the Legislative Council but in the years that followed similar arguments were deployed by the expatriate community, but always the demands of this minority to form an oligarchy were rejected. On the other hand, neither did the Colonial power believe it was necessary to take any measures to hand over power to the indigenous community, because there was no demand or agitation from it to participate in government. Chinese merchants and their families and workers, no doubt, wished only to get on with their business interests and employment and regarded themselves still living in a part of China and their allegiance was to China.

These opinions have to be viewed in their historical context against the 19th century background of British Imperial interests, of notions of national superiority reinforced by strongly held religious

* Sir John Pope Hennessy, Governor, 1837-1883.

belief. They have to be seen against the unfolding drama of the Western Powers' encroachments and cultural invasion of China and their determination to win the trade war and to open up China to Western commerce. (A drama whose last act is now being played out today with China's application to join the World Trade Organisation and the repeated calls for China to open up its markets!) Neither can what was thought best for Hong Kong be considered in isolation from the decline and fall of the Qing dynasty, the horrifying and drawn out terror of the Taiping rebellion and the rise of nationalism.

Governor Stubbs* in 1920 gave his view of the situation. Talking of the Legislative Council he said, "The case of the Colony differs from those of such places as Malta and Ceylon in that there is no permanent population except to some extent the Chinese, of whom the vast majority have never taken the slightest interest in the administration of the Government. The Europeans are a migratory body... the result of establishing an unofficial majority [i.e. in the Legislative Council] would be to substitute Government by a body of amateurs whose interests are necessarily those of the moment rather than the future, for Government by trained professionals,"⁵ that is, the civil service.

It was not until two world wars had taken place and the middle of the twentieth century that serious attention was once again given to the issue of local representation. The end of the Second World War marked the crossing of a watershed leading to determination on the part of the newly elected Labour Government in Britain to bring down the curtain on the Britain Empire. The granting of self-government leading to the independence of former colonies became the stated objective of the British Government. Hong Kong was not left out. Sir Mark Young, the Governor who returned to Hong Kong after the war, put forward his proposals for giving the people of Hong Kong a greater say in their affairs based upon the creation of a Municipal Council. The idea was not new but when previously put forward it was alleged, with some justification, that a Municipal

* Sir Reginald Edward Stubbs, Governor, 1919-1925.

Council whose boundaries were co-extensive with the boundaries of the Colony would threaten the very existence and power of the Legislative Council. (Did we not see a replay of this argument in the legislation to abolish the Municipal Councils in recent times?) Sir Mark pressed on, despite misgivings secretly expressed to the Colonial Office as to the popular enthusiasm for these reforms, and announced his proposal to create an elected Municipal Council.

Refugees from the mainland flooded in to escape the closing stages of the civil war in China. Arguments against the Municipal Council proposal were raised by the unofficial members of Executive and Legislative Councils while other voices were raised in their support by many Chinese organizations. Sir Mark Young who seems already to have had "1997" at the back of his mind, reported to London that his proposals were greeted with considerable apathy by the Chinese community which he ascribed to the fear that the Council would become a battleground for political forces, KMT and Communist, and that in any case, many Chinese foresaw the return of Hong Kong to China and did not wish to involve themselves in something which could be judged to be unpatriotic.

It was time for Sir Mark Young to go and for the arrival of Sir Alexander Grantham. The volume of refugees from disturbed conditions in China grew at an alarming rate. A small number of officials were coping with an almost insurmountable problem. The Legislative Council was strengthened by the appointment of a few more members and the proposal to create an elected Municipal Council with powers which would have threatened its existence, was dropped. Looking at those events today, it is difficult to understand why Sir Mark Young chose to ignore the threat to Legislative Council inherent in his proposals and why he did not propose at least some reform of the Legislature.

