

OFFICIAL REPORT OF PROCEEDINGS**Thursday, 17 March 1988****The Council met at half-past Two o'clock****PRESENT**HIS EXCELLENCY THE GOVERNOR (*PRESIDENT*)

SIR DAVID CLIVE WILSON, K.C.M.G.

THE HONOURABLE THE CHIEF SECRETARY

SIR DAVID ROBERT FORD, K.B.E., L.V.O., J.P.

THE HONOURABLE THE FINANCIAL SECRETARY (*Acting*)

MR. DAVID ALAN CHALLONER NENDICK, J.P.

THE HONOURABLE THE ATTORNEY GENERAL

MR. MICHAEL DAVID THOMAS, C.M.G., Q.C.

THE HONOURABLE LYDIA DUNN, C.B.E., J.P.

DR. THE HONOURABLE HO KAM-FAI, O.B.E., J.P.

THE HONOURABLE ALLEN LEE PENG-FEI, C.B.E., J.P.

THE HONOURABLE HU FA-KUANG, O.B.E., J.P.

THE HONOURABLE WONG PO-YAN, C.B.E., J.P.

THE HONOURABLE DONALD LIAO POON-HUAI, C.B.E., J.P.

SECRETARY FOR DISTRICT ADMINISTRATION

THE HONOURABLE STEPHEN CHEONG KAM-CHUEN, O.B.E., J.P.

THE HONOURABLE CHEUNG YAN-LUNG, O.B.E., J.P.

THE HONOURABLE MRS. SELINA CHOW LIANG SHUK-YEE, O.B.E., J.P.

THE HONOURABLE MARIA TAM WAI-CHU, O.B.E., J.P.

DR. THE HONOURABLE HENRIETTA IP MAN-HING, O.B.E., J.P.

THE HONOURABLE CHAN YING-LUN, J.P.

THE HONOURABLE MRS. RITA FAN HSU LAI-TAI, O.B.E., J.P.

THE HONOURABLE MRS. PAULINE NG CHOW MAY-LIN, J.P.

THE HONOURABLE PETER POON WING-CHEUNG, M.B.E., J.P.

THE HONOURABLE YEUNG PO-KWAN, O.B.E., C.P.M., J.P.

THE HONOURABLE KIM CHAM YAU-SUM, J.P.

THE HONOURABLE JOHN WALTER CHAMBERS, O.B.E., J.P.

SECRETARY FOR HEALTH AND WELFARE

THE HONOURABLE JACKIE CHAN CHAI-KEUNG

THE HONOURABLE CHENG HON-KWAN, J.P.

THE HONOURABLE HILTON CHEONG-LEEN, C.B.E., J.P.

DR. THE HONOURABLE CHIU HIN-KWONG, J.P.

THE HONOURABLE CHUNG PUI-LAM

THE HONOURABLE THOMAS CLYDESDALE, J.P.

THE HONOURABLE HO SAI-CHU, M.B.E., J.P.
THE HONOURABLE HUI YIN-FAT
THE HONOURABLE RICHARD LAI SUNG-LUNG
DR. THE HONOURABLE CONRAD LAM KUI-SHING
THE HONOURABLE MARTIN LEE CHU-MING, Q.C., J.P.
THE HONOURABLE DESMOND LEE YU-TAI
THE HONOURABLE DAVID LI KWOK-PO, J.P.
THE HONOURABLE LIU LIT-FOR, J.P.
THE HONOURABLE NGAI SHIU-KIT, O.B.E., J.P.
THE HONOURABLE PANG CHUN-HOI, M.B.E.
THE HONOURABLE POON CHI-FAI
PROF. THE HONOURABLE POON CHUNG-KWONG
THE HONOURABLE HELMUT SOHMEN
THE HONOURABLE SZETO WAH
THE HONOURABLE TAI CHIN-WAH
THE HONOURABLE MRS. ROSANNA TAM WONG YICK-MING
DR. THE HONOURABLE DANIEL TSE, O.B.E., J.P.
THE HONOURABLE ANDREW WONG WANG-FAT
THE HONOURABLE LAU WONG-FAT, M.B.E., J.P.
THE HONOURABLE GRAHAM BARNES, C.B.E., J.P.
SECRETARY FOR LANDS AND WORKS
THE HONOURABLE RONALD GEORGE BLACKER BRIDGE, O.B.E., J.P.
SECRETARY FOR EDUCATION AND MANPOWER
THE HONOURABLE MICHAEL LEUNG MAN-KIN, J.P.
SECRETARY FOR TRANSPORT
THE HONOURABLE EDWARD HO SING-TIN, J.P.
THE HONOURABLE GEOFFREY THOMAS BARNES, J.P.
SECRETARY FOR SECURITY
THE HONOURABLE PETER TSAO KWANG-YUNG, C.P.M., J.P.
SECRETARY FOR ADMINISTRATIVE SERVICES AND INFORMATION

ABSENT

THE HONOURABLE PETER C. WONG, C.B.E., J.P.
THE HONOURABLE CHAN KAM-CHUEN, O.B.E., J.P.
THE HONOURABLE JOHN JOSEPH SWAINE, C.B.E., Q.C., J.P.
THE HONOURABLE TAM YIU-CHUNG

IN ATTENDANCE

THE CLERK TO THE LEGISLATIVE COUNCIL
MR. LAW KAM-SANG

Government business**Motion****WHITE PAPER: THE DEVELOPMENT OF REPRESENTATIVE GOVERNMENT: THE WAY FORWARD****Resumption of debate on motion (16 March 1988)***Question Proposed.*

DR. CHIU: Sir, the decision of the Government to enlarge the existing medical functional constituency to embrace the health care teams is warmly welcomed by my medical and health colleagues. For all these years medical and health services have been one of the most important and essential public services. People providing such services are known to be very dedicated and hard working. Their duties give them the opportunity of direct contact with people from all walks of life. I am sure that they will continue to contribute to the community and to reflect the need of the public.

Sir, to include these 20 000 odd people into the present functional constituency illustrates that the important role and functions of these well defined groups are given the recognition they well deserve. I have been urging for a reasonable number of seats in the Legislative Council to be returned by direct election in 1988, for no other reason than because I did believe that Hong Kong's stability and prosperity depends a lot on a more open and democratic government. In this aspect I consider that direct election in 1988 is the most effective way, if not the only way, to maintain and ensure a better future for Hong Kong people. Most good things take time to achieve. Developing a good democracy, like building a good house, cannot be hurried. Democracy takes time. In a dictatorship, changes may be imposed suddenly on the people, but this is not what we would like to have. We need an adequate timetable to appreciate the process of formulating the policy, public consent and co-operation between the Government and the public. Experience shows that it takes more than a decade to put a new political system into effect. Seeing that time is running out I view 1988 the best time to start. Therefore, in public places and behind closed doors I do not hesitate to make my position known and to strive for my belief. The White Paper stipulates that direct elections will be introduced in 1991. People, including myself, who campaign for the introduction of direct election in 1988, will not be happy with this decision. However, we must not forget that we have already won an important point of principle, that is, direct election is definitely going to be introduced.

There are three important factors which we all have to bear in mind. Firstly, a prudent government is necessary in a transitional period.

Secondly, there is a political reality which we cannot ignore.

Thirdly, citizen participation plays a vital role in direct election.

I shall elaborate on these factors in the following paragraph.

A prudent government in a transitional period

Despite the fact that the government, taking into account the aspiration of an overwhelming majority of people asking for direct election, went all the way out to promise us 10 direct elected seats in our legislature in 1991. The White Paper reveals that our Government, just like many other responsible governments in the world, is extremely prudent in making the decisions of how fast the pace of political development shall be. Who can blame it for taking a cautious step to introduce political changes at a time when it is unsure whether the change will put the future of Hong Kong into a risk. To our Government, it is like jumping a gap, it cannot jump back again, an unavoidable political reality. Ideal adds spice to our life and makes it more meaningful. It is also a driving force which makes us go forward and try up to the last.

Talking about ideals, I trust that all of us have high hopes and ideals. The only difference is that some of us are more idealistic than others. Unfortunately, there is a reality we cannot overlook.

Political reality

There are many obstacles, large and small, preventing our legislature from being constituted only by directly elected members in these years, and if we go too far at this time it may not be for the best interests of our community. My learned colleagues in this Chamber may also recall that there have been times when tremendous pressures from different directions urges the Government not to introduce direct election into our political system for the time being. In view of the constraint and limitation of our unique political situation, it does not make much sense to assume that we can go on indefinitely doing more and more of what we have been doing, or what we like to do, without any constraint. Therefore, to be realistic, direct elections in 1991 should not be unacceptable.

Although the White Paper promises us direct elections in 1991, it does not mean that this element will continue to exist and develop in future. How are we going to consolidate and legalise the hard won direct election element in our political system, becomes an urgent task and an intelligent thing to do. It is up to us, my hon. Colleagues, to make it work effectively.

Citizen participation in direct election

Today, we have a population of more than 5.5 million, of which 1.4 million are registered voters. How many of them turn out to vote at the recent district board election—only 30.3 per cent. It was 7.1 per cent lower than the one three years ago. A lesson we learnt from the recent election is that we need more time to strengthen our civic education programme to encourage people to be more concerned about Hong Kong's political system and to motivate them to exercise their voting right. Now, we have three additional years to do this. All along, Members of the Council endeavour to work towards building a better future for the Hong Kong people. In recent years we have been fighting for the cause

which we firmly believe in. When too much attention is given to what we believe is right, we may forget to listen to the voice of others. When we use our own approach to achieve our goal, we may forget that other people use their own way to reach the same goal. There have been times when we hold different views on different issues and we criticise those who do not toe the same line. An impression is thus passed to people outside this Chamber that this Council is split. Since we have a common objective, why do we, instead of going forward in a friendly and co-operative manner, waste our valuable time on some less important questions? I can tell you no matter how many times we say that we love Hong Kong and how much we show our concern over the implementation of the idea of 'one country, two systems'—the confidence of the people, the growth of our economies and so forth will be meaningless if one day our different viewpoints turn into personal and become conflicts against each other. Here, I would like to stress that a split legislature is not for the best interests of our society, especially in this transitional period. Therefore, to be a unity is as significant as to work as a unity. Whatever the situation, an united council is always stronger than a split council.

Sir, with these remarks, I support the motion.

MR. CHUNG (In Cantonese): Sir, in a word, the White Paper published in February, 1988, seems like a new policy document with the emphasis on 1991 as a new target date for development.

Paragraph 29 of the White Paper says and I quote: 'The Government has therefore decided that in 1991 there should be ten directly elected seats, one for each of the ten district-based constituencies and that these should take the place of the ten seats currently being filled through indirect elections from the district boards'. Such a measure directly negates the spirit of having elections in 1988, and is a departure from the affirmative attitude taken towards the present electoral college system comprising district boards.

The White Paper considers there should be directly elected and indirectly elected seats simultaneously in the two municipal councils but not in the Legislative Council. To have two different approaches within the same system of election is difficult to be understood given the functions of members of these councils.

Major changes, if they are to be made, should take into account the following three points:

1. The district boards among the three tiers of government have been recognised by the public as the most representative element in this Council. From 1985 to 1997, the first six years we have the electoral college—for the last six years, the first year of which we have directly elected seats that constitute less than 18 per cent of this Council, but at the same time, the Government wishes to abolish the electoral college comprising district boards. In view of the schedule of necessary changes

up to 1997, this arrangement is tantamount to going slow now and moving quickly later. The pace of reaching greater co-ordination should be accelerated in keeping with the principle of introducing changes gradually.

2. The Joint Declaration does not rule out either direct or indirect elections to the future SAR legislature after 1997 but the present appointed seats will not continue to exist. Thus, for the sake of stability, how shall we best pave the way progressively for suitable legislators to fill seats vacated by Appointed Members? I think that it will be more conducive to public confidence and more practical to have a new electoral college comprising district board members and people from other sectors, or have a wider scope covered by functional constituencies than to increase directly elected seats.
3. I feel that this is an important point. The present stage reached in the drafting of the Basic Law seems to indicate that the electoral college system now existing in the Council is not ruled out. If the Basic Law provides for the present system to remain unchanged, and also provides an added element of directly elected seats, and yet the Government pre-empts this by abolishing indirect elections through the electoral college, then only two options for representative government unless other arrangements are made. The first is to take a retrogressive step, and the second is not to converge with the future. Both, of course, cannot be taken. So is it not a dangerous political adventure to change the system of indirect elections through district board to this Council?

I am sure Members agree that the basic principle underlying any constitutional change or reform during the transition is to maintain and promote social stability and economic prosperity. This is, of course, the primary task of this Council. I believe that for the benefit of maintaining stability and improving the well-being of the people of Hong Kong the Government should thrash out a scheme of reasonable membership proportions and election method and increase the number of seats in addition to the present arrangement.

If the White Paper proposals are what the Government has decided to do, several points should still be given more consideration:

1. We must be gradual and must avoid the shock of sudden changes. So, although we have set the new target date for development in 1991, I feel that there should be reviews and changes when circumstances require.
2. Concerning the status of district boards in this Council, we must see to it that representative government converges with the Basic Law and I hope that Hong Kong and the British and Chinese Governments will maintain close contact.
3. Changing the electoral college system will obviously sever the direct link between this Council and district boards. This change is far from perfect and we must ensure co-operation and co-ordination between central government and district boards.

4. If it is helpful for Hong Kong and the development of public opinion, we should set up more statutory and high powered specialist committees; then, that will certainly give rise to more balanced co-operation in social and economic development and perfect the existing system of consultations.

I support the proposal to introduce 10 Urban Council seats elected from district boards similar to the case in the New Territories, with New Territories district boards being elected into the Regional Council.

I support that the 19 district boards are represented at the two municipal councils and the latter represented in this Council. This three-tier link has been rationalised.

The most important thing is that we in the Legislative Council have determined the way forward in developing representative government. Therefore, I think that it is still acceptable to introduce in 1991 10 district-based directly elected seats to this Council. But, if for the sake of introducing direct elections into this Council, no appropriate arrangements are made concerning the link between this Council and district boards, I think under present circumstances Government should be particularly careful and give the matter further consideration.

Sir, I think the White Paper proposals are acceptable in principle, especially on the Governor continuing to serve as President of this Council, the addition of 10 district board representatives to the Urban Council and the age of entitlement to vote remaining at 21. I believe that this represents the wishes of the majority of the people of Hong Kong, but we should give more careful thought to the possible implications of the programme of reforms to ensure that the reforms are steady, flexible and progressive.

Sir, with these remarks, I support the motion.

MR. CLYDESDALE: Sir, it will not take long to express my views on the White Paper and those of the constituency I represent, The Hong Kong General Chamber of Commerce. That I am able to keep my remarks short and to the point owes much to the fact that consultation on the 1987 Green Paper was intensive, and extensive, not only among the general population of Hong Kong but also at the institutional level. This included, of course, the General Chamber which did a great deal of work to obtain, as far as was possible, the genuine views of its members on the many important and, I must say, some relatively unimportant issues set out in the Green Paper. A special committee of the chamber studied these issues very carefully. A detailed survey was carried out to obtain individual member's views and the results were fully published, together with the questions and an assessment of the answers. The chamber's general committee endorsed and approved the findings of the survey which then formed the basis of a submission to the Survey Office.

Chamber membership represents diverse ethnic, national and economic interests. Seventy per cent of the member companies are in service industries and 30 per cent in manufacturing. Seventy per cent are Hong Kong Chinese owned and operated and 30 per cent represent foreign interests. I believe it can be claimed that the chamber, more perhaps than any other trader or industrial organisation, is fully representative of all sectors of Hong Kong business and industry, also that local and international interests and views are quite well balanced.

The survey attracted a reasonably good response and was about evenly divided between Chinese and non-Chinese respondents. A little surprisingly, perhaps, 80 per cent of the respondents supported the general concept of direct elections although a majority thought that the introduction of these should wait until 1991 or after, in other words after the Basic Law is promulgated.

From all the other results of that survey, it was clear, that while chamber members agreed that changes in the system governing Hong Kong affairs are necessary, they were strongly in favour of a gradual and pragmatic pace of change, testing each step of the way and adjusting to new circumstances as necessary. The chamber voted in strength for a continuation of a highly successful economic, trade, industrial and administrative system which has served Hong Kong so well. In other words, change when change is necessary but not change for the sake of change.

