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Author(s): Liu Shuyong

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Liu Shuyong

Hong Kong has been part of Chinese territory since ancient times. Before the British occupation, Hong Kong had achieved considerable development in agriculture, fisheries, the salt industry, transportation, cultural undertakings and education. It was by no means a desolate and barren land at that time. British troops occupied Hong Kong Island on 25 January 1841 during the Opium War. In August 1842, the British government formally annexed Hong Kong Island by forcing the Qing government to conclude the Sino-British Treaty of Nanking. In the Second Opium War, British troops forcibly occupied Kowloon in 1860. In October the same year, the British government annexed Kowloon after forcing the Oing government to conclude the Sino-British Convention of Peking. When imperialist powers were locked in their bid to carve up and grab spheres of influence in China, Britain again forced the Qing government into signing the Convention for the Extension of Hong Kong Territory in June 1898 by which it leased a large expanse of Chinese territory south of Shenzhen River and north of Boundary Street and some 235 islands, renamed later as the "New Territories," thus achieving its occupation and control over the entire Hong Kong region.

Political Structure of Hong Kong

On 5 April 1843, Queen Victoria promulgated Letters Patent in which she announced the formation of the "colony of Hong Kong" and defined the status of Hong Kong and the nature of the executive body. Letters Patent also ordained that a Governor be designated in Hong Kong who was granted extensive powers. Royal Instructions, issued on 6 April 1843 to Henry Pottinger, the first Governor of Hong Kong, covered in the main the composition, power and operational procedures of the Executive Council (Exco) and Legislative Council (Legco), the status and role of the Governor in the two Councils, appointment and removal of Council members, and adoption of resolutions and enactment of bills.

The royal commands gave the Governor of Hong Kong enormous powers. He was the President of both the Exco and Legco. A bill passed by the Legco could not become law until he gave his assent to it. He was nominally the Commander-in-Chief of the armed forces. In addition, he was empowered to appoint court justices and other government officials, and grant pardons. Sir Alexander Grantham who succeeded Sir Mark Young as Governor after the Second World War wrote in his memoir that "in a Crown colony, the Governor is next to the Almighty. Everyone stands up when he enters a room. He is deferred to on all occasions. It is

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always 'Yes, Sir,' 'Certainly, Your Excellency'." According to M. J. Miners, "the Governor's legal powers are such that if he chose to exercise his full authority he could turn himself into a petty dictator."

However, the Governor could only exercise his powers within the framework set out by the British government, which had the authority to modify, override and enact laws in Hong Kong. The Governor required the approval of the British Secretary of State for Foreign and Commonwealth Affairs before taking any action. He was also required to take public opinion into consideration (mainly from the British merchants and Chinese elite) so as to avoid enquiries by the British government on public discontent.

The Exco and Legco began functioning in 1844. The Exco consisted of top-level executive officials of the Hong Kong government and its main function was to advise the Governor on major policy decisions. It also performed certain legislative functions; for example new bills had to be reviewed and passed by the Exco before being introduced into the Legco for adoption. The Governor was required to consult the Exco on all matters unless they were too urgent, confidential or trivial for such consultation. Minutes of Exco proceedings were submitted to the Secretary of State for review every six months.

The Exco consisted of ex officio members, appointed official members and unofficial members. There were only three ex officio members in the first 30 years, but Royal Instructions revised in 1917 laid down that the ex officio members should consist of the commander of the British armed forces, the Colonial Secretary, the Attorney General and the Colonial Treasurer: the Registrar General was later added. Official members were formally appointed by the Governor on the instructions of the Secretary of State. They formed the majority in the Council until 1966, when unofficial members gained the majority. However this brought no significant change as official members continued to play the key role in Exco deliberations with unofficial members acting merely in support. Chinese were barred from membership of the Exco until the Guangzhou-Hong Kong General Strike. In order to "disarm anti-British sentiments in China and encourage local Chinese loyalty in Hong Kong," Governor Cecil Clementi appointed a Chinese British citizen, Sir Chouson Chow, as an unofficial member in 1926. Colonial Secretary Leo Amery and Foreign Secretary Austin Chamberlain objected on the grounds that the Chinese could not be trusted to observe the confidentiality of proceedings in the Council. After repeated requests by Clementi the appointment was

^{1.} A. Grantham, From Hong Kong to Hong Kong (Hong Kong, 1965), p. 107.