From then on, for almost a period of twenty years, Hong Kong was preoccupied with ever-present problems. The start of a never-ending housing programme was made when it was realised that the refugees were here to stay; the repercussions of the Korean War and the chilling atmosphere of the Cold War, which seemed to hold the

whole world in suspense, spilled over into Hong Kong; the lingering political antagonisms following the defeat of the Kuomintang army erupted into mob violence in 1956; there was tension across the Taiwan Straits and the shelling of Quemoy. These were just some of the things which formed the background to our thoughts. In the sixties there was a sudden influx of over a hundred thousand illegal immigrants who poured over the border against the big wide screen of the mountains north of the border. There was drought and long queues at standpipes. The worst typhoon in living memory swept across Hong Kong leaving a trail of death and destruction. In 1966 and 1967, there were more riots. It is an understatement to say that Hong Kong had more than enough to do. The situation was unstable, the community restless, living from hand to mouth in appalling conditions and not having put down its roots. It was an atmosphere not conducive to elevated thoughts about democracy and political reform. As the well-known and astringent commentator Dick Wilson said, "It would have been like trying to organise elections on a railway station."

In the sixties, before the riots broke out, the idea had been raised to introduce District Officers into the urban area to provide a channel of communication and better to coordinate the work of government departments. The idea was squashed by conservatives in the Administration who saw no need for another layer of administration.

The Governor, David Crosbie Trench, persisted, and while Hong Kong was boiling up for the Star Ferry riots, a Principal Assistant Colonial Secretary, W. V. Dickinson, was appointed to lead a Working Party on Local Administration. This innocuous and cautious title elsewhere would have been called local government. The recommendations of the report⁷ were for far-reaching reform: the establishment of Regional Councils, which apart from powers normally associated with local government, would have had executive power in the fields of education, health and welfare. But there were four members of the Working Party who had reservations about the advisability, for various reasons, of dividing up Hong Kong in this way. They suggested a more gradual approach involving

generalist local District Officers being appointed, with a view eventually to the appointment of advisory Regional Councils. The wheel has now turned full circle. Our Regional Councils are about to be abolished and District Boards are to be elevated to the role of District Councils.

In 1967 the Cultural Revolution spread to Hong Kong with widespread disturbances. China was in turmoil, Hong Kong was reeling, confidence was at a low ebb. It is not surprising that in the anxious years that followed, the Report of the Working Party on Local Administration was quietly forgotten.

The scene shifted to China with ping-pong diplomacy, the visits of Nixon and Kissinger, the Shanghai communiqué and the admission of China into the United Nations. Shortly thereafter the Chinese Ambassador to the U.N. declared that the question of Hong Kong was not a matter for the United Nations Committee on Decolonisation but was a matter for China to decide when the time was ripe. China was in the throes of the Cultural Revolution and it is absurd to think that in those anxious years that Hong Kong could have either begun a sensible dialogue with China on political development or taken a risk and gone it alone. China's words in the United Nations were a sufficient warning as to the way to approach this question of the future.

Following the quiet putting to rest of the Dickinson Report, the influence of the district style of administration in the New Territories spread to urban Hong Kong and Kowloon. District Officers were appointed and District Offices were opened with a window opening onto city streets. In the New Territories new towns were becoming larger with the only form of representation a Rural Committee elected by a small minority of indigenous inhabitants. Beginning in 1978 Advisory Committees based on each New Territories district, were appointed and then extended to Hong Kong and Kowloon. In 1981, greatly to everyone's surprise, elections took place on a one-person one-vote basis for one third of the members of the Boards and they were given *carte blanche* powers to raise, debate and advise on any matters affecting the well being of people living in their district.

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For once the Government plans had run ahead of people's expectations. Together with this revolutionary step, and in a more general way, the system of Advisory Boards and Committees was strengthened to cover every aspect of government policy and activity. These several hundred committees involving the recruitment of several thousand members of the public, survive to this day. A process that has been called by Professor Ambrose King of the Chinese University, the "administrative absorption of politics."

The rest is history. Green Paper was followed by White Paper. For the Legislative Council, functional constituencies and electoral colleges were established. A cautious road map was published setting out the way ahead and the reasons for it. There were no strong reactions from China except for the authorities there to point out that China had not been consulted. China was clearly watching in what direction the Colonial Government was moving.

