

## **A Review of the Consensus-building of One Country, Two Systems in the 1980s and 1990s**

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### **Abstract**

On the eve of the “decolonization” of Hong Kong, the idea of “One Country, Two Systems” is at the epicenter of political debate. How the idea shapes and is shaped by various political actors, including the Chinese state, the British state, and the democratic activists? How does the ever-evolving concept of “One Country, Two Systems” serve as both the means and ends of the state-building project, thereby structuring actions of the political actors? By addressing these questions, we explore the causes and processes of the consensus building of “One Country, Two Systems”. The conventional wisdom has it that, “One Country, Two Systems” has been a site of contestation between the Beijing Regime, the colonial Hong Kong government and the pro-democracy camp, particularly after the 1989 Tiananmen Crackdown. The struggle and negotiation between the parties are therefore interpreted as a zero-sum battle between a democratic and authoritarian governance. We, instead, argue that the process of consensus-building of “One Country, Two Systems”, a legal framework that is of political, economic,

diplomatic and ideological compromise, continued after the crackdown, an agreement not to be broken.

**Keywords:** *Hong Kong, China, Britain, democracy, decolonialization, state-building, “One Country, Two Systems”*

## **1. Introduction**

In 1979, Deng Xiaoping, the then leader of the Communist China, met with Hong Kong Governor Murray MacLehose in Beijing to discuss the future of Hong Kong. In the meeting, Deng asserted that sovereignty over Hong Kong belonged to China (Mark, 2017b), and neglected MacLehose’s suggestion to publicly extend the land lease of New Territories, a matter that concerned investors, a sign that implicated the future governorship of Hong Kong. At that critical juncture, Deng’s decision signaled that Hong Kong would be returned to the Chinese Communist State in 1997, despite the doubtful compatibility between a capitalist city and a socialist state. In hindsight, scholars concluded that “Deng’s remarks in 1979 basically sealed the fate of Hong Kong – that China possessed sovereignty over Hong Kong and would end British administration after June 30, 1997, practicing instead what would become known as “one country, two systems” in Hong Kong” (Mark, 2017a: 271).

In retrospect, the future of Hong Kong has been a complex process of negotiation and contestation. The enacting of Sino-British Joint Declaration in 1984, the drafting of Basic Law from 1984-1989, and the design and preliminary implementation of “One Country, Two Systems” before 1997, we argue, are all part of the Chinese state-building project, along with its market reform policies since the late 1970s. The resumption of sovereignty over Hong Kong, hence, is the remaking of

the Chinese Communist state and the local state in Hong Kong, a process that has tremendous impacts over the livelihood of Hong Kong people and its political trajectory.

One unintended consequence is that the strategic move of the Chinese state and the strategic retreat of Britain trigger the reformation of the civil society in Hong Kong, an emerging politicized community over the past four decades. Yet, the democracy movement has always been working around a tacit consensus built in the 1980s, a consensus, rightly or wrongly, about the perfection and realization of the political and legal framework of One Country, Two Systems. Localist movements that pursued alternative economic development, such as the preservation movement, anti-express-railway-link protest and pro-Independence movement would not transpire until mid-2000s and after 2014. In other words, the democracy movement was influenced by the concept of One Country, Two Systems for the past four decades, turning the Hong Kong democracy movement into a political project that always partakes, negotiates with, and was conditioned by the making and remaking of One Country, Two Systems. Counterintuitively, even the Tiananmen Square crackdown in 1989 did not rupture the political consensus of sovereignty resumption. Although the local pro-democracy elites started to organize their own political parties, rarely did they cross the red line to break the framework of One Country, Two Systems.

This paper, therefore, aims to address the following questions: How does the conceptual framework of One Country, Two Systems operate as a dominant political consensus and state-building project in the 1980s and 1990s? How different political actors shape and are shaped by this political process in the 1980s and 1990s, contributing to the consensus-building of One Country, Two Systems?

Firstly, this paper identifies the political and legal framework of One Country, Two Systems as an ongoing state-building project. One

Country, Two Systems is not a self-explanatory concept, but a consensus that is first built between the Chinese Communist State and the British State, and then requires constant maintenance, repair, and reinvention of different political actors. Such a political consensus precludes options such as Hong Kong independence and the extension of British administration, leaving little choice to the Hong Kong elites and public. As it goes without saying that the making of One Country, Two Systems equals a long-term state-building project, propelling the democratization of Hong Kong becomes a means, for many pro-democracy activists, to guarantee future autonomy, prosperity and protection. Given Hong Kong as a prosperous capitalist city in the 1980s, electoral democracy is the only lacking element in the proposed framework of One Country, Two Systems that blends a capitalist city with a socialist state.