The chamber's submission, of course, contained views on many other issues taken up in the Green Paper and I will not explain these in any detail since they are already on public record. I am, however, pleased to note that the policy decisions set out in the White Paper are closely in line with the views expressed by chamber members in the chamber's submission to the Survey Office. In particular, the decision to support the principle of direct elections and to begin this process in 1991, is, I am sure, both wise and helpful to the development of a system of government for Hong Kong, which will provide balanced representation for all sectors of the economy and society.

I do not agree with some Members of this Council who have suggested that the great majority of Hong Kong people are demanding direct elections in 1988. I think the truth of the matter is that the great majority of the people did not express any particular view but rather waited to see how the various views would develop hoping that the outcome, whatever it might be, would be beneficial to their future stability and prosperity. I do not accept either that any Member of this Council speaks for the 'so-called' man in the street. No Councillor in the chamber was elected to do so and any claim that one or a group of Councillors presently represent the views of a majority of Hong Kong's community is nonsense. Surely, the White Paper will bring us nearer to that possibility in 1991.

Many other points in the White Paper correspond closely to the views expressed in the chamber's submission. I only wish to suggest two changes to the White Paper proposals which I think could be important.

I believe that, just as the White Paper provides for election of 10 district board members to the Urban Council, there should be continued provision for the appointment of Urban Council Members to the district boards. There seems no good reason for eliminating this very useful link which will enhance the close two-way functional relationship between these two tiers of administration. I ask that the Government consider permitting one Urban Councillor to serve on each district board, either by election or by appointment.

I suggest also that, if the experiment of direct elections in 1991 works well, early provision should be made to extend the principle of universal suffrage in 1994 by increasing the number of seats in Legislative Council for directly elected persons. Perhaps more of the seats at that time occupied by Appointed Members should be made available for directly elected persons. Every major district in the territory should have its own directly elected member by 1994. In that way, the voice of the people will be fully represented and will be effectively heard.

Finally, I have to end with an appeal. We now have in the White Paper a system of government with which most of the community will agree or, at the very least, with which the community will not disagree. Once the system has been adopted and the process of change outlined in the White Paper has begun, let us all work together with goodwill and dedication to carry out successfully the task of moulding a system of government which will protect and promote our vital interests. It is certainly within our capacity to do so.

Sir, with these remarks, I support the motion.

MR. HO SAI-CHU (In Cantonese): Sir, the White Paper 'The Development of Representative Government: The Way Forward' has been published, showing that, with the publication of the Green Paper on Political Review in May 1987, and after collection of public opinion, the Government has made a decision.

Looking back on the public consultation period, views were indeed divided particularly on the question of whether there should be direct elections in the Legislative Council in 1988. The controversy has not yet subsided. After the publication of the Survey Office report, new controversies arose regarding the methodology of the survey. In fact, in the middle of any decision it is impossible for the Government to please everybody. However, the point to consider is whether it is something that is acceptable to the majority.

How do the people of Hong Kong view the White Paper? I have observed the reaction in our community and Dr. HO Kam-fai, in fact, had touched on this yesterday and I wish to go into detail now. The Marketing Decision Research commissioned by the Hong Kong Economic Journal and the South China Morning Post is the earliest of its kind. Of the 509 people interviewed regarding

whether partial direct elections to the Legislative Council should be introduced in 1991, 66 per cent were in favour. As to whether the introduction of 10 directly elected seats in 1991 is in accordance with public aspiration, 9 per cent of the respondents felt that it was very good and 43 per cent felt that it was quite good bringing a total of 52 per cent. This is a bare majority, and yet it has been said that there are only 39 per cent for and there are some who are without any views and, in fact, 57 per cent of the people feel that it more or less complies with public aspiration.

Regarding other decisions on whether the Governor should remain as President of the Legislative Council and the minimum age of entitlement to vote to be kept at 21 and the fact that two thirds of district board members should be elected and one third appointed and so on close to 80 per cent of respondents were in support. However, a large number of the respondents felt that in 1991, the number of Elected Members in the Legislative Council should be equal to or greater than the number of Appointed Members. Recently, the Hong Kong Federation of Youth Groups has also published its findings. Of the 409 youths between 18 and 30 who responded to a questionnaire, 68.5 per cent were in favour of introducing direct elections to the Legislative Council in 1991. Please take note that these were surveys not conducted by the Government. Therefore, I believe that when Sir David said that the White Paper has wide support in our community I feel that it is correct and valid. So, I have always maintained that the political development in Hong Kong should be gradual, taking into account and converging with the Basic Law of the future SAR. Viewed from this angle, I feel that there should be directly elected seats in the Legislative Council after 1990, and prior to this date it should not be introduced rashly.

As for the number of elected seats, it should be gradually increased within the framework of the Basic Law.

To conclude, the White Paper is comparable with the aspirations of our community and is in line with changing times and it is prudent. Since the political development from now to 1991 has already been decided on, we should not harp on issues that have been brought up time and again. In fact, our views regarding the necessity of having directly elected seats in the Legislative Council are the same; the difference lies in whether it should be introduced in 1988.

As to whether direct elections are supported by the people, since the surveys differ in methodology and target groups, the findings also differ. However, the discrepancy is not too great. Neither side can claim an absolute majority over the other showing that the general public do not really have very strong views on when direct elections should be introduced. Consequently, the decision of the White Paper is something that is acceptable to the community. Now, we should channel our energy into practical work and start preparing for direct elections to the Legislative Council in 1991, so that we can really elect some people who will work for the well-being of Hong Kong. That is, in effect, for the benefit of all.

Sir, I support the motion.

MR. HUI (In Cantonese): Sir, in July and November last year, when speaking in this Chamber on the Green Paper on the Review of Representative Government and the Survey Office report respectively, I clearly pointed out that the review was undertaken under pressure from the Chinese Government. This perception, as of today, is still valid. The 1988 White Paper on The Development of Representative Government: The Way Forward, published last month, shows adequately that it was written only after the Hong Kong and Chinese Governments had arrived at a tacit understanding. That being the case, in making an overall assessment of the 1988 White Paper, I can only say that it is full of contradictions and is retrogressive in nature. Reading it gives rise to feelings of deep regret, disappointment and helplessness. Here are the reasons.

First, on the principles and pace of development of representative government, the White Paper emphasises that developments should be evolutionary and command wide support and confidence in the community. It should not be difficult for the absolute majority of the public to accept these principles. The question, however, is who are to judge and how are they to judge, with reference to the pace of development, whether it is a big stride or a small step? The 1982 district board elections and the introduction of 24 elected seats all at one go into the Legislative Council in 1985 were both unprecedented developments in Hong Kong, representing historical big strides. Back then, there was no loud and clear voice of opposition and, up to the present moment, it has not been observed that these changes bring instability and uncertainty to the administration of Hong Kong.

Paragraph 75 of the White Paper says, 'The public response to the 1987 Green Paper shows that there is a strong desire among the community for the system of representative government to be developed further. The forms of representation developed over the years have proved to be effective and to have firm popular support.' We really have no reason to doubt the accuracy of these statements which confirm that the biggest strides in the development of representative government taken by the Government every three years in the past, undeniably evolutionary in nature, have the wide support of the public.

However, developments as given in the 1988 White Paper are certainly not evolutionary. We are basically marking time in 1988. As from 1991, there will be revolutionary developments to comply with the provisions of the Joint Declaration. The only changes for 1988 are to replace two appointed seats in the Legislative Council with two newly-created functional constituency seats, and to change the structure of relationship between the Urban Council and the urban district boards. What is more disappointing is that the Government rejects direct election in 1988, which commands strong public support while at the same time fails to make a deeper cut in the number of appointed seats in the Legislative Council, a move favoured by the public in order to comply with the principle of gradually phasing out appointed seats before 1997. In my opinion, in the light of experience gained in the past six years, not only are developments

for 1988 retrogressive, running diametrically opposite to the direction followed in the past, they also contradict the Government's assessment of political development in the past six years as given in the White Paper.

Second, on the objectives of political development. As the 1988 White Paper is mainly based on the options in the 1987 Green Paper, it is naturally too much to expect the Government to refer once again to the objectives and commitments regarding the development of representative government as given in the 1984 White Paper. Besides, what is worrying about the 1988 White Paper is that, at present, we only see minor developments in representative government for 1991; that is, 10 directly elected seats in the Legislative Council to replace the 10 seats returned by the electoral college made up by the district boards. Other changes for 1991 and developments up to 1997 all depend on the Basic Law, a final version of which will only come out in 1990. Therefore, whether political developments after 1991 can still be referred to as the further development of representative government is really doubtful.

I do not oppose the principle of convergence between developments of representative government and the Basic Law but I have reservations on the Government's approach. It is well-known that the promotion of district administration and the development of representative government were initiated by the Hong Kong Government. Whether or not these reforms were introduced to leave behind a good impression in the minds of the people of Hong Kong during the transitional period, or introduced as an excuse for a glorious British withdrawal in 1997, the British Parliament and other western democratic countries would accept the Sino-British Joint Declaration. It is undeniable that, as far as understanding the internal affairs and the needs for political development in Hong Kong are concerned, no organisation or government can be compared with the Government of Hong Kong. However, using convergence as the reason, the Hong Kong Government allows the direction and pace of development of representative government in the '90s to be decided by the Basic Law. This is both unwise and dangerous as this will give the impression that the Hong Kong Government is going back on its words and finishing poorly on a job well started.

Of even greater concern is that a senior official of China, responsible for Hong Kong affairs, has stated in public that since the people of Hong Kong and China have been living under different social systems for a long time, it is difficult for them to understand each other completely. Therefore, guidelines and policies laid down for Hong Kong by China may not be totally correct. In my opinion, the Hong Kong Government should continue to state the truth on behalf of the people of Hong Kong and to ensure that the Basic Law will not go against the spirit of the Sino-British Joint Declaration.

The third point is on the formulation of policies in accordance with public opinion. During the collection of public opinion the most controversial point, as you all know, is the introduction of direct election in 1988. The argument

frequently cited by the opposition is that the Basic Law will only be published in 1990 and, if direct elections were to be introduced in 1988, the development of representative government would not be able to converge with the Basic Law. They think that the timetable for direct elections should be determined by the Basic Law.

The Government, using the argument that opinions in the community on this issue are clearly divided, rejects direct elections in 1988 and proposes 1991 as the year for the implementation of direct election. The rationale is that the Government has taken note of the fact that all the options in the latest draft of the Basic Law concerning the election of the future legislature include an element of direct elections. Obviously, in making arrangements for the timing of direct elections, the Government has adequately taken into consideration the convergence argument cited by those who oppose direct election in 1988.

However, I think that this is an over-optimistic view which is also self-contradictory. First, according to the draft Basic Law, the three options given for the formulation of the legislature all include an element of direct elections. However, the problem is that these options which include direct elections, the grand electoral college and an advisory body, are highly controversial. Therefore it is not certain whether any one of these options will be approved or will be included in the Basic Law. Even if the option finally approved includes an element of direct elections, the decision to introduce direct elections in 1991, if I may cite the argument of those who oppose the introduction of direct elections in 1988, undoubtedly goes against the convergence argument put forward by the Chinese authorities. However, the White Paper repeatedly refers to the importance of convergence between political developments and the Basic Law.

In addition, the decision to have direct elections in 1991 is equivalent to regarding the approval of the Basic Law by the Drafting Committee and the National People's Congress of China as rubber-stamping. What is puzzling is that, from the time the White Paper was published, we have not heard from individuals, organisations or even the Chinese Government who previously opposed direct elections in 1988 on the grounds of convergence with the Basic Law, making any statement on the arrangements in the White Paper. This gives rise to doubts as to whether the Hong Kong Government has already arrived at a tacit understanding with China before deciding on the introduction of direct elections in 1991.

The rationale given for the introduction of direct elections in 1991 instead of 1988 is unconvincing and difficult to accept. Even on some less significant points, the decisions made in the White Paper and the rationale behind them generate dissatisfaction because the Government has gone back on its words.

I recall that when public opinions on the Green Paper were collected by the Survey Office, the Government repeatedly emphasised that the opinions would form the basis for drafting the White Paper. However, some decisions in the White Paper are not originally options in the Green Paper, neither are they

supported, in the words of the Survey Office report, 'by the clear majority' in the community. Here are some examples. First, the introduction of direct elections in 1991. Second, the abolition of ex officio district board seats for Urban Councillors with effect from 1990. Third, the abolition of the 10 Legislative Council seats for the electoral college made up of district boards.

Sir, the White Paper becomes a government policy paper when it is published. For those who strive for direct elections in 1988 and even for those members of the public who have made their views known, the prospects for direct elections in 1991 would not, or could not, offset the wounds of disappointment and helplessness they suffer over the White Paper. They are disappointed and feel deeply regrettable not only because of the rejection but also because of the way in which the Government has conducted the political review. It is only obvious that the Government has gone back on its words in this review and is dictatorial and selective in accepting public opinions. To me, the contradictions in the White Paper and the over-conservative or retrogressive approach are understandable. Judging from past administrative performance over other issues, unless under pressure from China, Britain, or both, the Hong Kong Government would not land itself in embarrassing situations such as making decisions on questions regarding political developments. As to why the Hong Kong Government is repeatedly constrained by the Chinese and British Governments in matters relating to political reforms, I have expressed my opinions in the Legislative Council debate on the Survey Office report in November. I am not going to repeat the points today.

I would like to make the following suggestions. First, at this stage of political development, the public must fully realise that to implement the principles of 'Hong Kong people ruling Hong Kong' and 'Hong Kong SAR retaining a high degree of autonomy', as stipulated in the Joint Declaration, we cannot rely solely on China or Britain granting them to us. Nor can we just let the Hong Kong Government strive for us on our behalf. We must sweep aside the past conception that, 'Others will take care of this if I do not.'; and turn this negative, timid and helpless attitude into a positive and enterprising spirit. Only by so doing can we inject life and hope into the campaign for democracy.

Second, from the next month to 1990, the Basic Law will be promulgated by the National People's Congress in China. The Hong Kong people will have the opportunities to amend the Basic Law. This crucial period of time will have implications on the fate of Hong Kong and, as members of this generation, we should discharge our historical duties and speak our minds on the provisions of the Basic Law. I believe that the Chinese Government would not openly ignore strong public opinion.

Third, as the Government is determined to improve the relationship between the municipal councils and the district boards, the Government should, from the viewpoint of long-term benefits, summon enough courage to go one step further, that is, amalgamate the two tiers of municipal councils and district

boards into one local council to replace the existing functions and terms of reference of the municipal councils and district boards. By that time, only the Legislative Council will be responsible for central policies and local councils will be responsible for district affairs.

Fourth, legislation for the introduction of direct elections in 1991 should be introduced at an early date and the progress of work in this regard should be monitored by this Council to ensure that there will not be hitches caused by delays or sudden changes before implementation. Moreover, we should make full use of the Sino-British Joint Liaison Group which will be stationed in Hong Kong with effect from next July to reflect our aspirations and proposals on political reforms to the Chinese and British Governments.

Fifth, although OMELCO has set up the Constitutional Development Panel to focus discussion on representative government and the Basic Law, we must go one step further and strive to obtain attention from the Chinese Government to the panel's status and its proposals. Otherwise, they will only be empty words.

Sir, since I have grave reservations on the White Paper, I must voice my opinions and oppose the motion.

MR. LAI: After a long period of consultation, the White Paper 'The Development of Representative Government: The Way Forward' was released. It is understandable that a stable political structure is crucial to the success of and people's confidence in Hong Kong. Nevertheless, something has to be done to provide for a smooth transition through 1997.

The White Paper repeatedly highlights stability and prudent changes. However, 'The Way Forward' points to no direction but the Basic Law.

It is not at all surprising that there is no direct election in 1988, as the Survey Office report last November has already tipped off the intention of the Government for this arrangement. Alternatively, 10 directly elected seats, based on geographical constituency, are to be introduced into the Legislative Council in 1991. While I welcome the introduction of direct electons in general, I cannot support its timing and, moreover, its replacement of existing seats filled by district boards representatives.

During the consultation period and as set out in the last chapter in the White Paper, it has been widely advocated that the development of the future government of the Special Administrative Region has to proceed in line with the Basic Law provisions. The Basic Law will be promulgated in 1990. It is doubtful whether the displacement of electoral colleges will converge with what will be provided in the Basic Law. Even though the first draft of the Basic Law will only be released for public consultation this May, it gives cause for concern that China and Britain have reached mutual understanding regarding the future set-up of the SAR Government.