1978 was the year of economic reform in China. In the spring of 1979 Sir Murray MacLehose visited Beijing, the first visit by a governor since that of Sir Alexander Grantham in the 1950s. By the end of the seventies, while land across the border in Shenzhen could already be held by people living in Hong Kong for a period of 25 years, concern was already being expressed in Hong Kong about leases of land in the New Territories which would expire in 1997. Deng Xiaoping refused to be drawn on the question of the lease and Sir Murray returned from Beijing with the famous phrase that our businessmen were told to stop worrying, to put their hearts at ease. The reaction to this placatory phrase was lukewarm; it lacked detail but actually it meant precisely what it said – "Get on with your business and stop worrying." From then on, so many things which were said for Hong Kong's benefit for those that had ears to hear were not listened to, or given the attention which they deserved.

In 1981 China published her nine point proposals for Taiwan and broad hints were given that they could apply equally to Hong Kong. A Junior Minister in the Foreign Office was told this in the spring of 1982, and Sir Edward Heath was told the same thing more substantially two months later. Here were the bones of the formula of

“one country two systems” and “Hong Kong people ruling Hong Kong”. But nobody listened. It was not until 1984 that agreement was reached with China which, at long last, contained the important phrase that Hong Kong could have a “legislature constituted by elections” – Hong Kong people ruling Hong Kong.

It took five years to turn the agreement with China into the Basic Law and despite well supported views to the contrary, decisions were taken in Hong Kong and London in 1988 to ensure that when direct elections were introduced they conformed and converged with the Basic Law and did not run the risk of being overturned at the return of sovereignty, and that the political development, so painfully reached, would be dismantled. Agreement was reached after hard negotiation, that the Legislative Council to be elected in 1995 would remain in office until this year, 1999 – “the through train.” Five of the thirteen years had already passed and precious time was again to pass while the electoral system outlined in the Basic Law was turned into Hong Kong legislation.

Six months before the final signature was put on the Basic Law there was serious disorder and turmoil in Beijing and in other cities in China. This had a profound effect on people in Hong Kong and around the world. The events of June 1989 polarised opinion in Hong Kong. They were seen as an aberration, a deviation from the steady progress of reforms which had been taking place since the assumption of power by Deng Xiaoping, and which had led to the growing confidence of Hong Kong’s citizens. It was seen as a return to darker days.

Sir David Wilson, who had been Governor for five years during this period, was preemptorily recalled at the end of 1991 and given a seat in the House of Lords. The last Governor, a politician, arrived in 1992 and remained until the return of Hong Kong to China in 1997.

The Last Governor by Jonathan Dimbleby⁶ deals at some length with the question of the famous letters which the Foreign Ministers of Great Britain and China had exchanged before the draft of the Basic Law was finalized and Christopher Patten’s own book, *East*

and West,⁷ also reveals the background to these events. It is quite clear from their explanations that Mr. Patten only saw the letters on the eve of his departure for Beijing. This extraordinary omission on the part of all the officials, from the Foreign Secretary downwards, who knew about them, beggars belief. But with hindsight there is no doubt in my mind that had Mr. Patten known about them, the course of events would have been entirely different.

Director Lu Ping of the Hong Kong and Macao Office had invited Mr. Patten to visit Beijing before his arrival, but the invitation still stood during the summer of 1992. This invitation was refused by Patten who wanted to carry no baggage with him when he arrived in Hong Kong, even to the extent of leaving off his plumed hat. The obvious follow-up to the letters, if Mr. Patten had read them, was either to visit Beijing to open discussion on them or for the Foreign Secretary to follow up with more letters of explanation as to how they were to be interpreted by the British side, and a dialogue would have started.

We all know that the Drafting Committee of the Basic Law was kept hanging about Guangzhou until the last letter had been delivered to the Chinese Foreign Minister and then, only then, was the draft of the Basic Law passed for approval by the National People's Congress. In other words the letters provided an important input into the Basic Law.