^{2.} M. J. Miners, *The Government and Politics of Hong Kong*, 3rd ed. (Hong Kong, 1981), p. 77.

^{3.} G. B. Endacott, Government and People in Hong Kong, 1841–1962 (Hong Kong, 1964), p. 146.

eventually sanctioned by the British government, but the Foreign Office insisted that in future no secret documents should be shown to Exco members.⁴

The primary function of the Legco was to assist the Governor in the enactment of legislation, including the appropriation of public funds. The Governor maintained a decisive influence, as the Royal Instructions allowed him, as President of the Legco, to use a casting vote in addition to his individual vote.⁵ The Financial Committee of the Legco held great power in theory only. In deliberations of the annual budget it could only accept, veto or cut the budget estimates, not increase them.

The Chinese population of Hong Kong were for a long time barred from exercising their rights in the Legco. In 1855 Governor John Bowring proposed that some of the unofficial members be elected, but that candidates for election should be British citizens. However all those who paid an annual tax of £10 sterling to the government should have the right to vote, irrespective of their race. Even this moderate proposal was rejected by the British government. Colonial Secretary H. Labouchere said the Chinese were "lacking in very basic ethical elements." In the 1870s Chinese merchants in Hong Kong became an important economic force. They petitioned the Governor in 1879, arguing that 90 per cent of the residents of Hong Kong were Chinese and their tax payment was far more than that of the expatriate British, and they should therefore be allowed to take part in the hearings of public affairs. Some time later, Governor Hennessy proposed that the Chinese lawyer Ng Choy should be made a temporary member of the Legco to replace a councillor who was absent on sick leave. He also proposed changes to the Legco so that Ng Choy could become a permanent member. Colonial Secretary M. H. Beach only agreed to his temporary membership for no more than three years, arguing that his presence might be awkward in discussions of confidential matters.8 On 19 January 1880 Ng Choy was made a temporary member of the Legco and thus became the first Chinese unofficial member. Other Chinese later became members, but for many years such membership was symbolic only and was limited to one at a time. It was not until 1896 that Chinese membership on the Legco increased to two.

The political system in British Hong Kong was by no means democratic. A British scholar wrote: "Hong Kong is not a democracy. Power, both administrative and executive, is in the hands of civil servants who are in law primarily responsible, through the Governor, to the United Kingdom. The people of Hong Kong can neither appoint these public servants to office nor remove them." The system remained basically the

- 4. F. Welsh, A History of Hong Kong (London, 1993), p. 400.
- 5. Since 19 February 1993, the Governor of Hong Kong has no longer served as the President of the Legco.
- 6. "Labouchere to Bowring," Correspondence ... Respecting the Affairs of Hong Kong, 1846–1860, 29 July 1856. British Parliamentary Papers, Irish University Press Area Studies Series, China 24, pp. 200–201.
 - 7. "Papers by the Chinese Business Community," October 1878, C.O. 129/187, p. 56.
 - 8. Endacott, Government and People, p. 94.
 - 9. K. Hopkins (ed.), Hong Kong: The Industrial Colony (Hong Kong, 1971), p. 55.

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same through the entire period of British rule. M. J. Milners wrote in 1975: "If the first British Governor of Hong Kong, Sir Henry Pottinger, were to return to the colony today practically the only things he would recognize would be the outlines of the Peak and the system of government, which has hardly changed in 130 years." ¹⁰