If not, what is the justification for reaffirming on the one hand the need to cope with the Basic Law provisions and on the other make such decision well before the promulgation of the Basic Law?

I am most surprised that the present electoral colleges are going to be replaced by seats directly elected from 10 district-based constituencies. The White Paper suggests that there would be double representation in the Legislative Council. It is not necessarily so, provided there is different method in drawing up constituency boundaries. After all, we have directly elected members as well as members elected from district board members in our municipal councils now. District board based elections and direct elections to the Legislative Council should be seen as two systems of geographical representation in the Legislative Council, and not what is referred to in the White Paper as two parallel systems. A member from an electoral college and a district-based constituency, say, the New Territories, has different groups of people to be responsible to and also different scopes of district-related matters to be contended with. Double representation cannot be an excuse to displace the electoral college.

The introduction of an electoral college to Legislative Council election in 1985 provided a direct link between district boards and the Legislative Council. Precisely it opens up the channel for political participation for the general public under the three-tier system. A member from an electoral college constituency has to be responsive to the relevant district boards for his work in the Legislative Council. Under this new arrangement, it confines district boards to purely and only advisory roles with no real influence. The three-tier system remains but the attractiveness of the district board diminishes. Interest in improving district problems and political aspiration are not mutually exclusive. By keeping the electoral college route open and by giving district boards some meaningful powers, more people would be attracted to try their hands on district matters. Looking at the low turn-out rate of the recent district board elections of 30.3 per cent, one might come to the conclusion that, because of the provisions in the White Paper, the general public is losing interest in the role that is played by the district boards. I fear this may be because there is very little the district boards can do.

A questionnaire survey on the White Paper has been conducted by my office on the question of eliminating elected seats from the electoral college in 1991. Out of those who responded to the survey, two thirds disapproved of this decision. This arrangement was also rejected by various district boards, in which the majority support the executive role of the district boards.

Even though the three-tier system is working, a two-tier system, as discussed by the then amalgamated OMELCO Constitutional Affairs Panel, may be more suitable to Hong Kong in the long-term development of representative government. District boards are the most immediate and accessible offices

through which district matters can be responded to. No expansion of district board's executive and administrative power means that it cannot develop fully into an efficient and independent body in tackling problems.

Sir, now I would like to turn my attention to the working of functional constituencies in the Legislative Council. The White Paper affirms the value of having functional constituencies' representatives in the Legislative Council, thus strengthening their role in the political system. Unlike the electoral college, the number of seats returned by functional constituencies increased from 12 to 14. In the light of this, it is even more startling that the Heung Yee Kuk has no seat in the Council. The Kuk has for years played a significant role in matters relating to the development of new towns in the New Territories. The Kuk has been very co-operative with the Government in the past. I sympathise with their frustration and anger. If it is at all impossible to include the Kuk as a functional constituency, then at least its representation in the Council should be guaranteed. After all, how many functional constituencies can claim to represent the interests of half a million people?

An elected representative is accountable to those who elect him. Members elected from functional constituencies are only accountable to a specific trade or business. The interest of functional constituencies are too narrowly based. By contrast, district-based constituencies can much better represent the public's interest.

Another problem arising from the functional constituency system is to decide which trade is to be included and which is not. Of course, many professions see themselves as worthy of seats in the Council, arbitrarily granting seats to them in turn creates conflicts and further demand for seats from those who are excluded. I certainly hope that the expansion of functional constituency seats today is not the prelude to the grand electoral college system in later years. May I pause to emphasise the importance that the grand electoral college system is something which should never be introduced in Hong Kong and I shall not recommend this system to the people of Hong Kong. To conclude, the provision of functional constituencies in the Legislative Council elections can never be a safeguard that the interests of the general public will be taken care of because they are and cannot be representative in the true sense of the word. Although I have strong reservations on functional constituencies but then, after all, perhaps this is the only way best suited for the moment in a society like Hong Kong.

Sir, now that the Government decides to have direct election in 1991, it is advisable to get everything prepared at least one year before the date of election. Details like nomination qualifications, constituency boundaries, number of seats allocated in each constituency must be carefully thought out to avoid confusion. An early release of these arrangements would enable a candidate to fully prepare himself to stand for election. In the light of the dividing up of present electoral colleges, identifying new boundaries for 1991 elections will not be an easy task. Things such as population size, background and interests of

the local population must be considered. It is necessary to avoid including several districts which are far apart and with contrasting backgrounds. A member elected has to respond to the needs and demands of the people within the constituency and this may prove to be a difficult task in some cases. This would adversely affect the efficiency of the effectiveness of his work.

A case in point is my constituency, the New Territories South, which comprises 72 district board members and four district boards whose territories stretch to the eastern, western and southern limits of Hong Kong. In terms of population, it has close to 800 000. It is extremely difficult to look after the interests of each district. This problem has been reflected to the Administration many times and I am not the only one who advocates the splitting up of the constituency or increasing the number of seats in this constituency. Unfortunately, these calls have apparently been ignored by the Government.

The White Paper does not provide for adequate changes to prepare for future development of representative government. The 10 Official Members remain and the number of Appointed Members is only reduced by two. As I have submitted earlier, gradual change is essential to maintain stability. However, the gradual change in 1988 will have to be followed by a drastic change between 1991 and 1997.

I cannot accept the suggestion that since through direct elections people from the grassroot can gain representation, there is no need for members indirectly elected from district boards because they would be from the grassroot as well. This simplification cannot be further from the truth. Firstly, members from district boards are not necessarily from the grassroot and I fail to see how anyone can draw such a conclusion regarding direct elections. It may be their fear that direct elections would bring about some changes to the make-up of the Council, some voices from the grassroot; but it does not make much sense to project that paranoia as reason for supporting the elimination of the district board based seats.

Sir, with all that has been said and done, I wish to draw an example to conclude my remarks. Some people may want to see a good film at its premiere, even if it means the midnight show. Some wish to see it on a later day and some may deliberately plan to see it on the last day but their desire and aim to watch the film is basically the same. We want democracy and the lifestyles we are used to in Hong Kong because we want Hong Kong to prosper and to be a just and fair society. That desire, I believe, is shared by all of us here, regardless whether one is a conservative, a democrat or an extremist. If the general attitude of this Council is to despise and hit out at anyone who advocates democracy, irrespective of the approaches and methods being used, then I think this will be the saddest moment in the history of Hong Kong.

Sir, with these observations, I support the motion.

DR. LAM (in Cantonese): Sir, during these two days, many Members have praised the White Paper in this Chamber. The White Paper is able to obtain the support of many of my colleagues. Of course, it is because they think some points inside the White Paper are good. However, we should ponder why this White Paper has received such a historical treatment from the public. Different groups of people, at various public occasions, burnt the White Paper to show their very great disappointment. Now, just outside the Legislative Council, a group of post-secondary students is staging a 30-hour fasting to protest against the contents of the White Paper. In fact, most of the university students as well as post-secondary college students are not happy with the White Paper. They are the future leaders of our society and they are the elite of our community— why are they unhappy with the White Paper? This deserves an open as well as a sincere Administration to show concern as well as to think about it.

Generally speaking, the proposals of the White Paper are short-sighted and incomplete. It gives people an impression that it is a very cautious and passive document. In 1984, the Government clearly gave us a timetable for the development of representative government, including the relationship between the Legislative Council and the Executive Council, and the constitution of the Executive Council. However, the 1988 White Paper has not mentioned these topics. The timetable for constitutional development is only up to 1991. A confident and open government should have a concrete and long-term constitutional development plan.

In 1984, the Administration said that most people would like to see a small number of directly elected seats in the Legislative Council. Now the Administration claims that, due to a sharp division in public opinion, we will have to wait until 1991 when we can have 10 directly elected seats in the Legislative Council. Based on the logic of the present Administration whether there will be 10 directly elected seats in the Legislative Council in 1991 will depend on the public opinion at that time.

Regarding the sharp division of public opinion, very often opinions expressed in this Chamber are completely different from those expressed outside. The reasons are quite plain. A responsible and representative government should listen to the views of the various sectors in the community in order to make a fair judgment. You have to judge for yourself whether the decision for direct elections in 1988 is fair or not.

Yesterday the Chief Secretary said during the 1987 political review, about half of the Members of this Council agreed and half of the Members disagreed to have direct elections in 1988. And for the two municipal councils, about two thirds of the members are agreeable to direct elections. And for the district boards, half of the members are against and the other half agree to direct elections. Thus in the three-tier structure, about half of the members agree to direct elections and half are against. If the Government only considers the opinions of those who oppose direct elections and disregards those who agree to direct elections, is it fair? Please think about it.

For those Councillors who speak in support of the introduction of direct elections in 1988, some of them have changed their mind. Now they say they support the introduction of direct elections in 1991. Of course, they have their own reasons. The Legislative Council, for a long time, has urged the Administration to strengthen civic education and to strengthen the civic-mindedness of our residents but the delay to give people the chance to engage in direct elections is actually going against the principles of human rights and fairness. If we say something and then act on some other principles, how can we gain the trust of people and the respect of the residents?

Yesterday, a government official told me that Hong Kong people's confidence crisis has nothing to do with the Hong Kong Government. I agree that the Government must not create confidence crisis and I also trust that the Administration has the wish to maintain Hong Kong's stability and prosperity. Nevertheless, sometimes I disagree to the approaches adopted by the Administration. The Administration has attached too much importance to efficiency and overlooked public opinion. This would only deepen the confidence crisis of Hong Kong people.

The Sino-British Joint Declaration mentions the concepts of the 'Hong Kong Special Administrative Region retaining a high degree of autonomy: Hong Kong people ruling Hong Kong' and so on. Chapter VIII of the White Paper on the further development of representative government has not mentioned these principles. This chapter only emphasises how Hong Kong can be effectively managed and how to have a smooth transition to the new system. Generally speaking, Hong Kong Government is a good government. But nobody can be perfect. If the Administration is unable to accept constructive comments and treats opposite views as confrontation tactics, this is regrettable. An upright and open government does not need to fear about criticisms because the public knows the truth. They know who is right and who is wrong. They will like to see government adopt firm policies. But, if the Government is stubborn, ignores public opinion, and displaces those who oppose the Government, it would only give residents the feeling that the government can say different things at different times.

Sir, even a wise man will do something stupid sometimes. This is a good comparison for the White Paper. I would pardon the Administration but I cannot accept the White Paper.

HIS EXCELLENCY THE PRESIDENT: Mr. Martin LEE, you have given notice of wishing to move an amendment. You may wish to move it now.

MR. MARTIN LEE: Sir, the motion standing in the name of the Chief Secretary is singularly lame and spectacularly ineffectual. Indeed, in its present form, it matters not whether the motion is passed, defeated or just ignored. In the debate on the 1984 White Paper, on 9 January 1985, the motion was that this Council welcomes the plans and intentions described in the White Paper on the further

development of representative government in Hong Kong. So one would naturally have expected the Government to move a similar motion for this White Paper. But this is not to be.

Sir, I submit that it is irresponsible for the Government to move such a motion at the end of such a long and controversial political review, which has cost the taxpayers over \$9 million. Never before has the Government consulted its people on such a large scale; and never before has the Government come up with a White Paper that is so totally disappointing. Indeed, Sir, as I have observed elsewhere, this White Paper is whiter inside than outside.

Of course, the Government realises that this White Paper is not going to be welcomed by the public. That is why it does not even dare to move a motion with the word 'welcome' in it, for fear, no doubt, that there would be quite a number of Legislative Councillors voting against it. In truth and in fact, this motion shows only too clearly that our Government lacks the courage of its own conviction on its own policies as set out in the White Paper. Is it then, I ask, the work of a tiger—or is it the work of a lame duck?

Sir, concrete proposals were made in the Green Paper published in July 1984. In contrast, the 1987 Green Paper did not contain a single proposal in it. This, I respectfully submit, is regrettable in itself—because it suggested to us that the Government has lost its leadership and its willingness to lead public opinion. And so it is only with the publication of this White Paper that we are told for the first time about the Government's policies, formulated after a long period of consultation, and after a debate on the 1987 Green Paper on 15 and 16 July 1987, and another debate on the Survey Office report, on 18 November 1987. It was fitting that the motion for each of these debates was worded 'That this Council takes note' and so on because there was no proposal contained in it. But this White Paper is a totally different proposition because it contains concrete proposals, whether you agree with them or not; and the whole purpose of having a debate on it yesterday and today is to give to Members of this Council an opportunity to say whether they support the White Paper or otherwise.

It has been openly acknowledged that the issue of direct elections for 1988 is, and has been during the entire political review, the most important single issue so far as the public is concerned. That being the case, it is fitting that we should focus on this issue in our debate on the White Paper.

Sir, I have not moved this amendment because the Government's decision in not introducing direct elections this year happens to go against my own wishes—but because it is wrong. And because this decision, if approved by this Council, will have dire consequences for Hong Kong in the long term.

Firstly, Chinese leaders have not seen direct elections in action and they are understandably reluctant to let Hong Kong have more than 25 per cent of directly elected seats in our future legislature. But if direct elections were to be

introduced this year, they would be able to see for themselves that the system does work well for Hong Kong, and then they will be happy to give us more. But if we were to introduce direct elections only in 1991, the Basic Law would have been promulgated by then, and it would be unlikely for us to be given more than 25 per cent of directly elected seats in the future legislature. And in such case, we will not have a truly democratic or representative system of government by 1997.

Secondly, the confidence crisis and the emigration tide will get worse because this is not merely a matter of timing; for many people have looked on this issue as a litmus test of the good intentions of both the British and Chinese Governments towards Hong Kong.

Paragraph 5

Sir, I have read this White Paper quite a few times and I cannot find in it a single valid reason for not introducing direct elections this year. Let me refer Members to paragraph 5 of this White Paper which reads: 'The Government's objectives with regard to the system of representative government in Hong Kong are therefore as follows:

- (a) that it should continue to evolve to suit Hong Kong's circumstances;
- (b) that its development should be prudent and gradual;
- (c) that any reforms should have the widest possible support so as to command the confidence of the community as a whole; and
- (d) that the system in place before 1997 should permit a smooth transition in 1997 and a high degree of continuity thereafter.'

Sir, my hon. Friend, Mr. Stephen CHEONG, sang high praises to the introductory paragraphs of this White Paper and I would like to take a little time in order to demonstrate that the Government's proposal to introduce 10 directly elected seats in 1991 to replace the present 10 indirectly elected seats from the district boards in fact goes against each and every avowed objective contained in this paragraph 5.

First, 'that it should continue to evolve to suit Hong Kong's circumstances'. We started indirect elections in a big way in 1985. We introduced 24 out of the 46 seats for non-government members which represented a slight majority, if one does not count the officials. But the White Paper has proposed that, for this year, we will have two more seats only. By analogy to distance, Sir, we took the first step which measured 24 inches, and we propose to take a second step which measures only two inches. One would have thought that there must be something wrong with the ambulatory system.

Now I turn to the second objective, 'that its development should be prudent and gradual'. As was pointed out by my hon. Friend, Mr. HUI Yin-fat, if we make little or no change in 1988 and still keep our 30 appointed seats until the summer of 1994, that must surely mean that we have to take what has been

called 'a great leap forward' in September 1994, in order to make sure that all the Appointed Members would be phased out by then in keeping with the Joint Declaration. Surely, Sir, no step now and a big leap forward in 1994 cannot on any view be described as 'prudent' or 'gradual'.

The third objective says 'that any reforms should have the widest possible support so as to command the confidence of the community as a whole'. Now, according to all available surveys, Sir, there are more people in support of the introduction of direct elections this year than in 1991 or, indeed, for any other year. So, if it is so important to have 'the widest possible support' from members of the public, why do we not pick 1988 which is the most favoured year?

The fourth objective says. 'that the system in place before 1997 should permit a smooth transition in 1997 and a high degree of continuity thereafter'. That is the same point as convergence put the other way. The Government has avoided the use of this word 'convergence' as I understand that this word is getting to be quite an embarrassment to Whitehall; but I am sure it means the same thing.

Sir, the most democratic option contained in the tentative draft of the Basic Law regarding the future legislature of the SAR and that Basic Law is scheduled to be released for public consultation in May this year—still makes allowance for the retention of 25 per cent of the present method of electoral college consisting of indirectly elected members from the district boards.

Sir, how is it then consistent with this avowed objective of 'continuity' or 'convergence' if we are to pre-empt that particular model now being under consideration by the Drafting Committee of the Basic Law? Suppose, the Basic Law adopts this democratic model, in accordance, I hope, with the wishes of the people of Hong Kong, then how can the Government implement what it has now said it would do?