Secondly, the political consensus of sovereignty resumption is a forceful agreement that no major political actors dare to break. The two pro-democracy representatives are expelled from the Basic Law Drafting Committee and forbidden to review the final version of the Basic Law, the future constitution of Hong Kong, because they supported the 1989 democracy movement in China. However, the incident did not completely radicalize the democracy activists. Instead of rocking the boat, the democratic activists chose to enhance the internal operational mechanism of One Country, Two Systems by collaborating with the colonial administration to build the local political party and strengthen the administrative institutions for the future.

This paper, therefore, serves as an attempt to re-examine the complex political process in Hong Kong in the 1980s and 1990s, and it will be organized into four sections. Firstly, we give a brief account of One Country, Two Systems as a state-building project. Secondly, we investigate the emergence of One Country, Two Systems in the context of decolonization, Chinese market reform, and the maintenance of

national unity. Thirdly, we examine the operation of One Country, Two Systems as a political consensus in the 1980s. Fourthly, we trace in what way such a political consensus persists in the post-Tiananmen era in the 1990s.

## **2. The Idea of State-building and One Country, Two Systems**

The concept of state-building is deployed to highlight the participation of the Chinese state, the British and colonial Hong Kong state, and the local Hong Kong elites, especially the pro-democracy activists, in the making and remaking of One Country, Two Systems. Their participations alter and structure the local state apparatus, constantly redefining the ideal and operation of One Country, Two Systems. Scholars who use the concept of state-building tend to study the state's initial formation, capacity and performance; they usually are more interested in researching on the ability and causes of states to provide legitimate order, effective economic development and social inclusion (Centeno, Kohli, Yashar and Mistree, 2017; Ma, 2007) than critiquing the idea of state-building itself (Chandler, 2006). Instead of stumbling into the debate, we propose to examine the consensus-building of One Country, Two Systems through the lens of state-building. By employing the lens of state-building, it helps capture how the pro-democracy elites are absorbed into the Chinese state-building project to remake Hong Kong as part of China on the political, administrative, constitutional, ideological and territorial level. While being absorbed into the state project, the pro-democracy elites also negotiate with the Chinese and British state actors about the constitutional configuration and the power relation between the Chinese state and Hong Kong state. The absorption of pro-democracy elites into the state-building project, ironically, constitutes a threat to the progress of Hong Kong's electoral reform.

Whether they should abide by the rules of the game or whether they should rock the boat? Could they muster enough support if they take a radical act? If not, what is the most pragmatic approach?

Although different political actors project a different political agenda into the state-building campaign, perfecting the operational framework of One Country, Two Systems is the common ground agreed and tolerated by most of the political actors in the subsequent decades until the crackdown of the Umbrella Movement in 2014.<sup>1</sup> The intersection between decolonization, the resumption of sovereignty of a nation-state, the market reform of a communist China, and the politicized capitalist city delineates a complex entanglement that shaped the democracy movement of Hong Kong in the 1980s and 1990s. In short, these forces operate on the level of political and economic discourses, perceptions, practices and ideologies, all of which are crystalized in the relentless contestation of the operational framework of One Country, Two Systems.

### **3. Post-war Context: Decolonization, Economic Reform, and National Unity**

To understand the complex political process of Hong Kong before 1997, the story of Hong Kong has to be situated in the post-Second World War (WWII) context. Britain's decolonization policy, and Communist China's urge for national unity and economic reform are equally critical to the birth of Sino-British Joint Declaration, One Country, Two Systems, and the ensuing drafting of the Basic Law.

As a result of its declining imperial power during the post-war order restructuring, Britain adopted a decolonization policy to lessen its financial burden. That said, Hong Kong was a thorny colony. Some historians argued that Hong Kong was both valuable and peripheral to

London: “As a major holder of sterling balances and a regional hub for British trade, in the 1960s Hong Kong was a colony too valuable to abandon voluntarily. Yet Hong Kong was militarily indefensible and constitutionally ‘awkward’” (Mark, 2017b: 258). Because of the 1967 riot that was triggered by the Chinese Cultural Revolution, London decided to conduct a study of long-term policy toward Hong Kong. In 1969, the report concluded that “Hong Kong’s future must eventually lie in China” and that “our objective must be to attempt to negotiate its return, at a favourable opportunity, on the best terms obtainable for its people and for our material interests there”, and Hong Kong’s future was “likely to become an issue in the 1980s” (quoted in Mark, 2017b: 259). In the subsequent years, the Chinese government signaled that it would not take back Hong Kong until the expiry of the New Territories lease. In 1972, following China’s admission to the United Nations, Hong Kong was removed from the category of colonial territories upon China’s request, a move that helped clear the path of obstacles for sovereignty resumption (So, 1999). On the British side, because of the Cultural Revolution from the mid-1960s to mid-1970s, it decided not to actively embark on the discussion of Hong Kong’s future until the new, moderate Chinese leadership emerged and assumed power (Mark, 2017b).