There have of course been some limited adjustments and changes. After the Second World War the British government considered some political restructuring to alleviate discontent among the Hong Kong people and critical world public opinion. Governor Sir Mark Young put forward a plan to have members elected to a Municipal Council, though its function was limited to the management of some urban services. However, with the evolution of the situation in East Asia, the British government concluded that its position in Hong Kong was not likely to change in the near future and the plan was abandoned. The position remained largely unchanged until the early 1980s and the Sino-British negotiations on Hong Kong which took place from 1982 to 1984. During these, the British side insisted on maintaining the existing political structure in Hong Kong, and the Hong Kong government also advocated that the existing structure was the basis for ensuring Hong Kong's prosperity.¹¹

After the Sino-British Joint Declaration in 1984 the Chinese government, in line with the policy of "one country, two systems" and the spirit of the Joint Declaration, and on the basis of extensive consultations with the people of Hong Kong, promulgated "The Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China" and announced a set of political guidelines to achieve the gradual advancement of a democratic system. It is stipulated in the Basic Law that the method for selecting the Chief Executive shall be specified in the light of the actual situation in the Hong Kong Special Administrative Region (HKSAR) and in accordance with the principle of gradual and orderly progress, aiming towards selection by universal suffrage after nomination by a broadly reperesentative committee. The Legco of the HKSAR shall be constituted by election in accordance with the same principles. Only when the development of the political structure in Hong Kong during the transitional period converges with the Basic Law can a steady transition and smooth transfer of government be ensured and Hong Kong's long-term stability and prosperity maintained. However, when the British government realized that its departure from Hong Kong was a foregone conclusion, it departed from its normal behaviour by pushing forward changes and trying to quicken the introduction of direct elections in order to prolong British influence in Hong Kong beyond 1997.

Hong Kong's Economic Development

In the past 150 years since Hong Kong became a commercial port, great changes have taken place in its economic development. Since the

^{10.} Miners, Government and Politics, p. xv.

^{11.} Yang Qi, An Introduction to Hong Kong (sequel) (Beijing, 1993), p. 15.

1960s and particularly since China's execution of the policy of reform and opening-up, there has emerged an economic upsurge in Hong Kong which has attracted world-wide attention and made it one of the "four little dragons" in Asia. Hong Kong has developed from an agricultural society into a modern international city. Its economic development can be divided into five stages.

Period before becoming an entrepôt port (1840-60). In the early days of British rule few British merchants would engage in normal economic activities, instead dealing in the opium trade and turning Hong Kong into the biggest depot for opium smuggling in East Asia. Colonial Treasurer R. M. Martin reported on 24 July 1844 that principal mercantile firms like Jardine Matheson and Dent & Co. were all in the opium trade with re-export of opium their main form of trade. ¹² Assistant Magistrate W. H. Mitchell wrote in a memorandum in 1850 that during the period from 1845 to 1849, three-quarters of India's opium shipped to China was traded through Hong Kong.13

Trade in coolies was another major business activity in the early days of British rule, encouraged by the Gold Rush in California from 1847 and in Australia four years later. Chinese labourers went abroad as "contract labourers" who had to work for a certain number of years for the employer under contract to pay off the ship fare and board. Western colonialists employed bandits to abduct labourers in China's interior, and between 1851 and 1872 some 320,000 Chinese were shipped abroad as coolies through Hong Kong. Hong Kong merchants could make enormous profits: a coolie shipped at a cost of 117-190 yuan could be sold for 350-400 yuan.14

Period as an entrepôt port (1860 to early 1950s). The British annexed the Kowloon Peninsula in the Second Opium War and as a result gained control of the vast waterway between Kowloon and Hong Kong island (today's Victoria Harbour). At this time major capitalist countries in Europe and America had completed their industrial revolution and this. together with the opening of the Suez Canal and the completion of Euro-Asian sea-bed cables, meant a rapid rise in the export of goods to China. Consequently Hong Kong developed into an entrepôt port. In 1867, about 20 per cent of China's total imports and 14 per cent of its exports were made through Hong Kong. 15 By 1880 these figures had risen to 37 and 21 per cent respectively. 16

Towards the end of the 19th century, British leased the "New Territories," expanding Hong Kong's land area by eleven times and increasing the total population by over one-third. The opening to traffic of the

- 12. "Report by Martin," 24 July 1844, C.O. 129/18.13. "Memorandum of Mitchell," 28 December 1850, C.O. 129/34.
- 14. Sing-wu Wang, The Organization of Chinese Emigration, 1848–1888 (San Francisco),
 - 15. ·H. B. Morse, The International Relations of the Chinese Empire, Vol. 2, pp. 402–403.
 - 16. G. B. Endacott, A History of Hong Kong, 8th impression (Hong Kong, 1985), p. 194.