Sir, as to how the Government had come to this decision, there are only two possible explanations. The first is that this conclusion was arrived at after consultation with China; the other being that it was arrived at independently of China. Let me take the latter proposition first. In that case, it would mean that the Basic Law could well adopt this democratic model, as I just described, in which case, the Government, of course, cannot then implement what it has promised to do. But the first alternative is even more sinister. It would mean that China had already decided to reject the system of indirect election via the electoral college of the district boards, and to strike out that democratic model from the draft of the Basic Law. And if that is so, then the consultation of the people of Hong Kong on that draft would be mere window-dressing.

Sir, whichever way you look at it then, the proposal in relation to the introduction of 10 directly elected seats to replace the 10 presently indirectly elected seats, via the district boards, goes against each and every avowed objective in the White Paper.

But of course there are other paragraphs in the White Paper concerning this issue, which I will now deal with. And I make no apology for wanting to be exhaustive.

Paragraph 20

Paragraph 20 is relevant; and I hope I will be forgiven if I only read part of it. 'Those against ... ', meaning those against the introduction of direct elections this year, 'argued that introduction in 1988 was too soon, either because it could endanger stability and continuity, coming within three years of the last major reorganisation, or because the system of elections to be used after 1997 had not yet been established in the Basic Law due to be promulgated in 1990.'. So two points were being taken there. The first is that the introduction of direct elections this year might endanger stability. The second is that it might lead to a non-convergence problem.

As to the first, I suggest it is a totally bad point because of the Government's reply to a question in this Council on 27 May 1987. Round about that time, Members may recall, there were a few pro-Beijing newspapers suggesting that the introduction of direct elections in 1988 would jeopardise the stability and prosperity of Hong Kong and would therefore be in breach of the Joint Declaration. In this regard, I think I ought to read, for Members' benefit, clause 4 of the Joint Declaration, which says: 'The Government of the United Kingdom and the Government of the People's Republic of China declare that, during the transitional period between the date of the entry into force of this Joint Declaration, on 30 June 1997, the Government of the United Kingdom will be responsible for the administration of Hong Kong with the object of maintaining and preserving its economic prosperity and social stability; and that the Government of the People's Republic of China will give its co-operation in this connection.'.

Now we were told by these pro-Beijing newspapers that because the introduction of direct elections in 1988 might adversely prejudice our stability and prosperity, it would be wrong to introduce them this year. It was in these circumstances that my hon. Friend, Dr. Conrad LAM, asked this question in this Council: 'Since one of the key questions in the Green Paper on the 1987 Review is whether direct elections should be introduced in 1988, will Government confirm that the public will be encouraged to express their views on the question either way, without fear that by doing so they will be infringing the provisions of the Sino-British Joint Declaration?'. And the answer from the Secretary for District Administration was: 'Yes, Sir, the Government will encourage members of the public to express their views on all the issues addressed in the Green Paper. In doing so, the public are free to support or oppose any of the options discussed in it. We do not believe that any of them is inconsistent with the Joint Declaration.'.

That is an entirely correct answer, if I may respectfully say so. And that must mean that, in the eyes of the Administration, at least on 27 May 1987—and I hope it is not being suggested that that position has changed—so long the people of Hong Kong wanted direct elections in 1988, it would be perfectly proper to introduce them without fear of adversely affecting our stability or prosperity. In the light of that answer made to this Council less than a year ago, Sir, how can the Government still put this specious argument forward in the White Paper, without at least saying that it is not a valid reason in the eyes of the Government?

Now I come to the convergence point, which, in my view, must also fail because of the Government's own argument contained in a subsequent paragraph, namely, paragraph 26, that all the options before the Basic Law Drafting Committee contained 'an element of direct elections.'. That was said in the context that the Government has no fear that the proposal to introduce direct elections in 1991 would cause any non-convergence problem, because it anticipates that when the Basic Law is finally promulgated in 1990, there is bound to be at least an element of directly elected seats in the future legislature.

But the point is, Sir, that if the Government can make a firm decision now that direct elections will be introduced in 1991, without fear of non-convergence, how can it be suggested then that the introduction of direct elections in 1988 will somehow run the danger of not converging with the Basic Law? Surely the Government has to be more consistent than that? So I respectfully submit that this argument contained in paragraph 20 must likewise fail.

Paragraphs 21 and 22

May I now deal with paragraphs 21 and 22 together. Paragraph 21 reads: 'Among submissions to the Survey Office from individuals, groups and associations, more were against than in favour of the introduction of direct elections in 1988. The two public opinion surveys commissioned by the Survey Office produced a similar result. Other public opinion surveys and, in particular, signature campaigns were in favour of direct elections in 1988. Opinions among Legislative Councillors, Municipal Councillors and District Board Members differed widely.'

Then paragraph 22 says: 'Taken as a whole, the public response to the Green Paper showed that there is wide support among the people of Hong Kong for the principle of introducing some directly elected Members into the Legislative Council, but that the community is divided over the timing of this move.'

Sir, the Chief Secretary said yesterday that, 'no one can claim that these statistics were made up by the Government, and no reasonable person can argue that the results do not represent a division of views.'. But regrettably, I have to say that what the Chief Secretary said was only a half-truth. I will explain.

The hon. Chief Secretary was looking at three things: submissions received by the Survey Office, opinions expressed in the various councils and public opinion surveys.

Firstly, with submissions. Sir, I have already pointed out in this Council, during the rather recent debate on the Survey Office report on 18 November 1987, that there is no justification for not giving equal treatment to signatures collected during signature campaigns, with identity card numbers on the one hand, and pre-printed letters without options, produced by pro-Chinese groups which opposed the introduction of direct elections this year on the other. The Government has chosen to continue to give different treatments to these documents, contrary to experts' opinions, but without giving reasons to justify its position. For the reasons given in my speech on 18 November 1987 I suggest that the Government should have stated in the White Paper instead: 'Amongst submissions to the Survey Office from individuals, groups and associations, more were in favour than against the introduction of direct elections in 1988.'

Secondly, as to the figures given for this Council, the municipal councils and district boards, we must bear in mind that Members of this Council are not really representative of 'the community as a whole', a phrase that has been emphasised by so many Members. For none of us, Sir, whether we like it or not, has been elected by our people. And, likewise, in relation to the municipal councils and district boards, again, the members are not entirely elected.

Sir, in this context, it is abundantly clear then that the conclusion reached by the Government in the White Paper that 'taken as a whole, the public response to the Green Paper showed that the community is divided over the timing of this move', was based, among other things, on the two surveys conducted by AGB McNair (Hong Kong) Ltd. which, in the view of the Hong Kong Government, had shown that there were more against than in favour of the introduction of direct elections in 1988. In these circumstances, Sir, it becomes necessary for us to find out from the Government whether it accepts as valid the numerous criticisms that have been so forcefully levied against these two McNair surveys. I, therefore, lodged a motion before this Council some time last week for a debate on 9 March 1988 in advance of this debate. And the motion was: 'That this Council regrets the Government's failure to answer the detailed and cogent criticisms made in public, which demonstrated the invalidity of the findings of the two surveys of public opinion, conducted by AGB McNair (Hong Kong) Ltd., on behalf of the Survey Office on the question of whether or not direct elections should be introduced to the Legislative Council in 1988, published in the Survey Office report on 29 October 1987, and, accordingly, urges the Government to answer these criticisms in detail before this Council debates the Government's decision of not introducing direct elections in 1988, as announced in paragraph 28 of the White Paper, published on 10 February 1988.'

Unfortunately, Sir, you ruled the motion out of order. Sir, if you had ruled it out of order because it was too long, I could say nothing about it. But, unfortunately, the reason you gave was that it had anticipated this debate. With great respect, Sir, although I did bow to your ruling, I would respectfully submit that that ruling was not right, because there was no mention in the White Paper of any criticisms of the two McNair surveys and, therefore, my motion which called upon the Government to say one way or the other whether it accepts those criticisms or not cannot, with respect, be dealing with the same subject matter of this motion.

Sir, subsequently, an open letter jointly signed by eight Legislative Councillors was published in the South China Morning Post and in the Hong Kong Economic Journal, a Chinese newspaper, on 11 March 1988, urging the Government to reply to these criticisms against the two McNair surveys or desist from relying on public opinion as a reason for not introducing direct elections this year.

Mr. John CHAN, Deputy Chief Secretary, promptly replied to that letter in the same newspapers on 14 March but, unfortunately, he failed to deal with this basic point. We therefore replied further by another open letter, published in the same two newspapers yesterday, pointing out that as the Government has failed to answer these criticisms, the only course open to it is to withdraw its reliance on the so-called public opinion as a reason for not introducing direct elections this year.

Sir, we know that the views held by many experts in Hong Kong, and they all go in the one direction, are that the two McNair surveys on this issue should be ignored, as being invalid. These views are recently confirmed by a Mr. Norman WEBB, who is the Secretary-General of the world-renowned Gallup International, who did an appraisal of the data contained in the Survey Office report, albeit in his personal capacity, and Mr. WEBB's conclusion is: 'If a referendum had been held, during this period, of the adult citizens of Hong Kong on the single issue of direct elections in 1988, the result would have been at least 2:1 in favour.' And, as was pointed out by the Far Eastern Economic Review, which sponsored that appraisal by Mr. WEBB, the once thorny issue of whether Great Britain should remain in the Common Market was decided by a referendum with a 67 per cent majority in support of continued membership. That decided the issue once and for all.

Mr. Norman WEBB has further pointed out that the most reliable information is from the territory-wide public surveys conducted by professional pollsters; and when these surveys are properly analysed and understood, there is at least a 2:1 majority in favour of the introduction of direct elections this year. There is, of course, still a split; but, in fact, there has been a clear majority support for direct elections in 1988. And yet Members have still repeatedly echoed a statement from the White Paper that 'the community is divided over the timing of this move.'

Sir, in the light of these observations from Mr. WEBB, I would respectfully submit that this corner-stone in the Government's case for delaying the introduction of direct elections for three years has been effectively and utterly destroyed. In any event, it is clear that the Government cannot continue to interpret public opinion as against the introduction of direct elections this year. And I hope, Sir, we have heard the last of this untruth.

Paragraph 25

May I now turn to paragraph 25. It says: 'The maintenance of stability requires that the development of Hong Kong's system of representative government should continue to be evolutionary rather than revolutionary; that each step should be carefully considered; and that changes should command wide support and confidence in the community.'

Sir, the word 'revolutionary' is really frightening; but is it being suggested here that the introduction of direct elections would be revolutionary? If not, why was this sentence used then?

Let me remind Members—in particular, our Senior Member, Miss Lydia DUNN—of what she herself said on the occasion of the debate on the Green Paper on 15 July 1987: 'When we come to consider the question of direct elections, we should remember that we are not talking about introducing direct elections to Hong Kong but only about extending an existing electoral practice to this Council. That is to say, we are not talking about a revolutionary innovation but about an evolutionary step.' So much for paragraph 25.

Paragraph 26

I now come to paragraph 26, and it reads: 'Such evolution must also be compatible with a smooth transfer of government in 1997. There will be inevitable changes at that time. The interests of the community will be best served if there is also a high degree of continuity and the form of government is one with which the people of Hong Kong are already familiar. In considering the development of Hong Kong's system of representative government before 1997, account must therefore be taken of the relevant stipulations of the Sino-British Joint Declaration and the deliberations of the Basic Law Drafting Committee over how those provisions should be implemented after 1997. In this connection, the Government has taken note of the fact that all the options in the latest draft of the Basic Law concerning the election of the future legislature include an element of direct elections.'

Sir, again we are dealing with 'a high degree of continuity' or the convergence point—and the conclusion reached is that there will be no problem, because all the options before the Basic Law Drafting Committee include an element of direct elections. For the same reasons, Sir, I would have thought that there will likewise be no problem in introducing direct elections this year

Paragraph 28

I do not think paragraph 27 is necessary and I will skip it and come to paragraph 28, which says: 'On the question of timing, the Government has concluded that it would not be right to make such a major constitutional change in 1988, given that opinions in the community on this issue are so clearly divided.'

Sir, I have already dealt with this so-called 'clear division of public opinion' point. I will read on: 'The argument that the Legislative Council should continue for one more term with its present forms of membership, rather than undergo a second restructuring in three years, is strong.' Sir, this sentence is the most interesting one, and I wish to give an example to illustrate its falsity—the argument that I should hit you on the nose is strong. But what is the argument, Sir? The paragraph continues: 'However, there are also good reasons for leaving sufficient time before 1997 for the new form of election to become firmly established. The Government has therefore decided to introduce a number of directly elected Members into the Legislative Council in 1991.'

Sir, the first of these two sentence deserves some comment: that there should be 'sufficient time before 1997 for the new form of election to become firmly established'. But, surely, that is a reason for introducing them long before 1997. There are only two points in this paragraph: first, that opinions are clearly divided, which I have dealt with. and secondly the 'argument' which is described to be 'strong'. But the only possible way of interpreting this sentence is that the argument is a reference back to paragraph 20, because that is the only place I could find the word 'argued'. And let me repeat, then, paragraph 20: 'Those against argued that introduction in 1988 was too soon either because it could endanger stability and continuity, coming within three years of the last major reorganisation or because the system of elections to be used after 1997 had not yet been established in the Basic Law due to be promulgated in 1990.'. But I have already dealt with that. And I therefore suggest that this argument is a bad one.

But let me deal with another possible point here, which is, 'Well, after the introduction of 24 indirectly elected Members in 1985, this Council somehow needs time to adjust.'. The question I would like to ask is: 'In what way do we need more time to adjust?'. 'And in what way is it thought that more time would enable us to adjust better?'. These are the questions which were never answered. And if we need time to improve, it is surprising that there is no proposal as to how we can improve so that we could adjust better. But by the same token, Sir, if we need as much time as six years to enable the indirectly Elected Members to adjust with the Appointed Members, who after all must go one day—then how much more time do we need to allow the directly Elected Members, who are being treated like wild animals by some Members in this Council—to adjust with the Appointed Members and the indirectly Elected Members? Surely it is a bad argument.

Again, let me remind hon. Members of what our Senior Member said on 15 July 1987, during the Green Paper debate. 'Now, of course, we could say "no change for 1988". But in the long run, "no change" is not an option because the Joint Declaration has committed us to the greatest change of all; the legislature of the SAR is to be constituted by elections whereas this Council is at present only partly elected. The longer we postpone further change, the greater will be the pressure for it and the shorter the time available to see it smoothly introduced.' I entirely agreed—and I still agree—with that.

Sir, I have endeavoured, ad nauseam, perhaps, in the view of some Members, to deal with every reason advanced in the White Paper for not introducing direct elections this year. And I hope I have demonstrated that none of them is a valid one.

Miss Lydia DUNN said yesterday that 'we need to speak with one voice on the things that really matter.'. And she said it, of course, in the context of the Basic Law. Sir, I submit that we should put our act together and speak with one voice now. For it is still not too late. Let all Members of this Council unite together with one purpose of mind for the benefit of all the people who cannot or do not want to leave Hong Kong in or before 1997, by indicating to the Government that we want direct elections introduced this year because this is the only way to provide us with some reasonable prospects of success in getting a sufficiently democratic or representative system of government in place before 1997.

Let us also realise that we owe it to our posterity to tell the Government that its decision to delay the introduction of direct elections to this Council by three years is clearly wrong and is not in the long-term interest of the people of Hong Kong.

Let our vote today be one of which we will be proud, so that perhaps in 20 years' time, we can tell our grandchildren in what way we have voted today.

Sir, for these reasons, I respectfully move that the motion standing in the name of the Chief Secretary be amended, by adding at the end of it: 'but regrets the Government's decision not to introduce partial direct elections to the Legislative Council in 1988'.

Sir, there is one matter outstanding and that relates to a call for division perhaps in due course. Sir, may I respectfully submit that the voice count is totally unscientific. I found that out, Sir, on the first occasion that I took part in it, on the occasion of the passage of the now famous, or notorious—depending on how you look at it—section 27 of the Public Order (Amendment) Ordinance. I had wanted to vote 'No' to that Bill and, naturally, I yelled when it was my turn to vote 'No'—and the voice one hears the loudest is one's own voice—because one's ears are closest to one's mouth. Sir, I thought that the 'Noes' really got very close. So, I remember, one of us asked for a division, and the President declined and, I thought he was wrong not to give us a division. And there were a few calls for division during that long session and, each time, the President...