By the late 1970s and early 1980s, against the backdrop of the need to maintain the national unity and to advance the nascent market reform, the new Chinese leaders made clear that it would take back Hong Kong at all cost (Mark, 2017a; Mark, 2017b). The Chinese government not only invited Hong Kong’s governor to Beijing in 1979, but met with the British prime minister Margaret Thatcher in 1982 to spell out its firm stance. The Chinese leaders had at least two incentives to take back Hong Kong. On the economic level, Hong Kong could provide expertise to smooth China’s Four Modernization program in modern management, investment, entrepreneurship and knowledge to Guangdong and other

newly established economic special zones (Vogel, 2011). Deng Xiaoping and other leaders had in mind to reform China's economy, setting up markets and a new price system, and gaining foreign currency in exchange of new technology and support for industrial projects (Vogel, 2011; Naughton, 1995). On the nationalist level, taking back Hong Kong could alleviate Chinese leaders' burden to fulfill national unity, satisfying the national sentiment (Mark, 2017a). Given the resumption of United States' arms sales to Taiwan, the reunification with Taiwan might be a distant task for Deng. Since a military solution towards Taiwan was not feasible, Hong Kong had to be taken back when the time came. The colonial city, unexpectedly, served as the experimental site for One Country, Two Systems, a political project initially invented to make appeal to the Taiwanese regime for guaranteed autonomy and territorial reunification.

When the British government decided to make a concession to the Communist China during the diplomatic negotiation from 1982 to 1984, the Chinese Communist State secured a political victory. The subsequent task was to incorporate Hong Kong into the Chinese Communist State, marking another stage for the state-building project. In a nutshell, the post-WWII context shaped the power dynamics between Britain, China, Taiwan and the U.S, leaving Hong Kong's future at the mercy of numerous "invisible" hands. Because of the 1982-1984 Sino-British negotiation, the Chinese leaders also realized that the majority of Hong Kong people feared the Communist China, and, hence, executed a rebuilding of the united front in Hong Kong for and beyond 1997 (Vogel, 2011; Xu, 1993). In contrast, Britain and the colonial Hong Kong government aimed at collecting the public's opinion and gauging to what degree an open election should be implemented, a vague promise stipulated in the Sino-British Joint Declaration.



#### **4. The Political Contestation from Early 1980s to 1989**

When Sino-British Joint Declaration was published in 1984, the British state and the Chinese state mobilize others, at least on the surface, to participate in the design of One Country, Two Systems and the drafting of the Basic Law. Although the British colonial government consulted the public on the political reform of Hong Kong, its main strategy remained the maintenance of economic growth and political stability (Chan, 1996). Meanwhile, the Chinese state began to reform and expand its political infrastructure in Hong Kong. It first rearranged personnel in Xinhua News Agency, its administrative arms in Hong Kong, then became active in co-opting the political and business elites into the emerging pro-Beijing coalition through the Basic Law Drafting Committee, and thirdly produced propaganda that promoted an operational framework of One Country, Two Systems with nominal direct-election element under Beijing's tight control.

After announcing the Sino-British Joint Declaration in 1984, the colonial Hong Kong government soon issued several consultation papers in the next few years to advance the institutional reform of Hong Kong. In July 1984, the government issued a consultation green paper, *The Future Development of Representative Government in Hong Kong*. In November 1984, it announced that 24 seats of the Legislative Council would be indirectly elected next year in its white paper *The Future Development of Representative Government in Hong Kong*. As Chan observed, "the whole tenor of the 1984 white paper was optimistic and clearly contemplated a substantial reduction in the extent of the executive branch's control of the legislature through the appointment of members of the election to be held in 1988" (Chan, 1996: 14). The first ever election of local legislature was regarded by many "as a necessary and vital inducement behind the Hong Kong people's grudging

acceptance of the 1984 Sino-British joint declaration” (*ibid.*). Nevertheless, because of the pressure from Beijing, the colonial government decided to not advocate any specific electoral reform in 1987 when the green paper entitled *The 1987 Review of Developments in Representative Government* was published. Failing to include important constitutional issues raised in 1984, the British authorities smashed the confidence of the public and discredited its role as the people’s representative.