Ignorant of the letters, the Governor proceeded to draft his proposals with officials in Hong Kong who had also not seen the letters – Mike Hanson, Leo Goodstadt and Michael Sze. The proposals were shown to the Chinese side shortly before they were due to be delivered in the Legislative Council. Director Lu Ping warned the Governor not to go ahead with them, while Mr. Patten, still not knowing about the letters, went ahead determinedly. The Chinese side reacted predictably. The agreements in the letters had been totally ignored by the British side. Letters between Foreign Ministers, next to letters between Prime Ministers, are the last link in the chain and have to mean what they say – “agreement” means “agreement”. When Mr. Patten arrived in Beijing his reception and

his reaction when he was confronted by the letters were entirely to be expected.

Subsequently to set aside the letters as not being legally binding was equally extraordinary. Thereafter there were fruitless and bitter exchanges, long attempts at negotiation to try to find a way out. Both sides stuck to their positions and the results are well known.

Predictably, the passage of the Legislation and the election of the Legislative Council led inevitably to the dismissal of the Council in 1997 and the appointment of a Provisional Council. Things might have been quite different if only those letters had come to the surface earlier, or if Governor Wilson had continued in office. But hindsight is an easy art to practice.

Those last five years with agreement on the elections in place, and the “through train” approved by both sides was an opportunity for Hong Kong to work more closely with the Mainland authorities and to get to know China. I had envisaged the Governor and his principal officials travelling frequently to China establishing the framework and channels for future co-operation. Regrettably, this did not happen. The determination of the Governor, with the support of the British government, to exploit areas in the Basic Law, which were not spelt out in detail, to change understood and established systems from what was intended by them, and to set aside a serious exchange of letters between the two Foreign Ministers as not being legally binding, resulted in the first and last visit of Mr. Patten, as Governor, to Beijing taking place in 1992. From then on the level of serious exchange between Hong Kong senior officials and their counterparts in China, was less than there had been in the ten years immediately after the Cultural Revolution.

I have tried, at some length, to provide an apologia, a defence, for the failure of the Hong Kong Government with the support of the British Government, not to introduce democracy, an elected Government, earlier than was done. Perhaps there were occasional windows of opportunity when a jump start might have been possible, but even this has to be viewed against well-researched and

documented apathy and indifference in the community for political development and I believe, considering the severe handling by the Central Peoples' Government of the reforms introduced by the last Governor, Christopher Patten, it can be said with some certainty that any changes introduced before the Basic law was in place and without China's blessing, would have had no chance of survival.

After the successful achievement in 1984 of an agreement about our future which left thirteen years to prepare for the change of sovereignty, the estrangement of the two governments and the fruitless discussions which took place during the last five years of colonial Hong Kong, were particularly disappointing, and preoccupation with political development beginning as long ago as 1980 caused the government to fail to stand back and examine the wider picture.

From the earliest beginning of the Colony, the role of the Government, while not defined, was to provide administration, a public service and public security for those who came here to trade and to settle. Unlike other colonies with a settled indigenous population, from the point of view of the early European settlers, there were two communities, the small Chinese settlement in the west of Hong Kong island and themselves. The two communities lived apart.

Hong Kong grew in population and prospered, but this ethos remained and when such things as electricity, tramways, gas, ferries, telephones, bus companies, were required, it was left to the private sector to provide them. Hong Kong discovered privatisation before the word was found lurking in the lexicon. This hands-off approach persisted in other areas – education, medicine and welfare services – particularly in provision for the growing Chinese population and led to the creation of the Tung Wah Group of Hospitals, and later to the building of mission schools and many welfare facilities by charitable organisations. Remember that it was only in 1971 that primary education became compulsory and a few years of secondary education some years later.

Government administration was small and has been, and is today, much praised for its efficiency and the excellence of its civil service. The economy grew, and because it grew there was no need to depart from a low level of taxation and increasing revenue from an expanding economy. A wide range of fees and charges and revenue from the sale of land, allowed the Government, and I generalise, largely to operate its medical, educational and social services, through subventions to non-government agencies.

There was not the driving motive of looming independence, as in other colonies, to uproot a system which was working well and to prepare it for a different future. The future, it was rightly said, was not going to be different. The system would go on as before and there would be a smooth transition. And so there was. Everyone has said so. But that driving motive of independence in other colonies led inevitably to rather more introspection and innovation in their governments than perhaps was evinced or thought necessary in Hong Kong. We thought intensely and brought about improvements to the "one system" but not about "one country" and the significance of the revolution, and I use the word deliberately, which was evolving in China, following the reforms of 1978.