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Guangzhou-Kowloon railway in 1911 made the transit of goods more convenient than before. Despite the adverse impact of the two World Wars, Hong Kong continued its development as an entrepôt. In 1900, China's trade with Hong Kong constituted 42 per cent of its exports and 40 per cent of its imports.¹⁷ The same year, the tonnage of cargo vessels in and out of Hong Kong reached 14.02 million tons, almost double that of 15 years before.18

There were some industrial enterprises even in the early days after the British occupation. These were mainly shipyards and docks for building and repairing ships. Light industry began to emerge in the late 19th and early 20th centuries. Following the outbreak of the War of Resistance against Japan in 1937, when Japanese troops occupied many of China's industrial cities, many Chinese enterprises moved to Hong Kong, bringing large amounts of capital and technical personnel and contributing to a rapid growth in Hong Kong's industry. Before the Japanese occupation of Hong Kong in 1941, there were 1,250 factories with over 90,000 workers. Between 1936 and 1941, the volume of Hong Kong's exports of manufactured goods rose by 6.8 times, from 3.1 to 12.1 per cent of total exports.¹⁹ However, during the Japanese occupation Hong Kong's economy suffered severely. By 1946 the number of factories had dropped to 366 and external trade came to a standstill while gambling houses and opium dens mushroomed.

Period of industrialization (early 1950s to 1970). Britain took the lead among Western powers in recognizing the People's Republic of China (PRC) in 1949, and Hong Kong was therefore able to continue its commercial activities and trade with China's inland provinces. In 1950 the volume of Hong Kong's external trade was over HK\$7.5 billion, and HK\$9.3 billion in 1951. Its exports to China's inland provinces were over HK\$1.6 billion in 1951, about 36.2 per cent of its total exports.²⁰ However, following the outbreak of the Korean War the British government carried out an economic blockade against China, dealing a heavy blow to Hong Kong's transit trade. In 1952 Hong Kong's external trade dropped to HK\$6.6 billion and exports to China's inland provinces to HK\$500 million.²¹ The Hong Kong business community had no choice but to seek structural adjustment within its economy and develop industry.

On the eve of liberation of China's mainland, there had emerged a considerable exodus of capital, equipment, technicians and managerial personnel from China's inland provinces to Hong Kong through Shanghai and Guangzhou. The flow of commodities, negotiable securities, gold and foreign currencies between 1946 and 1950 has been estimated at over

^{17.} Ibid. p. 253.

^{18.} Yu Shengwu and Liu Cunkuan, Hong Kong in the 19th Century (Beijing, 1994), p. 292. 19. Zou Yuntao et al., Talk About Hong Kong, Yesterday and Today by Jin Yingxi (Beijing, 1996), p. 37.

^{20.} *Ibid.* p. 38. 21. *Ibid.* p. 39.

US\$500 million. Enterprises which moved to Hong Kong included textiles, rubber, hardware, chemicals and matches, and they played a significant role in Hong Kong's industrialization during the 1950s and 1960s. In 1947 there were 961 factories in Hong Kong employing 47,000 people; in 1959 there were 4,541 factories employing over 170,000 people. Hong Kong-made goods comprised 69.6 per cent of its total export in 1959, higher than the percentage of transit goods. After 1960 there was a rapid growth of industries like textiles, garments, plastics, electronics, watches and toys.

Period of economic diversification (1971 to early 1985). After 1970 an increasing number of regions adopted export-led economic development strategies, and exports from Taiwan and the Republic of Korea began to overtake those from Hong Kong. While the developed industrialized countries began to show signs of economic recession and trade protectionism, Hong Kong was able to make full use of its own market regulation mechanism, push forward its policy of economic diversification and bring about major changes in its economic structure.