In the meantime, the Chinese state exercised tight and direct control over the drafting of the Basic Law and expanded its administrative arms in Hong Kong, adopting a series of strategies that led to a fully-fledged pro-Beijing ruling coalition after 1997. Since the early 1980s, the Chinese leaders realized they had to train future leaders to govern Hong Kong, a capitalist city under the control of a self-reforming Chinese Communist State after 1997 (Vogel, 2011). To enhance the state’s capacity of leading the political project in Hong Kong, a team of capable communist cadres were selected and assigned to head and reform the underground united front in Hong Kong (*ibid.*). Xu Jiatusun, the new head of Xinhua News Agency, was requested to facilitate political liaison with variegated sectors, inviting social and economic elites to Beijing or hosting meetings in Hong Kong. Meanwhile, Beijing declared that the drafting of the Basic Law was merely an internal issue, therefore setting up Basic Law Drafting Committee (BLDC), consisting of 36 members from mainland China and 23 from Hong Kong; an additional 180 members were selected into the Basic Law Consultation Committee (BLCC), most of whom were drawn from professional and business sectors (Chan, 1996).

The coalition between the Chinese state and local business elites started to realign among themselves. By the 1980s, many businesspeople were still suspicious about the consistency of China’s policy advocacy,

but many already started to invest in the coastal areas where the special economic administrations were established to facilitate China's market reform. Many business elites also joined hands with the Chinese state in opposing a rapid democratization in Hong Kong, contending that an abrupt change would possibly hamper Hong Kong's economic prosperity, obstructing a smooth transfer of sovereignty in 1997 (Chan, 1996; Sing, 2004). Chinese officials even criticized Britain's plan to execute a democratic election in 1988, attacking the idea as failing to converge with the Basic Law being drafted by China and as contradicting the spirit of Sino-British joint declaration (Chan, 1996). Instead of facilitating a direct election in Hong Kong, the Chinese regime publicly denounced a rapid political reform, setting it against Hong Kong's economic prosperity in its official discourse.

By the 1980s, the emerging democratic activists were still a set of loose network that lacked resources and experience. One of the missions of Xinhua News Agency was to locate these dissidents and co-opt them into the BLDC and BLCC, the two administrative agencies that gave advice and drafted the Basic Law. Although agreed to participate in the committee, some democratic activists utilized their semi-official status to demand democratization by petitioning and lobbying officials in Beijing and London (Lo, 1997). Nevertheless, none of them were able to break away from the debate and framework of One Country, Two Systems, an emerging yet powerful political consensus. Some democratic activists recognized the undefined framework of One Country, Two Systems as an opportunity to demand for a more democratic and reasonable version of Basic Law (Szeto, 2011: 252)<sup>2</sup>. On another occasion, both the student unions of the Chinese University of Hong Kong and University of Hong Kong protested against the British administration and the Chinese State, demanding a promise and realization of democracy. When the state actors, such as Xu Jiatun,

performed as liberal-minded with courtesy, many democratic activists, albeit equipped with a critical mind, were willing to collaborate with the Chinese State.

Meanwhile, many political elites felt they had limited choices and resources to lead their own way. Because the colonial authority had never granted the local population sufficient political autonomy to develop mature independent political entity to operate on the level of local and international politics, frontline political participations such as mass mobilization and rally were not familiar practice to the public. To the mind of those political elites, collaborating with the Chinese and British regime to draft the Basic Law, to realize the 1988 direct election, and to refine the institutional framework of One Country, Two Systems were a few of the most viable and pragmatic options to secure a bright future.

It was also worth to note that the idea of One Country, Two Systems was embedded in a specific imagination of political and economic order, an aspiration, if not anxiety, that would shape the trajectory of Hong Kong's democracy movement on another level. To many Hong Kong people, capitalism, free market economy, and economic prosperity had a promising prospect in the 1980s and 1990s. Against the backdrop of the influx of mainland labor, capital and technology to Hong Kong after WWII, the rapid yet profit-making industrialization, and the welfare provision of public housing, free elementary education and health care among other public services in the 1970s, many Hong Kongers identified themselves as culturally and economically more advanced than their mainland counterparts. Meanwhile, the government had been promoting the idea of positive non-interventionism, a governing philosophy of market-based decision making. Capitalism, free market economy, and economic prosperity then operated as a common sense and appealing truth to guarantee economic prosperity. It partly explained

the reason why when then British prime minister Margaret Thatcher travelled to Beijing in 1982, she perceived it as an opportunity to educate the Communist Chinese on how capitalism and market functioned (Mark, 2017a). On the Chinese side, Hong Kong was the goose that laid golden eggs. Guaranteeing the economic prosperity of Hong Kong was the primary goal. Taken together, the crafting of Sino-British Joint Declaration, One Country, Two Systems, and the Basic Law all promised the maintenance of a capitalist city, its role of a financial center, and economic prosperity. Branded as one of the four tiger economies that was grown out of late industrialized advantages in East Asia, such political and rhetorical promises were critical to pacify local residents and international investors.