It is said that a Chinese member of the Joint Liaison Group asked why the large map of Hong Kong on the wall of the Joint Liaison Office showed a blank yellowing space to the north of Shenzhen River where there was already a population of a few million people living, a stone's throw from Hong Kong. There was no indication that we were part of China. China was like the *terra incognita* shown on early maps of the world.

The much used phrase of positive non-intervention, which was used to describe the Government's attitude to industry and commerce, provided it operated within the framework of the law, was applied in respect to other aspects of our society. How else can it be argued, when a few years before the return of sovereignty, when we were trumpeting Hong Kong's character as an international city, only to discover that the knowledge of English in the population generally, of the international language of international commerce, and

communication between nations, after one hundred and fifty years of colonisation, was extremely poor? How else to explain the present lack of scientists, when they are so desperately needed, to launch us into the world of information technology and the present rather desperate attempts being made to catch up? How else to explain that there was really no serious attempt to introduce Putonghua into our school curriculum?

The building of the new towns and development of support infrastructure was one of the great achievements of the seventies and early eighties, and we continued with this work but we now found that infrastructure development has lagged behind the demands of a population, whose expansion has been known for a long time. Were we slow, too, not to realise the need to stop pouring untreated sewage into the harbour?

Lord MacLehose, Governor from 1971 to 1982, shook the Administration – and I was part of it – out of a complacency into which it had fallen. Reform of the civil service took place. He told Hong Kong to clean up its act, to clean Hong Kong and fight crime and corruption. But in the later years of his governorship MacLehose's preoccupation was with the large political question hanging over our future. There were changes to the Administration but they were by way of amendment, alteration, expansion and improvement on existing systems rather than the more fundamental question of how well we were prepared for the post-colonial era and for the challenges of a rapidly changing world.

With the benefit of hindsight I would venture to say that some of today's difficulties could have been avoided if we had not been too mesmerised by our success and prosperity, if we had looked at our vulnerability, sought out our weak spots and shortcomings and had a little more foresight. The great benefit bestowed by hindsight is to learn from your mistakes.

To end, it is appropriate to quote from these comforting Taoist lines of T. S. Eliot:

In order to arrive at what you are not
 You must go through the way in which you are not,
 And what you do not know is the only thing you know
 And what you own is what you do not own
 And where you are is where you are not.
 (From the *Four Quartets*)

NOTES

1. Great Britain. Colonial Office. Original Correspondence: Hong Kong 1841-1951, Series 129 (CO129)/13. "Secretary W. E. Gladstone to Governor Davis dispatch of 7 March 1848". See Steve Tsang ed., *A Documentary History of Hong Kong: Government and Politics* (Hong Kong: Hong Kong University Press, 1995) p.119.
2. CO129/28. "Governor Bonham to Secretary Lord Grey, dispatch 22, 26 February 1948". See *ibid.*, p.59.
3. CO129/55. "Governor Bowring to Secretary H. Labouchere, dispatch 49, 26 March 1856". See *ibid.*, p.61.
4. CO129/256. "Governor Robinson to Secretary Lord Ripon, confidential dispatch of 6 December 1892". See *ibid.*, pp.72-3.
5. CO129/462. "Governor Stubbs to Secretary Viscount Milner, confidential dispatch of 29 July 1920". See *ibid.*, p.80.
6. Jonathan Dimpleby, *The Last Governor: Christ Patten and the Handover of Hong Kong* (London: Little, Brown and Company, 1997).
7. Christ Patten, *East and West: the Last Governor of Hong Kong on Power, Freedom and the Future* (London: MacMillan, 1998).
8. For a full account of this Report, see A. Trevor Clark, "The Dickinson Report: An Account of the Background to, and Preparation of, the 1966 Report of the Working Party on Local Administration", *Journal of the Hong Kong Branch of the Royal Asiatic Society*, vol. 37, (1998) pp. 1-17.