The number of registered enterprises in Hong Kong rose from 16,507 in 1970 to 45,025 in 1980, with employment rising from 549,000 to 907,000. About 40 per cent of the labour force was in the manufacturing sector. Low production costs further boosted the competitiveness of Hong Kong's industries, and vigorous development was seen in the processing industries, external trade, transport, finance, the building industry and tourism. Hong Kong became a regional international financial centre. Its per capita GDP in 1984 was US\$5,316, lower than Japan and Brunei but slightly higher than Singapore. After 1980, when China advanced the goal of realizing the four modernizations, Hong Kong's financial and business service sectors (including banking, insurance, maritime transport and real estate) showed an accelerated development.

Period of maturing service-type economy (1985 to today). In May 1985 the governments of China and Britain exchanged instruments of ratification of the Sino-British Joint Declaration. Hong Kong thus entered a transitional period politically, and economically a period of structural shift, from diversification based on industry and external trade to a service-type economy. During this period the proportion of manufacturing output decreased in Hong Kong's GDP from 23 per cent in 1987 to 9.3 per cent in 1994. One of the main features of this economic shift is the large-scale northwards relocation of manufacturing. Today, about 80 per cent of Hong Kong's former assembly lines have been relocated to China's mainland. At the same time, Hong Kong's entrepôt trade re-emerged, and in 1988 its volume exceeded that of Hong Kongmade goods, accounting for 56 per cent of total exports.

After the Hong Kong dollar crisis in 1982 and the global stock market plunge in 1987, the banking industry in Hong Kong entered a period of stability and prosperity. Once the question of its future was determined and with the execution of China's policy of reform and opening-up,

outside capital investment in Hong Kong began to enjoy vigorous growth. Hong Kong has been able to maintain a rapid annual growth of GDP of more than 9.6 per cent. Per capita GDP grew from US\$668 in 1966 to US\$21,760 in 1994, an increase of 31.7 times. In 1995 its per capita GDP was US\$23,000, ahead of Britain, Canada and Australia and in Asia behind only Japan.

Conclusion

Many factors have contributed to Hong Kong's economic prosperity and growth in the past few decades.

Favourable international environment. After the end of the Second World War, the Korean and Vietnam Wars badly affected the Asia-Pacific region while Hong Kong enjoyed relative stability. As a result, capital and funds from all over the world kept flowing into Hong Kong: between the late 1950s and early 1970s capital flow from South-East Asia to Hong Kong reached over HK\$10 billion. Large capital investments were also made in Hong Kong by major European and American countries as well as Japan, bringing advanced science and technology and Western management styles. Meanwhile, major Western countries began to give up traditional labour-intensive industries such as textiles, leaving Hong Kong with the opportunity to develop these industries and find international markets for its products.

Contributing factors from China's mainland. Since the founding of the PRC, the Chinese government has applied a policy of "long-term arrangement and making full use of it" towards Hong Kong. The Chinese government has helped maintain Hong Kong's political stability and provided it with powerful economic support in a spirit of giving due consideration to history and maintaining the status quo. Hong Kong has thus benefited from long-standing preferential treatment. China's mainland has provided an abundant supply of staple and non-staple foodstuffs, consumer goods, industrial raw materials, fuel and water at preferential rates. This includes about 40 per cent of Hong Kong's imported foodstuffs, at lower prices than similar goods from other countries. In 1995, the mainland supplied 690 million cubic metres of water, about 75 per cent of Hong Kong's total water consumption for that year. During the world energy crisis in 1974 China's mainland supplied Hong Kong with 300,000 tons of crude oil at a preferential rate despite its own oil shortage. The steady supply of goods has helped Hong Kong keep inflation and labour costs low compared with Western industrially developed countries.

The period since China introduced the policy of reform and opening-up has seen a rapid increase in Hong Kong's exports of goods to the mainland, which has greatly boosted Hong Kong's economic growth. Between 1979 and 1985 the value of such exports increased by 24 times, from HK\$603 million to HK\$15,189 million. In 1993 China's mainland

became the biggest market for Hong Kong's exports, and in 1985 it replaced the United States as Hong Kong's largest trading partner.