Among the pro-democracy elites, not many disputed such a capitalist aspiration. As some scholars noted, “Like 1991, political stance, not the class line socio-economic issues, formed the main cleavage between the democratic camp and the DAB-FTU [pro-Beijing camp] in 1995 [election]” (Chan, 2009: 186). The same observation could be applied to the political spectrum in the 1980s as well. “The most controversial and heated debates focused on the constitutional structure for the post-1997 SAR – the formation of the legislature through election and the election or appointment of the chief executive of the SAR government” (Chan, 1996: 18). In contrast to the concern of political reform, the purpose, type, mechanism and validity of capitalism, free market economy, and economic prosperity were not as widely criticized and challenged as today. The women movement in Hong Kong was primarily fighting for employment opportunities, marriage and family-related issues, social issues, and legislative and institutional reform (Wong, 1999). Influenced by the first and second wave of feminism, incubating community economy and reworking capitalism were not the primary concern of as many feminist activists as

today. Meanwhile, the labor movement was in its reformation to incubate an independent union, while the most influential unionists were nationalists who, instructed by the Chinese Communist state, yielded to the business sector to oppose a rapid democratization and practiced industrial pacifism to win the tycoon's support for Beijing. Instead of advancing economic democracy, they hoped to ensure stability and prosperity (Chan, 2009). The demands of the political movement, women movement, and labor movement shed light on the political and economic imagination of the pro-democracy activists at that time, a sign that a specific, hegemonic idea of capitalism outshined any other possible political-economy arrangement. It was little surprise that when the democracy movement took off in Hong Kong, the Hong Kong pro-democracy elites believed that any collective action in Hong Kong should be weighed against the economic prosperity for the latter was the foundation to bargain with the Chinese state in any regard.

Taken together, this mentality translated into the action plan and ideal system that modelled One Country, Two Systems after the Westminster model and the separation of powers. When Martin Lee (李柱銘), a prominent leader of the emerging democracy camp, was consulted in the BLDC, one of his primary concerns was to establish the Court of Final Appeal (CFA) in Hong Kong, a constitutional design that safeguarded the judicial autonomy of Hong Kong. The executive, legislative, and judicial institutions and power should be laid out clearly to maintain check and balance, a constitutional arrangement that was deemed most compatible with a capitalist economy. Nonetheless, the final resolution of BLDC was that while Hong Kong could set up the CFA, the National People's Congress Standing Committee (NPCSC) held the ultimate power to overrule CFA's ruling, giving NPCSC, in principle, the unrestrictive constitutional, administrative and legal authority over Hong Kong. In reality, NPCSC's authority and power

could only be maintained through a continuous assertion through different means.

In conclusion, growing out of the post-WWII geo-politics, decolonial trend, and China's market reform, the future of Hong Kong was uncertain, contradicting, and scarcely open. Surely, common people's options were limited by the political boundaries of the emerging framework of One Country, Two Systems. The British and Chinese state apparatus were both insufficient to direct the public's aspiration and participation into support, mechanism and trust that would resolve the power inequality and completely reconcile conflicting ideas of various political futures. Retrospectively speaking, One Country, Two Systems could even be seen as a political project to consolidate the state capacity of the future HKSAR government and of the Chinese state over the local administration. However, the British state was, although hesitantly, willing to reconfigure the constitutional design of the future local state, an act that opened up rooms for the emerging pro-democracy elites to participate in the state-building project. Breathing life into the One Country, Two Systems became a dominant political consensus at the end of the late 1980s. Despite the hegemonic consensus, the shape and form are opened to be discussed and debated, already narrowly defined and often criticized by the democratic activists.

## **5. From 1989 to 1997: Tiananmen Massacre and the Aftermath**

When the last round of Basic Law consultation was about to end in 1989 and be made public in 1990, the Tiananmen massacre took place in Beijing, a year before the final version was rolled out. In hindsight, many Hongkonger tended to portray the democracy movement in China as a turning point of Hong Kong's democracy movement, a watershed that sparked an anti-Chinese Communist turn.<sup>3</sup> Mass mobilization in

Beijing and Hong Kong resulted in spectacular scenes during the peak of those movements. Nevertheless, the overall strategy of the democratic camp was never essentially anti-Chinese Communist. The major debate still set the future of Hong Kong through the operational framework of One Country, Two Systems, fearing any instability and economic downturn. Both the British state and the Chinese state had in mind to seal the future of Hong Kong by upholding the consensus of One Country, Two Systems. Only the colonial Hong Kong administration, led by Chris Patten, the only politician-turned-governor, still thought of democratizing Hong Kong's political system, giving a glimpse of hope to the pro-democracy activists (Ng, 2018). In this section, we will first discuss how the political activists took part in mass movements with a caution, avoiding potential disorder; then, the focus shifts to how the political consensus of One Country, Two Systems remained unchanged after the Tiananmen massacre.