HIS EXCELLENCY THE PRESIDENT: Mr. LEE, is this a point of order? If so, could you come to it, please.

MR. MARTIN LEE: Very well, Sir. For these reasons, Sir, I so move.

HIS EXCELLENCY THE PRESIDENT: Before putting the question, I will just comment on that one point raised by Mr. LEE, which is a point of procedure. There are procedures laid down in Standing Orders for divisions. They are there for all Members to see and follow as they wish.

Question proposed.

DR. HO: Sir, I am afraid my hon. Friend, Mr. Martin LEE, has tried to support his amendment to the original motion with arguments which are lengthy to me but lack focus. But I would like to address myself to his amendment as set out in the notice circulated to us. Decisions on constitutional development should be taken with due regard for other interlocking factors. The expectation for rapid political changes and the need for a smooth transition and for a stable and prosperous Hong Kong must be reconciled. To disregard convergence with the forthcoming Basic Law and other factors shows an inadequate grasp of political realities and the unique circumstances of Hong Kong and may invite unnecessary disruption to our community. After weighing all the factors involved, I still believe that the introduction of direct election in 1991 to the Legislative Council is the best judgment serving the best interests of Hong Kong. Furthermore, as I have said yesterday, a poll conducted by the Marketing Decision Research and a survey by youth agencies both indicated strong community support for the introduction of direct election in 1991. For this reason, Sir, I cannot accept my hon. Friend Mr. Martin LEE's amendment.

4.30 pm

HIS EXCELLENCY THE PRESIDENT: Members might like to take a break at this point. Might I suggest that Members who wish to speak on this amendment should during the break give their names to the Clerk just in case they have not been noticed as they put up their hands.

4.50 pm

HIS EXCELLENCY THE PRESIDENT: The Council will now resume. I have the names of 16 further Members who wish to speak on the amendment. I imagine that Members of the Council would put a high premium on brevity.

MR. CHEONG (in Cantonese): Sir, today we have taken a lesson in civic education. I would like to congratulate Mr. Martin LEE who has taken such a long time to explain to us many details concerning the White Paper, and I would

also like to congratulate Members for their tolerance in listening to the long speech. Personally, I feel that there are many rational points in Mr. Martin LEE's speech today. I will not be worried by these rational and moderate points, but rather, by some actions after the speech. For example, last night, I heard people chanting 'Out with Sir David' in the sit-in on the White Paper. Well, I really do not understand what these people would like to achieve. Will this not cause confusion and fear among the public? Will this not deal a severe blow to the stability and prosperity of Hong Kong? Of course, we would like to hear more voices of objection but please do not underestimate the adverse effects of confrontational actions. Under such circumstances, I have to say that the Government has made the right decision in introducing direct elections in 1991. That is why I cannot accept the amendment proposed by Mr. Martin LEE.

MRS. CHOW: Sir, as I stated during the debate on the Green Paper last year, I made it clear that in spite of my misgivings about the suitability of direct elections for Hong Kong, I would go along if there is clear support for it. Subsequently in the debate on the Survey Office report, I outlined a few significant messages I drew from the Survey Office report, side-stepping the controversial AGB McNair survey and referred to the SRH survey which were commissioned by independent non-government organisations and which I found to be most balanced and professional among a number of surveys included in the report, and came to the conclusion that the majority of our people were either not willing or not ready to insist on direct elections in 1988 although they did endorse direct elections as a desirable principle sometime in the future. I support the Government's decision on the 1991 start date as a sensible one. It recognises the wishes of the people to have direct elections and at the same time takes care of the strong desire for caution.

I would now like to say a few words about Mr. Norman WEBB's analysis. When I first heard about Mr. WEBB's 'two thirds for, one third against' formula, I thought to myself: 'Mr. WEBB would have saved himself a lot of time and trouble if he had had a word with my hon. Colleague, Mr. Andrew WONG'. I am sure Hong Kong remembers only too well that a couple of days after the publication of the Survey Office report, Mr. WONG had already come out with his analysis of views contained in the Survey Office report and arrived at a conclusion that for every two votes that was against the introduction of direct elections, there were three for. What Mr. Martin LEE did not mention was the fact that there were three to four people in every 10 who refused to say whether they were for or against but returned a 'do not know' was already also indicated in the report. Does that not give a clear indication that the community is indeed quite split on the issue of whether Hong Kong should have direct elections in 1988?

Sir, I oppose the motion.

MR. CHAN YING-LUN (in Cantonese): Sir, in debating the Survey Office report, I said that apart from the necessity to collate all opinions, we had to at the same time analyse the views given by the different boards and councils and also individual views sent to the Survey Office because they were very clear and at the same time they reflected the different levels that they did represent. I personally have roughly analysed the information and I find that on the question of direct elections in 1988, the views are in fact extremely divided, and I do respect their views. Up to this point, I do not have any concrete evidence to show me the contrary. Even though I am a bit disappointed with the decision not to introduce direct elections in 1988, I have no concrete evidence to go against the Government's decision and therefore I cannot support Mr. Martin LEE's amendment.

DR. IP: Sir, I stand to speak against the amendment on the grounds that the addition of the amendment so proposed may confuse the voting when Members wish Government to take note of the plans and intentions contained in the White Paper yet do not regret the Government's decision not to introduce partial direct elections to the Legislative Council in 1988. I would like to comment further that in response to the Chief Secretary's statement that the views on direct election for 1988 were divided in the district board, Urban Council, and Regional Council, Mr. Martin LEE asked for such to be ignored. Other than the frequent outbursts of disrespect to the President of this Council and the Chief Secretary, Mr. Martin LEE has chosen today to show disrespect to all the directly Elected Members of the Urban Council, Regional Council and the district boards who have expressed the views against the introduction of direct election in 1988. Particularly for this and other reasons I will therefore vote against his proposed amendment.

MRS. FAN: Sir, I am in support of the introduction of direct election 1988 and I have said so in this Council and outside this Council. On 15 July 1987, during the Green Paper debate in this Council, I advocated the introduction of direct election in 1988. My reasons were, I quote: 'This will provide every citizen with the right to vote and enable the public to elect Members of the Legislative Council, which is part of the central government structure. This will enhance the people's sense of belonging and help to ensure more public support of government policies.' After studying the Survey Office report carefully, I felt that a few years delay will not be unacceptable to the community although personally I still go for direct election in 1988. I stated my position in the Survey Office report debate in November last year, and I said: 'I believe what people want from the Hong Kong Government is a firm commitment in the White Paper that direct elections will be introduced in 1991, with a clear cut plan on implementational details such as number of seats, the constituencies and the nomination process.' My request was met by the White Paper in terms of commitment and overall framework. Therefore, I welcome the Government's commitment. Although I am still disappointed that direct elections will not be

introduced in 1988, it is my duty to be objective and base my decision on rational analysis rather than my own personal preference. Unlike my hon. Friend, Mr. Martin LEE, I did not yell at the top of my voice and therefore instead of being overwhelmed by my own voice, I did hear the voice of other people and have taken that into consideration. Based on the information and material available to me, I believe the Hong Kong Government's decision not to introduce direct elections in 1988 is a reasonable one and there is no reason to cast a vote of regret on this decision.

Therefore I do not support the amendment moved by Mr. Martin LEE.

MRS. NG (in Cantonese): Sir, district board elections were held just recently. The turn-out rate for the voters has gone down but the one-man-one-vote direct election concept has permeated through the public and most people are in favour of having direct elected seats in the Legislative Council; this is undeniable. The question is the timing of direct elections—there are divided views. Mr. Martin LEE and his supporters favour the introduction of direct election in 1988. However, on the other side, there are quite a number of people who hold opposite views. Let me cite an example. There is a civic education working group under the Wang Tau Hom Area Committee. It has conducted a survey by questionnaire regarding the categories of Legislative Councillors most people favour, and whether the concept of having direct elections to elect some Legislative Councillors is a good one. The result of the survey indicates that the concept is good in principle but the time of introduction should not be 1988. I support this viewpoint because political reforms should be introduced gradually. It is more appropriate for us to have direct elections to the Legislative Council in 1991. For these reasons, I oppose the proposed amendment by Mr. Martin LEE.

MR. CHEONG-LEEN: Sir, having been a directly elected Urban Councillor for 31 years continuously, I have a great deal of sympathy for the views of my hon. Friend, Mr. Martin LEE. I am a strong proponent of direct elections and I personally would like this to start in 1988. But there have been quite a number of polls taken, including the McNair poll, and polls are the same all over the world. They come up with different versions and the same has happened this time. So in this particular case, I have used my own instincts, my own contacts with people of different walks of life, and although I personally would prefer to have direct elections this year, I can say in all good conscience, our community is divided as to when it should take place, whether it be 1988 or 1991. There is one point raised by Mr. Martin LEE which has struck a strong sympathetic chord and that has to do with the Basic Law drafting procedure. It seems that there is a strong body of opinion that if there were direct elections in the Basic Law, it might be limited to more than 25 per cent. I personally feel that if we are to achieve a proper balance of direct and indirect representations in the future legislature the directly elected bench should be at least around one third. But coming back to the debate, I think that if Mr. LEE's amendment were to be

approved, it might not reflect the strong differences of opinion within the community and I do not think it is necessary. Therefore, I am afraid I shall have to vote against the amendment.

MR. CHUNG (in Cantonese): Sir, I think the spirit of democracy is to strike a consensus. As our aim to have direct election have been confirmed in the White Paper even though I have different views towards some parts of the White Paper, I have no regrets. Therefore, I oppose to the proposed amendment.

DR. LAM (in Cantonese): Sir, I support the proposed amendment moved by Mr. Martin LEE for three reasons. First, I feel that the Administration should not use the pretext of divided public opinion to turn down direct elections in 1988, and to disregard the views of more than half of the members of various boards and councils. Second, a delay in the introduction of direct elections is going against the principles of human rights and fairness. Third, the AGB McNair survey format has now been rejected by most of the professionals, and yet the Administration still accepts the findings.

MR. DESMOND LEE: Sir, I rise to give support to the amendment which is now moved before this Council. I accept that there is divided opinion among our community as to the introduction of direct election by 1988, but it is in this very situation that our Government should show determination and leadership.

In July 1984, a Green Paper was published on the future development of representative government in Hong Kong, following which the Sino-British Joint Declaration on the future of Hong Kong was released to the public in September. The Joint Declaration was formulated through diplomatic negotiations between Britain and China. The people of Hong Kong were not directly represented because China did not agree to a three-legged stool approach. When the Assessment Office was formed to collect the views of Hong Kong people about the Joint Declaration, people indicated acceptance on the understanding that a representative government would be developed in the true meaning of the term and that there would be a completely elected legislature by 1997 with related developments towards democracy. The Green Paper depicted a representative government which led people to believe that it would develop into a full system containing an option to abolish Appointed Members of the Legislative Council by 1997, elections to the Executive Council and even ministerial functions of elected representatives. Many people in Hong Kong have accepted the Joint Declaration in the trust that the Government is committed to a process of democratisation. It now turns out that the original intentions have been changed or abandoned. Further development of the representative government system is reduced to a window-dressing exercise. Many people perceive that there is great influence from outside Hong Kong on the political review of 1987 and perhaps the contents of the present White Paper. Doubts have been cast on the sincerity of the signatory Governments, particularly that of China towards the implementation of the Joint Declaration.

Confidence has therefore been undermined to an extreme and for this reason I regret that direct elections are not introduced in 1988 which might restore some degree of confidence.

Sir, I would give support to the amendment.

MR. NGAI (in Cantonese): I object to the amendment proposed by Mr. Martin LEE for two simple reasons. First, just now in his speech Mr. Martin LEE has said that the majority of our citizens agree that we should have direct elections in 1988. I do not think this is true at all. I believe that we do not have enough evidence to prove what Mr. Martin LEE has said is true. I think this is only his personal belief. At least among those who I come into contact with, they hold completely different views. Some people would insist that their personal beliefs are the beliefs of the majority and I object to the views held by such people. Second, if we introduce direct elections in 1988 hastily, this is really a political gamble. This will be putting the collective interests of everyone in Hong Kong at stake. So I strongly object to the amendment proposed by Mr. LEE.

PROF. POON: Sir, during the motion debate on the Green Paper held in July last year, I supported direct elections to the legislature but emphasised my belief that any kind of political changes should proceed with caution and in steps. I suggest introducing direct elections in 1991 or 1992 so that our embryonic democratic institution could have some time to develop political and social maturity before taking the big leap forward. During the motion debate on the Survey Office report, I re-emphasised that any significant change in a political system should not be introduced in haste. Hong Kong cannot afford any political gamble. We have at stake the livelihood and the future of well over 5 million people. Direct election is a very significant political change. To effect this change in 1988 would be too drastic and therefore too risky unless we are sure that the majority of the population supported the move and are ready for it. It is apparent that public opinion is very much divided over the timing of direct election. This is also true amongst Members of the Legislative and Urban Councils, members of district boards and leaders of different associations. If the community is basically in doubt it would be even more risky to introduce any drastic political changes.

With these remarks, Sir, I oppose the amendment.

MR. SZETO (in Cantonese): Sir, I support the amendment proposed by Mr. Martin LEE. The original motion is that this Council takes note of the plans and intentions contained in the White Paper 'The Development of Representative Government: The Way Forward'. This motion is quite meaningless. Legislative Councillors are neither blind nor deaf. Therefore how can we not take note of the White Paper? We are neither trees nor granite and then after taking note of the White Paper, how can we neither welcome nor reject the contents? I do not

understand why our Chief Secretary, Sir David FORD, chooses not to use the word 'welcome' instead of 'take note'. Does that mean that he does not want it to be welcomed, or is it because he knows that it would not be welcomed?

Under the existing political system the Legislative Council will not and cannot go against the White Paper because even if we go against it, it will be quite ineffective. Most Members in this Council are Official and Appointed Members. Even before the debate, government officials have said that no matter what happens there will not be changes to the White Paper and it will be implemented. Since we neither welcome nor have the chance to object to the White Paper, perhaps we can at least express our regrets. We have 5 million people in Hong Kong. How many of them are dissatisfied with the White Paper? We have 200 000 signatures supporting direct elections in 1988. They are angry. Legislative Councillors should reflect public opinion and it is their responsibility to do so. To use the word 'regret' to reflect their anger, we do feel that we have not discharged our duties faithfully.

In our debate on the Green Paper, I refuted arguments against direct elections in 1988. They include the economic prosperity theory, civic education theory, non-compliance with the Joint Declaration theory, convergence theory, evolution theory, efficiency theory, evaluation theory, and non-acceptance of democracy against communism and so on. The White Paper has only taken up the convergence and evolutionary theories, and has created a divergence theory. In 1991 we will have 10 elected seats and other decisions regarding the political system. That in fact shows that the convergence theory and the evolutionary theory are contradictory.

Let us take a look at the modified convergence theory in the White Paper.

The White Paper says the Government has noted that all the options in the latest draft of the Basic Law concerning the election of the future legislature include elements of direct elections. This is a lie. I am a member of the Basic Law Drafting Committee and I have participated in the full board committee of the Basic Law Drafting Committee and also meetings of the sub-group on political structure and I know exactly what is happening. Not all scenarios include direct elections. One of the scenarios in fact advocates a 100 per cent election by functional constituency. I am against this scenario. However, before the promulgation of the Basic Law, the Hong Kong Government has no right to rule out this scenario, nor to cover up this proposal and lie to and mislead the general public. At the moment, the draft Basic Law has not yet been promulgated and the consultation period has not yet begun. Even the Standing Committee of the National People's Congress cannot rule out this scenario, not to say the Government of Hong Kong.

The draft Basic Law will be promulgated in 1990 and we have two more years to go. Before it is promulgated, if it is decided that direct election in 1991 does not breach the convergence theory then the decision to introduce it in 1988 will not breach it either. If we decide that direct elections in 1988 is against the

convergence theory then direct elections in 1991 will also be a breach of the convergence theory. However, the White Paper talks about direct elections in 1991. It therefore destroys its own convergence theory.

There are people who have supported the convergence theory vehemently. If they abide by their principles and stand by their beliefs they should at this point, when the Basic Law has not been promulgated, reject the decision contained in the White Paper of introducing direct elections in 1991, otherwise the convergence theory proclaimed is nothing but a smokescreen and sheer nonsense. Even though I am not in favour, I do wish to hear such proclamations because I do admire people who can abide by their principles and stand by their beliefs even though we may differ in our views.