The improving investment environment has attracted an increasing number of Hong Kong business people to invest in the mainland. By 1992 there were 61,068 Hong Kong business enterprises in the mainland with a contractual value of US\$70.48 billion, accounting for over 60 per cent of the mainland's foreign investment. This promotes a common economic prosperity enjoyed by both the mainland and Hong Kong. In Guangdong province, for example, about four million labourers are employed in Hong Kong enterprises, resulting in an estimated saving of over HK\$200 billion for the Hong Kong business people.

The talent and hard work of ethnic Chinese in Hong Kong. By the late 1870s Chinese merchants had become an important social force in Hong Kong. In his address to the Legco on 3 June 1881 Governor John P. Hennessy said that "so much of the commercial life is conducted by the Chinese – the wealthiest merchants are Chinese – the Chinese possess so much property – they are the permanent inhabitants, and – nine-tenths of the Government revenues are contributed by them."²²

Today Hong Kong has a large contingent of specialized personnel with professional competence in the fields of industry and commerce, science and technology, and management. Chinese financial groups began to emerge in Hong Kong in the mid-1960s. By 1988 seven of the top ten listed financial groups were Chinese (Li Ka-Shing, Sir Yue-Kong Pao, Kwok Tak-seng, Lee Shau Kee, Cheng Yu Tung, Chen Tseng-tao and Sir Run Run Shaw). Chinese capital has become a significant base of Hong Kong's economy. Hong Kong's economic prosperity has been brought about by the toil of the Hong Kong people with the Chinese as the majority.

Favourable investment environment. Hong Kong is a free port, thanks to the policy of "non-interventionism" pursued by the Hong Kong government since the 1960s. This in fact involves two policies. First, a liberal economic philosophy is pursued by maintaining Hong Kong's free port status, adhering to the system of free enterprise, improving the investment environment to encourage competition, and consolidating the economic base. Secondly, any defects brought about by the *laissez-faire* economic policy are remedied by a series of measures involving an application of necessary intervention within appropriate limits.²³

Hong Kong's laws were promulgated on the basis of the British legal system and showed to a certain degree colonial features. However, to keep abreast of business growth, the Hong Kong government enacted a series of economic laws as early as the 1850s, such as the Market Ordinance of 1854, the Ordinance for Granting Patents for Inventions

^{22.} Hong Kong Government Gazette, 11 June 1881, p. 425.

^{23.} Chen Duo and Cai Chimeng, Hong Kong's Economy (I) (Beijing, 1996), p. 153.

within this Colony of 1862 and the Ordinance to Prevent the Fraudulent Marking of Merchandise of 1863. Since the 1950s some more complete business laws have been incorporated and the number of legal professionals has increased. The British Hong Kong government has long worked to improve legislative procedures, enforce strict observance of the law and popularize legal education. As a result a healthy social environment has been created in which laws are respected and observed by all of society. This has no doubt helped enhance the confidence of international investors in Hong Kong. The favourable investment environment has attracted capital from the United Kingdom, Japan, the United States, South-East Asian countries, Taiwan and China's mainland. This has vigorously promoted Hong Kong's economic growth, making up for the financial deficiency of the government.

The Basic Law of the HKSAR has laid down a series of measures for Hong Kong's economic development after its return to China. For instance: the HKSAR shall protect the right of individuals and legal persons to property; the ownership of enterprises and investments from outside the Region shall be protected by law; the HKSAR shall have independent finances and the HKSAR government shall provide an appropriate economic and legal environment for the maintenance of the status of Hong Kong as an international financial centre; no foreign exchange control policies shall be applied in the HKSAR; and the HKSAR shall maintain the status of a free port and pursue the policy of free trade. These and other stipulations provide a legal guarantee for Hong Kong's continued economic prosperity in the future. I am confident that after China resumes sovereignty, the Basic Law of the HKSAR will be implemented in earnest and Hong Kong's economic development promises a bright future.