When the democracy movement broke out in China, the leading political activists in Hong Kong always hesitated to lead a mass movement because of the fear of unintended consequences beyond their control. In the initial phase when the democracy movement ignited in Beijing, Szeto Wah (司徒華), for instance, was reluctant to interfere with the politics in mainland China. Cheung Man-kwong (張文光), Szeto Wah's close ally, had to convince him by lobbying other members to go against Szeto Wah's will, despite the futile attempt (Hui and Kong, 2011). In the end, the Joint Committee on the Promotion of Democratic Government (JCPDC), to which Szeto and Cheung belonged to, issued a moderate statement, asserting that the movement was "perfectly legal, logical and reasonable (合情合理合法), so that the authorities have to recognize it and dialogue with the students right away" (Luk, 2016: 190).



After the crackdown of the Beijing protest, many Hong Kong citizens long for an escalated mass participation. Some people urged the public to run on the Bank of China, hoping to apply pressure on Beijing in exchange for the personal safety of Lee Cheuk-yan (李卓人), who was a pro-democracy unionist detained in Beijing after June 4, 1989. The call resulted in a 5-billion HKD withdrawal from the bank. Despite the rising aspiration for more radical actions, some core member of JCPDC were reluctant to initiate any protests that would potentially undermine Hong Kong's socioeconomic order. When the British government asked Martin Lee and Szeto Wah to stop the public from running on the banks, the two activists expressed their concern over the negative impact of such action to Hong Kong's economy (Szeto, 2011). For many political activists, protest should be held in an orderly manner with certainty. These leaders, therefore, cancelled the plan of a general strike, which initially involved students, shopkeepers and labor, to avoid unnecessary chaos (Szeto, 2011; Ho, 2010; Hui and Kong, 2011). Calling off a general strike was seen by some critics as destroying the foundation of a mass movement and the chance to gain political autonomy at a critical juncture (Chung, 2015). Even when the democratic activists were lobbying for international support, economic stability and prosperity, after all, were the priority. After the 1989 massacre, some U.S. congress people proposed to remove China from the list of the most-favored nation (MFN), a trade advantage given to China; Martin Lee, along with the then-governor Chris Patten, advised against the U.S.'s intent to punish China through economic sanction for the penalty might jeopardized Hong Kong's economy (Lampton, 2001). All the radicalized repertoires were short-lived and did not help to rework the political consensus of One Country, Two Systems. The very idea of maintaining economic stability in Hong Kong and China is a critical element that deserves more investigation, to interrogate how

such an idea, discourse and ideology intersect with Hong Kong's sociopolitical development, in the future.

Regardless of the recognition of confidence crisis after 1989, the British state remained firm to execute its retreat plan. Shortly after the crackdown, Britain introduced measures to pacify Hong Kongers. London first allowed people who were born in Hong Kong to acquire British nationality. The colonial government then passed the Bill of Rights Ordinance to enlarge the protection of civil right. However, less than a year after the Tiananmen massacre took place, Britain also reached a "bilateral Sino-British secret deal" with Beijing in the spring of 1990, recognizing the final version of the Basic Law, which was drafted by BLDC, and enacted by NPCSC, but never reviewed by the general public of Hong Kong people (Chan, 1996: 31). Even Chris Patten, the last governor of the colonial administration, was discontent with the secret deal made between the foreign office of China and Britain when he took office of Hong Kong (Ng, 2018). Despite numerous local protests, the British administration decided to "redirect public attention to look forward and focus on the 1991 Legco election" (Chan, 1996: 32), hoping to persuade the Beijing government that electoral democracy could be implemented in Hong Kong. The British response reaffirmed the political consensus of One Country, Two Systems: Hong Kong must be returned to China, its new authoritative ruler.

In the meantime, China decided to tighten its institutional control over Hong Kong. In the final version of the Basic Law, it stipulated a modified version of Article 23, with a firm stance to criminalize subversion against the Central People's Government (Chan, 1996). China also requested Britain that unilateral electoral reform should not take place before 1997 (Ng, 2018). Furthermore, Beijing declined to resume the membership of the two pro-democracy representatives,

namely Szeto Wah and Martin Lee, in BLDC because of their leading role in Hong Kong Alliance in Support of Patriotic Democratic Movements of China (the Alliance), a crucial organization that mobilized a million people in the local rally to support the democracy movement in Beijing. Szeto Wah and Martin Lee were accused by the pro-Beijing press for engaging in activities aimed at subverting the Central government (Chan, 1996). Beijing also exerted an influence on the British colonial government to outlaw the Alliance but to no avail.