Let us take another look. The evolutionary theory of the White Paper is a case of lamenting the cow insight and ignoring the goat that one cannot see.

In the White Paper, it is said that the development of representative government in Hong Kong should be gradual and any changes should help towards smooth transition, and there will be inevitable changes. However, we must be able to maintain a high degree of continuity and we should have a government which is familiar to Hong Kong people. This will be most beneficial to Hong Kong's society.

What is meant by 'inevitable changes'? According to the Joint Declaration, the legislature should be constituted by election. And what is meant by a system of government which is familiar to Hong Kong? We have Official Members and Appointed Members and it is something that we are familiar with, and yet there will be inevitable changes and there will be partial direct election, and therefore the sooner we start to have direct election the better it will be. In this way Hong Kong will have a longer period to adjust itself to the new system. If we keep jogging at the same spot then we will be losing an opportunity to gain experience and then will come the day when we have the inevitable changes and it is impossible for us to make evolutionary progress.

Before 1997, there will be three more elections to the Legislative Council. Now we have Official Members and Appointed Members and they total 32. In 1997, there should be none and if we use simple arithmetic to work out the speed for the development, that will mean that in each election we should at least reduce 11 Official and Appointed Members. But the White Paper only announces that it should be reduced by two. So, what sort of gradual progress do you call this?

Regarding direct elections, the repeated argument is 'gradual progress' and yet when you talk about Official Members and Appointed Members, 'gradual progress' is never mentioned. Therefore, this is just like what is said in the Book of Meucius where we have the hypocritical King Xuan of Qi. He talked about lamenting the cow inside and ignoring the goat not seen.

And now let us look at the White Paper and the newly created divergence theory. In the White Paper it is said that on the question of timing the Government has concluded that it would not be right to make such a major constitutional change in 1988 given that opinions in the community on the issue are so clearly divided. In a diversified society, divergent views are natural. We have a saying: 'Even a most just person has an enemy'. If we say that something should be rejected simply because of diversified views then no views will be accepted at all. We will have to ask why the Government has decided to have two additional seats for functional constituencies despite the fact that there are divided views? As for the ex officio seats of Urban Councillors on the district boards, we do not have diversified views. Most people think that the seats should not be deleted, but why has the Government dogmatically decided to take the contrary line? To put it frankly, divergent or not, the Government has supreme authority and it will do as it likes. What is worthy of note in fact is whether there is divergence between the Government's decision and public opinion. If there is divergence, what will be the consequences?

Sir, with these remarks, I support the amendment proposed by Mr. Martin LEE.

MRS. TAM (in Cantonese): Sir, in our daily lives, we may face a lot of preconceived concepts and misunderstandings, for example, when we talk about ideals and reality. When we come to these two issues we may intuitively believe that ideals are good and that realities are bad. So people standing for ideals should be commended while people facing reality should be despised. If we use such a standard to talk about personal lives, this may still be accepted, but if we use the same judgment in the political arena, this will be a great mistake.

The famous Western sociologist, Mr. Max WEBER, has laid down three basic requirements for politicians. In addition to ability to judge, he said that an ideal politician should also possess realistic passion and a sense of responsibility. What he meant by realistic passion is that a person will not blindly strive for some political ideals in total departure from the realistic world. And as for sense of responsibility, what he meant is that a politician will not simply strive for his personal ideals regardless of others' opinion, and imposingly forces others to follow his own aspirations. The lack of realistic passion and sense of responsibilities are the two greatest crimes in the political arena and I believe that all political personalities, working in the complicated political situation now in Hong Kong, should remember Mr. WEBER'S words.

Sir, the issue of direct election has all along been the most controversial issue in the past few years. A lot of people from our society and from a lot of professions have advocated the introduction of direct elections in 1988 but at the same time there is also a substantial number of citizens who hold the contrary views; they advocate the postponement of direct elections. The argument has already existed for many years and I do not think it should

continue. Since we have to make a compromise and this compromise will not please everybody, we have to examine only the reasons why Government has come to such a decision.

In May last year, we have already reached a consensus on the basic factor that we should consider in this issue, that is, the public opinion. That is why we have the Survey Office and we have the poll surveys, and the outcome is that a lot of people in Hong Kong advocate direct elections in the long run. I must admit that there is divergence of views concerning whether we should have direct elections in 1988. This conclusion is not based on the two official surveys which have come under strong criticisms. Even if we refer to the submissions to the Survey Office and to independent surveys conducted by private companies, we have the same conclusion.

Sir, since we have to face such a big question and since we have such divergence of views, I think anybody with realistic passion and sense of responsibility will try to strike a cautious note. So I think the decision of having direct election three years from now is a decision which has taken into account our collective sentiments and the drawbacks of having direct elections in 1988. Although I believe that direct election is an ideal, I do not believe that the postponement means a mistake on the part of the Government. I think what we should feel regrettable is that society as a whole is not yet ready to hold direct elections in 1987 and in the end we have missed the opportunity of having direct elections in 1988.

With such remarks, I object to the amendment.

MR. ANDREW WONG (In Cantonese): Sir, regarding the amendment to the motion, I do agree with Mr. Martin LEE and Dr. Conrad LAM and Mr. SZETO Wah. I have said before and I still maintain that direct election is a better form of election and we should have it as soon as possible. I do not wish to repeat myself; I only want to talk about civic education and the preparation for direct elections. Are our citizens well prepared for direct elections? In 1888 we already had our first direct election to the Sanitary Board which later developed into the Urban Council. Then we also had elections with the urban district board several years ago and if you feel that we do not have sufficient training then perhaps we should start to introduce some directly elected seats into the Legislative Council so that people can participate and prepare themselves.

It is said in the Joint Declaration that the future legislature will be constituted by election. Therefore we should start direct election as soon as possible. Mr. SZETO Wah has said that there should be a reduction of 11 Appointed and Official Members at every election I cannot agree with that. We should only take into account the appointed seats and therefore there should be a reduction of seven or less than seven such seats. But it should not be two. And, therefore, we cannot say that we may have to expand our Legislative Council and that is the reason why we cannot have direct elections; that is something that cannot be accepted. If we have direct elections, then in the long term, we must comply with

the wishes of the people; and if we do not comply with the wishes of the people we know that gradually there will be a demand for an election of the chief executive as has happened in South Korea recently.

I wish to bring up another point. Last week, Mr. Martin LEE made a request to you, Sir, that there should be a motion debate. He also wrote a letter—an open letter—and it was signed by eight Councillors including myself. I feel that it is a question that demanded a fair answer. The Deputy Chief Secretary replied to it and again it is a very fair reply, even though I cannot agree with all the points therein. I do not think that we need to insist anymore.

What is public opinion? I feel that there are certain arguments in the White Paper which say that we should not have direct elections in 1988 and these arguments are that public opinions are very much divided. I do not think the Deputy Chief Secretary had replied our letter clearly regarding paragraph 21, that is, 'Among submissions to the Survey Office from individuals, groups and associations, more were against than in favour of the introduction of direct elections in 1988. The two public opinion surveys commissioned by the Survey Office produced similar results.' I feel that our question on this has not been answered and was brought up by Miss Maria TAM yesterday. She pointed out that according to the information received by the Survey Office but which was not shown in the Survey Office report, the number of those who sent in their submissions through pre-printed forms was as follows:

- (a) those who were against direct elections numbered 67 370 and
- (b) those who were for the introduction of direct elections in 1988 numbered 1 313.

In fact I submitted a paper to you, Sir, but at that time you said it should not be tabled in the Legislative Council. However, on 18 November 1987, I distributed the paper to OMELCO members and at that time the figures were 71 566 against the introduction of direct elections in 1988, and 1 727 for direct elections or not against direct elections. I would like you to look at these figures. Miss Maria TAM has also given us some figures on responses to questionnaires: those who are against the introduction of direct elections in 1988 is 10 301 (the actual figure should be 10 325) and those for is 26 746 (and the corresponding figure is 26 833).

As for individual submissions, those who are against the introduction of direct elections in 1988 is 8 941; the corresponding figure is 12 378, and those for is 7 071 and corresponding figure is 11 815. And according to Miss Maria TAM the first and second types are rather organised response. I cannot agree with that because if we say that those are organised then all three types are organised and we will see discrepancies. And Miss TAM has said that when we consider the figures we should treat 'A' and 'B' in the same way and therefore those against will be more than those who are for the introduction of direct elections. I think that those who are against the introduction of direct elections numbered 12 379 and those for only number 11 885. In the tables I submitted to

you, Sir, I added up 'B' and 'C', and that is the reason why the correct figures should be those that can clearly show individual views rather than those in a position paper form, and the number should be 22 704 against the introduction of direct election in 1988 and 38 018 for. And as for the pre-printed forms, those against numbered 71 566 and only 1 327 are for or not objecting to the introduction of direct elections in 1988. I feel that pre-printed forms and signature campaigns should be treated on par, otherwise they should all be ignored. In the signature campaigns, those who are against direct elections numbered 295 and those for numbered 223 886. If you add the four together the numbers are 94 565 against, and 263 204 for the introduction of direct elections in 1988.

So these figures can be used for reference by the Administration but I do not think we should just use these figures or dig up such figures and use them for reference. As to exactly what public opinion is like, is it really divided? Table 1 of the paper that I submitted to you contained some analysis that Mrs. Selina CHOW has mentioned and it said something like the ratio of 3:2 or similar to what Mr. WEBB has said which is 2:1. The reason is that I have excluded the AGB McNair findings and I took into consideration the nine scientific surveys conducted in Hong Kong and this is roughly over 60 per cent. If I do not count those who do not give their views then, it is 30 per cent for the introduction of direct elections. We can see that these are very divided views. And yet we need to consider this point; what exactly is meant by divided views? We do have different views all the time. If we say that we differ in views, then it is divided views, and in that case no decision can be taken. We must take into consideration the degree of divergence and the strength of those views.

The Survey Office report submitted to the Legislative Council does not include the degree or strength of the views. I felt very disappointed because they are quite important. When we look at the AGB McNair surveys, we find that in the first survey, over 40 per cent did not have any opinion, and that actually should be put in the centre of a table. The percentage increased to 45 per cent at the second survey.

As for the other surveys contained in part 1, paragraph 13.37 and in paragraph 13.39, we can also see that those without views were between 28 per cent to 33 per cent. At the same time, we have surveys conducted by the MDR and the staff of the tertiary institutions. The Frank Moore and Associates come up with the figure 23 per cent and other surveys come up with a percentage of 25 per cent and some only come up with 1 per cent which does not express any views but some are as high as 65 per cent.

Therefore, my conclusion is that people in Hong Kong are rather conservative and since they are so conservative, you cannot say that they are divided in their views. Now, if you merely talk about the number and the distribution, you see a normal distribution; you cannot call that divided opinion and conclude that no decision can be made. But if we see two peaks in that graph, then we are in trouble and in that case, we will have to try to pull the two

poles together. Therefore, even though the reason seems to be plausible, the conclusion is wrong and we have missed the chance to introduce direct elections in 1988.

The White Paper has not touched on the China factor and I feel that it is in fact a very important factor. The Basic Law, as we all know, has not yet been promulgated, and yet the White Paper has promised that in 1991 we will have direct elections. This is a very courageous move and yet we must be very pragmatic and we must be frank, and say that this in fact is the curx of the matter. Of course, the Administration probably is not willing to admit that fact; however, we cannot merely say that since we have divided opinions we cannot have it in 1988 but we can have it in 1991, because we cannot guarantee that in 1991, opinions will no longer be divided. If in 1991, we still have divided opinions, then does that mean that it will still have to be postponed to 1994? I feel that public opinion is not divided but some Members feel that it is very divided and they also talk about the boards and committees and the councils at the different levels.

I feel that in fact, the views of members of boards and councils are more divided than the general public because they are politically aware of the situation, and yet I feel that most of the people are very moderate in expressing their views. But in the Legislative Council, the very opposite is true ever since the publication of the Green Paper. If Mr. SOHMEN feels that there are no parties, I can say there is one group of idealists and another group of more pragmatic people, and they may be termed conservative, and the idealists form the other group. The pragmatic ones or the conservatives may accuse people in the other group of having ulterior motives or being radicals. If we do not have mutual trust and if we do not try and co-operate, we will have confrontation. There are people who burn the White Paper and there are people who try to put the fire out, then in this Council there will be a lot of conflicts. Let us try to improve the situation; I do hope there will not be such conflicts; I do hope the Administration will rethink the matter and tell us whether direct elections in 1988 is really that impossible.

If the conflicts intensify, then probably things will become extremely bad. My principle as a person has always been that we should have different views but we should not form different groups; we can argue and yet we should not really fight. If we do not take that attitude, Hong Kong society may be affected.

Now, let me tell you a story. There was a person, Mr. YIP, in the Han Dynasty, who was very fond of dragons—A dragon therefore decided to show itself to Mr. YIP. He was so frightened and shocked that he was thenceforth bedridden.

I would like to talk about the amendment proposed by Mr. Martin LEE. Since we can see that we have divided views, and if we move amendment, it will aggravate the situation. We have been promised that in 1991 there will be direct

elections and therefore I am willing to accept that position. But I would still like to appeal to the Administration to reconsider the matter, and I cannot support the amendment proposed by Mr. Martin LEE.

May I come back to the question of approach. If we want to make clear our attitude towards direct elections, there are many ways of doing so. Perhaps you can say that the existing motion saying 'Taking note' is not really meaningful enough and at the same time probably Councillors may be divided into different groups. But there are other ways to show our views. If we feel that in 1988 we must have direct elections, then probably we can ask leave of you, Sir, to have another motion and that is, in 1988 we should have direct elections. It is more positive than expressing regret but of course, we have to understand that within the same session we cannot raise a motion of the same subject matter, so perhaps we can leave it to the next session, will it be too late? Whether we propose it now or at the next session, we probably do not have any support; there are many ways to go about it. Mr. Martin LEE is a barrister and I am sure he is well versed in drafting legislation. So perhaps we can look into the provisions in the Legislative Council (Electoral Provisions) Ordinance and introduce amendments to it so that in 1988, we can have direct elections. This is something that we can discuss.

Lastly, I would like to talk about the motion on the White paper and I feel that in fact the motion should be proposed by a non-government servant.

HIS EXCELLENCY THE PRESIDENT: Mr. WONG, pleased do not speak on the main motion. You will have a chance to do so again later. Could you divide your remarks into those on the amendment which should be made now, and then if you wish to speak separately on the main motion, you may of course do so.

MR. ANDREW WONG (in Cantonese): Sir, I am talking about the amendment. I would like to make suggestions to Mr. Martin LEE actually. There are other ways to go about it and I was talking about which motion is better. This time it is moved by the Government and if we feel that it should be moved by Members of this Council, then perhaps the amended version is better. Perhaps we can say, this Council urges the Administration to take note of the views expressed on the White Paper. In other words, we can further add to that motion, that is, if we have different views, then the Administration should answer those views and give a full reply.

Miss Maria TAM said yesterday that Rome was not built in a day, but behind that there is a saying that it can be destroyed in one night and, Sir, I wish to say that I am against Mr. Martin LEE's amendment.

CHIEF SECRETARY: Sir, as I said yesterday when moving the motion standing in my name, we do not expect every Member of this Council to support everything in the White Paper. The original motion offers Members the opportunity to debate any of the issues to which it refers: to amend it therefore to draw

attention to one particular aspect in my view is unnecessary. I have listened very carefully to everything Mr. Martin LEE has had to say in favour of his amendment and in trying to enlist the support of Members, he has repeated arguments which I believe are well known to us all. I dwelt, Sir, at some length yesterday with the subject of the timing of direct elections and I will not test Members' patience further by repeating all the reasons why Government concluded that they should be introduced in 1991, rather than in 1988. I would only like to comment, Sir, on Mr. Martin LEE's speech that he does continue to see sinister machinations where none exist; he has continued to make great play of the criticism of the AGB McNair surveys as if these were the only basis on which public opinion was assessed. Indeed, he has described the AGB McNair surveys as the 'corner-stone of the Government's assessment'. Sir, this really is an absurd suggestion. As I said yesterday the arguments on what interpretation and weight should be given to any particular form of expression of opinion can go on endlessly, and we have seen further evidence of that this afternoon.