After the Tiananmen massacre, the British state and the Chinese state maintained a solid stance towards the handover of Hong Kong in 1997. Their stance further isolated the pro-democracy elites, pushing them to collaborate with Chris Patten, the Hong Kong governor who wished to consolidate the political autonomy of the city while it was still under the reign of Britain. As a result, the pro-democracy elites turned to team up with the colonial administration for the local party and institutional building, competing with Beijing on the definition and operation of One Country, Two Systems.

As open elections began to be an avenue for political participation and power gaining in 1991, election gradually became the major political field and repertoire employed by the pro-democracy elites, a strategy that is still deployed to contain Beijing's encroachment today. The repertoire taken is political, addressing One Country, Two Systems as a constitutional framework that no major political actors could circumvent, not to mention any attempts to break it. Every player should follow what was laid down in the Sino-British Joint Declaration, the Basic Law and One Country, Two Systems. Such political repertoire has a political goal to fulfill, with a hope to turn the yet-to-be-realized constitutional promises into materialized institutional infrastructures. The type of repertoire mainly entails parliamentary politics, such as negotiation, lobbying and election, and extra-parliamentary petition, like

peaceful rally and demonstration that abide to the legal system. Such repertoire targets the change of the political system instead of the socioeconomic system.

In the spring of 1990, Martin Lee, Szeto Wah and other pro-democracy elites formed

United Democrats, the first local-groomed political party that took part in an open election. The leaders claimed that the party had a different agenda from the Alliance because the party focused on local issues. Such statement also meant to soften the democratic camp's anti-communist image. Nevertheless, the core personnel of United Democrats still largely overlapped with the Alliance. In the first ever open election of Legislative Council in 1991, United Democrats won by a landslide, becoming a dominant force that represented the local population (Sing, 2004).

As Chris Patten the last governor enjoyed much more power than his predecessors in the 20th century (Tsang, 2004), winning the election not only gained public support, but enabled substantial policy change. In his first policy address in 1992, Chris Patten declared that the major agenda of his office was to speed up the democratic reform (Ma, 2010). The Patten administration increased the number of directly elected seats and enhanced the decision-making power of the legislature vis-à-vis the colonial administration (Miners, 1994; Tsang, 2004). Leading figures of United Democrats were very keen on Patten's attitude and they knew that Patten was their best collaborator and competitor to reform Hong Kong's political system (Sing, 2004). From early 1990s to 1997, the democratic camp had unprecedented influence in shaping the political agenda and policy, a clout that in turn justified their participation in parliamentary politics than mass mobilizing. As legislators, the oppositionists could introduce private member's bill to advance social change, for instance, the Anti-discrimination bills, the Protection of the

Harbour Bill and the Housing Bill to limit the rental increase of the public housing (Ma, 2007). Reflecting back, some core members of United Democrats recognized the overwhelming workload of being a legislator, a situation that rendered them no energy to organize any mass mobilization against Beijing (Sing, 2004). Most importantly, such a political repertoire, an effort to advance the political, legal and social system through the power gaining, exercising and expanding of Legislative Council, still operated within the political framework of One Country, Two Systems. In conclusion, while the 1989 crackdown had caused doubt, uncertainty, and resistance on the side of civil society, neither the Chinese state, the British state nor the democratic elites wanted to rock the boat, trashing the Basic Law and One Country, Two Systems. The political project of state-building and the emerging political repertoire of election perpetuated the democracy movement in the next two decades until election gradually lost support in the late 2000s (Ng, 2018).

## **6. Epilogue**

This paper has shown how One Country, Two Systems has become a powerful political consensus in the 1980s and 1990s, an interplay between Britain, the Communist China, and the pro-democracy elites in Hong Kong. Such a political consensus becomes an operational framework on the political, administrative, economic and ideological level that no one could afford to deride. The operational framework of One Country, Two Systems, despite being contestable, structures the political repertoire employed by the pro-democracy elites, guides Britain, and serves as an ambitious state-building project of China. Although the operational framework is negotiated between China, Britain and the pro-democracy elites, little room is given to the latter.

After the Tiananmen massacre in 1989, the buffer zone shrank further. Every party could only act within and through the framework of One Country, Two Systems, a political idea that gradually materializes itself through the legal and tacit consensus making of the Chinese state, the British state, and the pro-democracy elites.