I wish to emphasise that the Government has taken into account all views and not just any particular survey or any particular form of submission. Indeed, it seems to me, Sir, that it is Mr. LEE who is being selective and who is again focussing on AGB McNair and not ourselves. Mr. LEE has taken the arguments one stage further in his selectivity by suggesting today that we should pay attention to the judgment of a Mr. Norman WEBB as to what the people of Hong Kong would like to see in the development of representative government here.

May I make, Sir, a general point by way of emphasis on the Government's position? From the time that we first launched the Green Paper last year, we have made it clear on a large number of occasions that the views of the people of Hong Kong would be the most important factor to be taken into account when Government considers the way forward for political developments here. Miss DUNN said yesterday that if the Survey Office report had reflected the degree of support for direct elections in 1988 as it did for the principle of introducing direct elections, then the Executive Council would have advised the Governor that direct elections should indeed be introduced in 1988.

Sir, the fact is—and this is endorsed by many Members' speeches today, that the Survey Office report clearly shows a sharp division of opinion on the question of timing, and nothing that Mr. LEE has said this afternoon has altered that reality. It was on that basis therefore that the Executive Council recommended to the Governor that direct elections should be introduced in 1991. The decisions which stemmed from that advice are in the White Paper.

Sir, those who continue to campaign strongly for the introduction of direct elections since the publication of the Survey Office report have tried to justify their actions either by trying to cast doubt on the integrity of the Survey Office, or by suggesting that whatever the survey report had contained, the Administration would not have introduced direct elections in 1988 because to do so

would have displeased China. Sir, there is not one shred of evidence to support these arguments; I refute them, and they are, I suggest, unworthy of those who continue to put them forward.

Sir, the Government has made an irrevocable commitment to the introduction of 10 directly elected seats into this Council in 1991. Surely the time has come to look forward positively and enthusiastically to that major step forward in Hong Kong's political development. If we regret today that seats will not be introduced in 1988, how long are we expected to go on regretting that decision? Will the banners outside this building be changed later this year to demand direct elections in 1989, and will they be changed annually thereafter until 1991?

Of course, we do not question the right of individuals to speak their minds openly and forcefully and to campaign for the support of others, but all campaigns, Sir, by definition are aimed at influencing a decision. When the point of decision comes in any democratic society, the view of the majority must be accepted and respected. Sir, I suggest that time has come. Hong Kong has not built its success on looking backwards or regretting what might have been; we are a forward-looking community in a forward-looking place. In terms of our political development we have plenty to play for in the future and I believe Miss DUNN struck a chord yesterday not only in this Chamber, but also in the community when she said that we owe it to the people of Hong Kong to work together for the future well-being of us all. Sir, we have much to do; this is no time for regrets. I oppose the amendment proposed by Mr. LEE.

6.00 pm

HIS EXCELLENCY THE PRESIDENT: It is now six o'clock and under Standing Order 8(2) the Council ought now to adjourn.

CHIEF SECRETARY: Sir, with your consent and some misgivings, I move that the Standing Order 8(2) be suspended, so as to allow the Council's business this afternoon to be concluded.

Question proposed, put and agreed to.

HIS EXCELLENCY THE PRESIDENT: Does any other Member wish to speak on the amendment? Mr. Martin LEE, is this a point of order?

MR. MARTIN LEE: Sir, I wonder if you would exercise your discretion in my favour to let me give a reply to which I have no right, but is entirely a matter for your discretion, and I ask because so many speakers have spoken?

HIS EXCELLENCY THE PRESIDENT: Thank you, Mr. LEE. I have no discretion on this matter; Standing Orders are clear. I think it is Standing Order 28 which says that those who propose an amendment do not have a right of reply. You have a

right to reply to any points which may have been misunderstood, which were raised by other Members during the debate on the amendment; you are free to do that if that is what you wish to do.

MR. MARTIN LEE: Sir, there is a precedent when I proposed an amendment— but that was related to a Bill. But I read Standing Order 28 to mean that I do not have it as of right, but that does not mean that you have no discretion. Perhaps the Attorney General can be heard on that?

HIS EXCELLENCY THE PRESIDENT: Mr. LEE, Standing Order 28(3) I think says the mover of an amendment shall not have the right of reply. I regret I cannot give you the right of reply on the amendment. You do, of course, have a chance to speak on the main motion again when we revert to the main motion, whether amended or not.

MR. MARTIN LEE: Then would you allow me to deal with these points in my other speech, because it seems to me that it is no good leaving them in mid-air?

HIS EXCELLENCY THE PRESIDENT: I would allow a degree of flexibility, Mr. LEE, as I have allowed other Members of the Council. There are rules in Standing Orders about repetition, and you will have the degree of flexibility allowed to deal with these problems.

Question put and the Chairman stated that he thought that the amendment had been negatived.

Mr. Martin LEE claimed a division. The Chairman then ordered the Council to divide under Standing Order 36(4).

Mr. Jackie CHAN, Mr. HUI, Dr. LAM, Mr. Martin LEE, Mr. Desmond LEE, Mr. PANG and Mr. SZETO voted for the amendment.

The Chief Secretary, the Attorney General, the Financial Secretary, Miss Lydia DUNN, Dr. HO, Mr. Allen LEE, Mr. HU, Mr. WONG Po-yan, Mr. CHEONG, Secretary for District Administration, Mr. CHEUNG, Mrs. CHOW, Secretary for Health and Welfare, Miss TAM, Dr. Ip, Mr. CHAN Ying-lun, Mrs. FAN, Mrs. NG, Mr. Peter POON, Secretary for Lands and Works, Mr. YEUNG, Mr. CHAM, Secretary for Education and Manpower, Mr. CHENG, Mr. CHEONG-LEEN, Dr. CHIU, Mr. CHUNG, Secretary for Transport, Mr. CLYDESDALE, Mr. HO Sai-chu, Secretary for Security, Mr. LIU, Mr. NGAI, Mr. POON Chi-fai, Secretary for Administrative Services and Information, Prof. POON, Mr. TAI, Mrs. TAM, Dr. TSE, Mr. Andrew WONG, Mr. LAU and Mr. Edward HO voted against the amendment.

Mr. LAI abstained.

The Chairman stated that there were seven votes for Mr. Martin LEE's amendment and 42 against it and declared that the motion was negatived.

Question on original motion proposed again.

HIS EXCELLENCY THE PRESIDENT: Mr. Martin LEE, you have the opportunity to speak again on the main motion if you wish to take it.

MR. MARTIN LEE: Yes, Sir, I do wish to take it, and I promise you that part two will not be as long as part one.

Sir, I am obviously being looked upon as a dragon in this Chamber, in the light of the number of people leaving!

Sir, the title of this White Paper should contain three extra words at the end so that it should read—'The White Paper: The Development of Representative Government: The Way Forward—*See Basic Law*'.

Sir, with respect to hon. Members, it is wrong for them to support the Government's decision on direct elections without giving any reason for doing it. I will not go into detail by way of a reply on the speeches made to oppose my motion because I do not wish to abuse your indulgence, Sir. But I have spoken at length as to why, in my analysis, each and every reason given in the White Paper for denying direct elections to the people of Hong Kong cannot possibly hold water. Nobody has demonstrated or tried to demonstrate that I was wrong. Members used all sorts of excuses to vote against my motion by even putting the blame on some of the people outside, who were supposed to have said in Chinese which is interpreted into English as: 'Out with Sir David WILSON'. If by that chant, they mean that the Governor should cease being the President of this Council, then with respect to you, Sir, I do associate myself with them, because when I deal with that topic in due course, I will respectfully submit that the Governor should no longer remain as the President of this Council, and that is without any disrespect to you, Sir, whom I respect.

Members also try to make themselves experts in public opinion polls. They refuse to be guided by experts and they claim to know public opinion better than these experts. Of course my hon. Friend Mr. Andrew WONG is a great scholar when it comes to that. I cannot profess to understand the entirety of his speech but I was glad that his conclusion at the end happens to accord with what the experts have told us. Other than that, I am afraid I would have to read his speech more carefully when it is reported in the Hansard. One Member said: 'Well, look, that does not accord with the views I gather from my friends, from the people I mix with.' That hon. Member of course is a very successful business man, so one does not expect him to mix with the other strata of the community as it were. And so Members very cheerfully disagreed with all the views of the experts, not just one gentleman by the name of Norman WEBB, but all the experts in Hong Kong, and all of them, without exception, have expressed the view that the AGB McNair polls should not be relied upon.

Sir, it is indeed without any surprise to me because on 9 of this month, which is a Wednesday, there was a lunch which was attended by 20 Members of this Council, when they already decided to vote against whatever motion to amend I might put in; and that was even before I had decided on my motion to amend. Indeed, Sir, apart from echoing what the White Paper said about public opinion being split, and I believe I have already dealt with that fallacy in my earlier speech which I shall not repeat, very few Members sought to defend the Government's decision in delaying the introduction of direct elections for three years in spite of the implied promises made in 1984 and 1985—when the Government was trying to sell the Joint Declaration to the people of Hong Kong and the British Parliament—that direct elections would be introduced this year. Of course the Joint Declaration was then accepted both in Hong Kong and in the British Parliament in the light of those promises. Now the British Government has sought to deny having ever made them. Of course, there was never a clear promise in writing and in so many words: thou shalt have direct elections in 1988. But which of us here in 1984, and the first half of 1985, would have thought that we would not be given direct elections this year? Perhaps, Sir, that was why no Member here has said that those promises were never made.

Sir, what we are trying to do is to hold both the British and Chinese Governments to the strict terms of the Joint Declaration, which is our only hope: that China must not interfere in the internal administration of the affairs of Hong Kong during the transitional years until 30 June 1997; and that the British Government must honour its promises of introducing direct elections this year. We have not changed our goals, though they appear to be getting out of our reach.

Many of the Members who have spoken so strongly in favour of the Government's decision in delaying the introduction of direct elections to 1991 had, somewhat surprisingly, previously been keen supporters of direct elections this year. They unfortunately have been victims of the wind of change which has swept into this Council, and although the public knows that they have changed their stance, they would not acknowledge it. But instead, Sir, they have joined together to attack those, the minority, who would not bend with the wind and who would hold on to principle. Their tactic is all too transparent. They want the people of Hong Kong to forget the issue of direct elections for 1988 once the White Paper was published. They do not want anyone to criticise the White Paper and any such critic is to be branded as irresponsible. Constructive criticisms are still permitted, we are told, but it is the Government and its supporters who will decide what criticism is constructive and what is not. Apparently, the public has no say in the matter. Indeed those who do not agree with the Government's decision in not introducing direct elections this year have been accused of fostering 'despair and despondency' of trying 'to divide this community'—as per the hon. Miss Lydia DUNN; of 'casting doubts on the wisdom and integrity of these decisions', thus resulting 'in a dangerously destabilising effect on this community', of creating 'on the international scene

an impression that the Hong Kong people are taking to riots in the street to rebel against' this Administration and are 'doing a tremendous disservice to Hong Kong by distorting the truth and by creating an ugly image of instability' in Hong Kong, and of making an 'effort to undermine cohesiveness and unity'—as per the hon. Mrs. Selina CHOW.

It is interesting to see how the press felt about this approach. In today's South China Morning Post there was an article which bears the title 'Time to Stop Arguing, Speak with one Voice': meaning of course, time to stop arguing even though you are absolutely right in your views about the Government's policies contained in the White Paper and speak with Miss Lydia DUNN's voice. And the commentator of a television programme 'Today in LEGCO' concluded her remarks thus: 'The question is not that the opposition is wrong, but rather that it is wrong to be in opposition.'

Sir, the foreign press has been hit very hard by some Members, in effect, for having spread false news about Hong Kong when they strongly criticised the White Paper. Indeed, how very fortunate for them that they have not published such news in Hong Kong or they may well find themselves being the first people ever to be prosecuted under our celebrated section 27 of the Public Order Ordinance which was passed in this Council, thanks to more or less the same Members who now support the White Paper.

But let us see which overseas newspapers have been so irresponsible in having criticised the White Paper. How dare they! The Times, Financial Times, The Guardian and the Independent, which happen to be four of the most respected newspapers in Great Britain. On the day immediately following the publication of the White Paper, they all ran editorials condemning the Government's decision in not introducing direct elections this year. Could it be that all these editors were so wicked? Or could it be, Heaven forbid, that they were right?

Those of us who have the audacity of naivety to criticise the White Paper must take care, for we will be blamed if the people of Hong Kong were to lose their confidence in our Government or if they should vote with their feet, as many are doing.

These threats do not surprise me, Sir, for they all sound so familiar. When I was in London in January this year I received a similar warning from Sir Geoffrey HOWE himself. That if I want to do something for Hong Kong I must not say in public that Hong Kong has been betrayed by the British Government or that many Hong Kong people are emigrating, otherwise I will be doing a great disservice to the people of Hong Kong. My reply to Sir Geoffrey was: 'Would you, Sir, like me to say to the press in Hong Kong on my return there, that as a result of my meeting with you, Sir Geoffrey, in London, I will no longer criticise the British or Hong Kong Governments? And would you like me to shut up for three months and see whether more people will leave Hong Kong or less?' Well, Sir Geoffrey did not answer me.

Sir, have we already reached the stage when it is a sin to tell the truth in public? Or are we expected to join together in the name of prosperity and lie to foreign investors by pretending that all is well here in Hong Kong, even though we know in our own hearts that many of our own local investors and our best people, including many of our able civil servants, are emigrating. I do not accept that we have a duty to lie in unison to entice foreign investment to Hong Kong. What we want, Sir, is genuine prosperity and stability, built upon the solid foundation of confidence from within, and not prosperity and stability painted on sand with a rosy brush of deception and make believe. Indeed is it fair, or indeed proper, for these veiled threats to be uttered inside this Chamber, albeit in the name of unity, consensus and working together for a bright future, so as to stifle criticisms of the White Paper?

The hon. Mrs. Selina CHOW said: 'There must come a time when decisions have to be made. To protract public debate beyond that point of casting doubts on the wisdom and integrity of those decisions and the people who make them can only result in a dangerously destabilising effect on this community which is already highly sensitive to confrontation.' If that reasoning is sound, why are we having this debate? Perhaps to give Mrs. CHOW an opportunity to practise constructive criticism against those who will choose to be confrontational by not accepting the White Paper as the new bible for our political development.

During a radio debate on the White Paper, on the morning immediately following its publication, I put this question to the hon. Stephen CHEONG: 'Suppose the White Paper had gone the other way and had decided instead that 50 per cent of the Legislative Council seats would be by direct elections in 1988 and I were to say to you: "Come, come, Stephen, do not let us quarrel over this anymore. Let us put our act together and get ready for direct elections in September." What would you say to that?' I asked him. His reply was 'I do not want to answer a hypothetical question.' Well that was a truly diplomatic answer, but need I say more?

May I now borrow a line from Mr. Allen LEE: 'It is always easier to destroy than to build.' That applies equally well to the confidence in our future. I cannot think of a greater blow to the confidence of our future than this single decision by the Government contained in the White Paper in not introducing direct elections in Hong Kong this year.

Many people have indeed looked upon this issue precisely in the way Miss Lydia DUNN has put it—'as a touchstone of the sincerity of the Government, even a test of its ability to govern,' because direct elections have been promised to us in 1984 and 1985, and because the Chief Secretary himself had said in an interview with Asia Week some time ago that the Government had put its credibility on the line over this political review. The general perception is, of course, that this decision was not made in Hong Kong, nor in Whitehall, but in Beijing. That is what the hon. Mr. Andrew WONG said, though not in exactly the same way. Indeed, even the hon. Miss Lydia DUNN had acknowledged that

‘China’s well publicised attitude to direct elections in 1988 has not helped.’. That is why the Government finds it so hopelessly difficult to defend a decision made by someone else and with which it might not even agree. Perhaps that is why the Government could not give a single valid reason in the White Paper for not introducing direct elections this year.

The White Paper sets out the policies of the Government and it cannot be amended, not even the title as I have suggested. But the policies contained in it can be dropped or buried.

We are urged by numerous Members to forget about the issue of direct elections for 1988, and concentrate on the Basic Law. Of course the Basic Law is important. But the first draft will not be published until May. And may I put a question to this Council: What makes us think that public opinion on the Basic Law will be listened to by the Chinese Government when our own Hong Kong Government has chosen to ignore the strong public opinion in support of direct elections for 1988? Indeed, we should be reminded of the words of one rather senior Chinese official that this Council should not debate the Basic Law, a view which I totally reject. May I respectfully call upon the Government then to make a formal statement that this Council will be allowed to debate the Basic Law even if there are strong objections from China. And I hope the hon. Miss Lydia DUNN, our leader, can influence all my colleagues, in her own words: ‘To show our determination to work together in implementing the Joint Declaration’, by debating the Basic Law, irrespective of China’s attitude on the matter. And I earnestly hope that those Members who have said during this debate that we should concentrate on the Basic Law would not later turn into ‘pragmatists’, and say that we must not be confrontational with China by debating a law which has been drafted by that august government.