Through the making of One Country, Two Systems, the Chinese state and the local state in Hong Kong also constantly remake themselves. Both the British, Chinese and Hong Kong political actors are part and parcel of the state-remaking process of Hong Kong and China. While these parties contested the ideal version of One Country, Two Systems, their participation shaped and are shaped by the framework of One Country, Two Systems. While the pro-democracy elites utilized election to exert leverage on the Chinese and British colonial state, the Chinese state responded with legal means to gain authority and to exert control over Hong Kong. In 1982, the Chinese state amended the Chinese constitution to authorize, legally, the setting up of special administrative zone (Vogel, 2011). The endorsement of Sino-British Joint Declaration and the incorporation of Basic Law into the Chinese constitution were also a renewal of the Chinese legal system. Besides, to co-opt the Hong Kong elites, the Chinese state enhanced Xinhua News Agency's administrative capacity over time, ultimately turning it into the Liaison Office of the Central People's Government in 2000. After 2003, the Liaison Office was assigned as the shadow cabinet in Hong Kong, with tremendous political clout that intervened local elections and policy lobbying. Furthermore, through the implementation of Chief Executive election and provisional Legislative Council, members of the National People's Congress and Chinese People's Political Consultative Conference were integrated into the composition of the electorate, making it difficult to untangle the Chinese and Hong Kong state apparatus politically, legally, administratively, and

hierarchically. Two years after 1997, NPCSC also exercised its interpretation power, disputing the definition of the right of abode that was already settled by the Court of Final Appeal in Hong Kong. NPCSC overruled the decision laid down by the Court of Final Appeal, which ruled that the children of Hong Kong citizens had the right to Hong Kong citizenship by birth. Taken together, the Chinese state exerted its authority and expanded its administrative capacity through its articulation of One Country, Two Systems. The expansion of its authority and state capacity never stabilizes, but constantly restructures through a series of incidents. If such state-building process is complex, what does the Chinese state gain or lose in such power and structural transmission? How do we critically evaluate the process and capture the nuanced progress and regression in the future?

Lastly, the dominant political repertoire gradually runs out of steam after the handover of Hong Kong in 1997. As a response to the electoral reform in the early 1990s, election, parliamentary debate, and law-making were some critical political repertoires to build up the professional image, capacity and credibility of the local political parties. Nevertheless, in the eyes of many young turks, the once empowering political repertoire became repetitive around the late 2000s, losing its effect to make any institutional change through law-making or to counter the undemocratic Hong Kong government and Beijing's intervention. The promise of capitalism, free market economy and capitalist city also become the curse of the city, projecting a future that seems to be outshined and overtaken by its Chinese neighbor. Impatient with the old guard and economic disparity, the young turks launch their own campaign, mainly through mass mobilization and an increasing interest in community organizing. The discontent rose over the years, bursting into the rejection of the old political repertoire. After the Umbrella Movement, there is an increasing attempt to break away from the One

Country, Two Systems framework. Many youngsters start to ask: why should they stand with an undemocratic framework that binds them and does no good?

The rising aspiration for self-determination or independence, however, results in a heavy-handed retaliation unleashed by the regime. The regime deploys political, legal and administrative means in imprisoning activists, disqualifying popularly elected legislators, remodeling the meaning of political neutrality of civil servants, and weakening the authority of Hong Kong's judicial system through political interpretation by NPCSC. These means and strategies are long developed through the expansion of Chinese state capacity in Hong Kong since the 1980s. Young activists' approach toward One Country, Two Systems opens up room for new political imagination, but it also comes with a heavy price and challenges, new and old ones that deserve more nuanced and close-up analysis. What are the questions that people should be asking if they could shake and rebuild the framework from ground-zero? In what ways are today's democratic activists adopting a similar practice as their predecessor thirty years ago? In what way they are acting differently? What are the aspiration, hope, fear and anxiety that propel or hinder the political acts now and then?



## Notes

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- + The author name order does not represent degree of contribution.
1. Many pro-independence activists see the Umbrella Movement as a failure to achieve universal suffrage. This partly explains why many youngsters turn to support Hong Kong independence, or at least, are very suspicious of One Country, Two Systems.
  2. Not everyone thought the same as Szeto Wah did. Margaret Ng ( 吳靄儀 ), for instance, expressed doubts in her memoir, saying that many Hong Kongers were forced to take the political reality of One Country, Two Systems (Ng, 2018).

3. It is worth to note that Hong Kong people do not describe the political movement for electoral reform as democracy movement in the first place. Only after the advent of pro-democracy movement in Beijing, it caused a cultural turn of Hong Kong's politics, an effect induced by the Tiananmen protest.

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