Sir, some Members have relied on the very recent opinion polls on the acceptability of the White Paper. One was by MDR, and the other by the Hong Kong Federation of Youths. I have had the benefit of speaking to Mr. David BOTTOMLEY, who was MDR’s polls director for this poll, and he has confirmed to me that, unfortunately, in his view, no direct question had been put to the respondents asking whether they accepted that the Government’s decision in not introducing direct elections this year was a correct one. With respect, that was the crucial question to ask on this issue. It was, of course, unavoidable that the people polled would have taken a ‘I cannot help that’ attitude, a fait accompli. What could they say when the Government had already decided in the White Paper that direct elections would not be introduced this year? The preamble to the series of questions went like this: ‘the Government says it will introduce direct elections in 1991, when 10 Members of the Legislative Council will be directly elected by the public’, and so it goes on.

What is interesting is to compare the attitude of the people who were polled not so long ago by the same MDR company, when the majority were in support of direct elections this year. Somehow that has turned into a majority in support

of the White Paper. Mr. David BOTTOMLEY gave me some comments on the MDR snap poll, and they were: firstly, that not too many people were polled to begin with, and this is a very significant factor. Secondly, he said that 'people mostly welcomed the 1991 start to direct elections, though the 1987 MDR polls showed a steady build-up in support of direct elections. By last December, 53 per cent were in favour of a 1988 start. So it can be assumed a 1988 start would have been welcomed even more strongly.' But to be fair to the company I ought to add that Mr. David BOTTOMLEY made these comments in his personal capacity although he was the polls director concerned, so that his comments do not necessarily represent the company in whose name this poll was conducted.

It is unfortunate that the questionnaire of the other poll conducted by the Hong Kong Federation of Youths has not been made available; and I was informed by the hon. Mrs. Rosanna TAM during the tea break, that they have not officially published it. But apparently some members of the press had got wind of that and had published it. But, Sir, what is significant is that in relation to this particular poll, first of all, the people polled were young people and it is not a territory-wide survey. And last summer, I am not sure whether it was in July or August, this group conducted another poll as to whether or not direct elections ought to be introduced in 1988. There were 43 per cent in support of the introduction of direct elections in 1988 and only 5.6 per cent for 1991. So, in the absence of the actual questionnaire, it is very difficult to speculate what brought about this apparent change of mind. But this margin could not have changed so much unless the young people polled had also adopted a *fait accompli* attitude. They might well have thought that if direct elections were not to be introduced in 1991, maybe they never will! And therefore they would jump at it: better 1991 than never. So I submit that it is not very safe for Members to take these two polls into account in assessing whether or not the public are really receptive of the Government's recommendation made in the White Paper that direct elections should only be introduced three years later.

Sir, may I mention one point here, and I have been expressly told by the person in question that I could quote him, and he is the Chairman of the Hong Kong Bar Association, Mr. Robert TANG, Q.C. He wrote a letter shortly after the Chinese New Year addressed to the Chief Secretary requesting him to state in public whether the nomination criteria for direct elections in 1991 would be the same as the present nomination criteria for the district board elections. In other words, whether or not the candidates would be subject to any screening procedure, which was in fact a point mentioned by at least two of my hon. Colleagues yesterday. Mr. TANG, Q.C. told me that he had not been given the courtesy of a reply.

Sir, I come to the question as to whether the Governor of Hong Kong should be the President of this Council. Sir, in saying what I am about to say, I am sure you appreciate that I do not mean any disrespect to the holder of the office. Sir, it is not exactly easy, in my respectful submission, for the public to see when you are playing one role and not the other. I have here a copy of the draft speech

from the hon. Miss Lydia DUNN delivered yesterday. At the bottom of page 3 she said, 'If the views of the community on this issue had been as decisive as those on all the other key issues in the Green Paper and had clearly supported their demands, I, and I have no doubt, all my colleagues on the Executive Council would have advised you, Sir, to introduce direct elections this year.' Well, when she was on her feet, she was obviously addressing you as President of the Council. But in the context, she clearly meant you, Sir, in the capacity as the Governor of Hong Kong.

Sir, I sought to see the President of the Council, about 10 days ago on a Saturday morning over the question of whether or not my motion for a debate on 9 March should or should not be ruled out of order. Sir, I asked to see you as the President of this Council, in my capacity as a Member, and I was somewhat disturbed, if I may say so, to see that present with you at the meeting was another gentleman who was neither Mr. K. S LAW, who is Clerk to the Legislative Council, nor Mr. Alistair LANG, who is Clerk of Councils. For you had with you, Sir, in the capacity as President, the Governor's Private Secretary, Mr. Richard HOARE. Sir, it is not easy to keep in mind what role you are really adopting at a particular time. I too on occasions, Sir, have wrongly referred to you as the Governor, when in fact I ought to have said the President.

Sir, the role of the Governor, over the recent years, has been politicised much more than before; and it must be embarrassing for you, Sir, as the President of this Council, to have to deal with points of order and so on matters which you are very much concerned with in your capacity as Governor, such as political reforms. But the important thing here is, of course, the public's perception. There is no doubt at all in my mind, Sir, that in discharging your duties in your different capacities, you have always tried your best to distinguish the roles. But perhaps it is very difficult to convince members of the public, that in coming to a particular decision, the President has not been influenced by his other role as Governor. I certainly believe you, Sir; but the public's perception is the most important angle. And therefore I would respectfully submit that it is somewhat disturbing to read that the White Paper proposes no change here. Of course I accept that public opinion in this regard is against change and perhaps that brings us to the unfortunate way in which the Green Paper had been written. In my respectful submission, had the Government taken a lead in the Green Paper published in May 1987, in suggesting that because of possible conflict of roles between the Governor and the President, it is undesirable that the Governor should continue to sit as President of the Council, there is no doubt in my mind that the public would have warmly supported it. But as it is, because there was no proposal at all contained in the Green Paper, I am afraid, Sir, you may well have to sit with us as President for another three years.

Sir, I have left out in this speech something which I will address the Council later on, when Mr. SZETO Wah is moving his amendment and therefore, Sir, I will leave that particular part of the matter until the relevant time. I am obliged for the indulgence you have given me, Sir.

For these reasons, in spite of the very neutral language of the motion, I must voice my disagreement by voting 'no' to it.

MR. DESMOND LEE (in Cantonese): Sir, the title of the White Paper 'The Development of Representative Government: The Way Forward' does not fit its contents and is a deception in itself. The composition of the district boards will remain unchanged, with Appointed Members still taking up one third of the seats. In the municipal councils, the number of indirectly elected members will be increased, bringing the percentage of directly elected members from 50 per cent down to less than 40 per cent, which is a retrogression. As for the Legislative Council, the number of Official Members will remain the same while Appointed Members will be slightly reduced by two seats. All in all, these changes are but token gestures and do not bring about any real progress. I, therefore, would say that the White Paper published in February this year is in fact a 'stop' sign to the development of representative government, and to call it 'The Way Forward' is to follow an 'ostrich policy', deceiving oneself by 'plugging one's ears when stealing a bell'. The Government has all along attached much importance to the three-tier structure. But the White Paper goes against the will of the people in this respect. A few days ago, over 50 district board members jointly submitted a declaration to the OMELCO Complaints Division, protesting against the Administration's decision not to introduce direct elections in 1988 and to abolish the district board electoral college. The Urban Councillors are opposed to the removal of their ex officio seats in the district boards and the introduction of indirectly elected elements into the Urban Council. In the Legislative Council, our views on the White Paper are also diversified, and I believe that quite a number of my colleagues are opposed to some items contained in that document. As for the general public, the district board elections held last week recorded a voter turn-out rate of only 30 per cent, a significant drop of about one fifth of voters, compared with the 37 per cent attained in 1985. In other words, one in every five voters who cast their votes in 1985 has shunned elections this year. On the day following the elections, some citizens telephoned a radio station to express their dissatisfaction with the outcome of the political review as well as the contents of the White Paper. They said they had decided to boycott the district board elections for this very reason. Although this kind of boycott may not be the sole reason that accounts for the drop in the turn-out rate, it should not be taken lightly. The Government should do some soul-searching and make every effort to win back the support of the people.

The drop of the turn-out rate reflects that the public have lost faith in the Government, on the other hand, it also weakens the rationality and objectiveness of the election results. At certain polling stations, some candidates were assisted by a large cortege of campaigners. In some cases, hundreds of people were mobilised to canvass votes for a certain candidate. As the overall turn-out rate was low, the 'escorting' technique employed by the campaigners to canvass votes might be very effective. If voters of a higher educational standard stayed

away from voting, whereas those who did not have a strong will were huddled into polling stations by the enthusiastic campaign helpers, some votes might be cast in a not too rational manner which might eventually determine the outcome of the polls. I think democracy must be complemented by rational choices, so I propose that publicity and lobbying activities should be banned at the polling stations on the day of voting, and that only the candidate himself or one representative should be permitted to show up so as to avoid stirring up confusions at polling stations and eliminate the emotional votes which are cast as a result of canvassing.

Sir, the report of the Survey Office and the White Paper released in February 1988 indicate that the Government has broken the promises given to the people. I would like to reiterate that paragraph 25 of the White Paper published in November 1984 had given a firm commitment to the introduction of direct elections in 1988. I also believe that the Hong Kong Government used to abide by its promises and that the Government itself also wishes to introduce a number of directly elected seats in 1988. Unfortunately, both the British and Hong Kong Governments failed to make proper response to the pressure exerted on them by the Chinese Government through diplomatic and other channels, or may be their efforts were in vain. Thus, the Hong Kong Government did not honour its original commitment and broke the promise given to Hong Kong people. Although I have sympathy with the situation of the Government, I am afraid that many Hong Kong people have become suspicious and fearful of China. The fact that the Government has gone back on its words on direct elections may further erode the confidence of these people.

Sir, as the White Paper which is being debated by this Council does not reflect the true wishes of Hong Kong people and the motion moved by the Chief Secretary is not meaningful, I do not intend to support it.

6.45 pm

HIS EXCELLENCY THE PRESIDENT: As President of the Council. I suggest that Members might welcome a break at this point.

7.17 pm

HIS EXCELLENCY THE PRESIDENT: Council will now resume.

MR. LIU (in Cantonese): Sir, the Green Paper on representative government was published in May 1987. A number of options for the development of a democratic form of government were listed so that the people of Hong Kong could consider them, give their views and make choices. At the same time the Survey Office was set up for the collection of public opinion so that it could be used as reference for the formulation of policies in relation to political development. In February this year the White Paper: The Development of

Representative Government: The Way Forward, was published after careful consideration of the views submitted. It shows a clear direction for our future political development. Even though there is a lot of dispute over the timing for the introduction of direct elections, in general the White Paper has efficiently, cautiously, and justly collated the views of the people of Hong Kong and drawn conclusions. I feel that this concise and easy to understand White Paper meets Hong Kong's present needs.

I would like first to point out that the introduction contained in Chapter I, particularly the section on general objectives, shows the spirit of the White Paper and is worthy of note. The most important part about the spirit is that it adopts Hong Kong's strong points and learns from the weaknesses of other places. It takes an overall view and makes careful choices. The well-being of the people of Hong Kong is used as the criteria in setting the directions.

Because of these reasons I agree with the views set down in the White Paper and the methods of implementation. These are: (a) It should continue to evolve according to Hong Kong's circumstances. (b) Its development should be prudent and gradual. (c) It should have the widest support. (d) The system should permit a high degree of continuity up to 1997 and beyond.

Our existing representative government can be divided into three levels—the district, the region and the central government. The White Paper clearly sets out these three tiers and specifies the functions and objectives of each tier and their relationship. I feel that this is a significant improvement.

The White Paper recognises the functions of the district boards and their contribution in the districts. It also distinguishes clearly the functions of the two municipal councils in the regions and their relationship with the district. Lastly, it also introduces elected elements to the central government and ensures direct elections in 1991. I personally feel that these changes are in line with the full objectives I have mentioned earlier.

All along, the composition of the Legislative Council and how Members are returned are questions of great concern. According to proposals in the White Paper, there will only be slight adjustments in the composition of the Legislative Council in 1988. In other words, Appointed Members will be decreased from 22 to 20 and functional constituency seats will be increased by two to 14. As for Official Members and Members returned by the electoral college, the numbers will remain the same. I am in support of the changes. However, functional constituency seats should be further increased. It is hoped that in 1991 there will be two additional seats to accommodate more representative functional bodies.

The way by which Legislative Councillors are returned is a most controversial issue. The White Paper suggests that direct elections will not be introduced in 1988 and will have to wait until 1991 to have 10 directly elected members chosen from geographical constituencies. This has been criticised by democrats in Hong Kong. I feel that such gradual changes are most suitable for the political

climate of Hong Kong and it is also accepted by the majority of our people. In 1991, there will be partial direct elections and the Government has kept its promise of introducing democratic elections. I am in support of such gradual changes.

Since in 1991 there will be 10 directly elected Legislative Councillors returned by geographical constituencies, the White Paper therefore suggests that the 10 members returned by the electoral college will be replaced. This has led to much debate. In my constituency, most of the district board members are against this and they feel seats returned by the electoral college should be retained, otherwise the political power of the district boards will be reduced. At the same time, it will help keep the close link between the district boards and the central government and it is hoped that the Government will consider this point.

Furthermore, I wish to raise a question that most people are concerned about. This is how can there be smooth transition of political power in Hong Kong and how can a high degree of continuity be maintained? In paragraph 26 of the White Paper, it is pointed out that account must be taken of the relevant stipulation of the Sino-British Joint Declaration in the drafting of the Basic Law. However, the concern of the people of Hong Kong is how the Joint Declaration can be implemented from 1991 to 1997 and effect a smooth transition, and how to maintain a high degree of continuity after 1997? These issues must be taken up by the Chinese and British Governments and they should take into consideration the wishes of all those who live in Hong Kong. However, in consulting the people of Hong Kong, I hope that China, Britain, or Hong Kong should pay attention to the special circumstances in Hong Kong and the social and economic conditions, and at the same time the background and spirit described in the White Paper. As I have mentioned at the beginning of my speech, we have four objectives that will guarantee Hong Kong's continued prosperity and stability, and our people can continue to work under such a stable environment and build a stronger and economic foundation and develop a better tomorrow.

Sir, I am in full support of the spirit of the White Paper and I also hope that through the debate in this Council, our people can understand and support direction of our future development towards representative government, and they will have more confidence to work for the future of Hong Kong.

Sir, with these remarks I support the motion.

MR. NGAI (in Cantonese): Sir, the White Paper on representative government published last month provides a comprehensive and beneficial blueprint for future developments. It summarises the views of various parties and reflects them. The Government is adopting a very cautious and serious attitude in the development of our political structure before 1997. When commenting on the overall objectives of political reform, the White Paper emphasises the

importance of the maintenance of stability and prosperity and the importance of effective administration. Also, the White Paper points out that developments must be evolutionary and that there must be a high degree of continuity. Regarding the developments before and after 1997, obviously the developments listed in the White Paper are moving towards a goal that has taken into consideration the overall interests of Hong Kong.

Sir, I support the basic spirit of the White Paper. Through the effective operation of our political and economic framework in past years, Hong Kong has achieved shining economic success that is the focus of world attention. Our society has no need at all for any radical political reforms. The general public in Hong Kong are interested in how to live and work in peace and contentment and not in the engagement in political activities. The low turnout rate in the recent district board elections illustrated this point. Sir, what Hong Kong society needs is a long-term stability, steady economic progress, and full employment. At present, over 40 per cent of our population live in public housing. As regards the wage of the labour force, take the manufacturing sector for example, for the fourth quarter of last year, the average monthly wage was HK\$3,992. At 1987 market prices the per-capita gross domestic product stood at more than HK\$64,000. These figures compared favourably with many developing countries. Actions speak louder than words. If we do not have a political and economic environment that is stable and if we only have a Government that is not pragmatic and that is interested only in empty talks, then it would be strange if Hong Kong could achieve such economic miracles. Sir, I see no reason why some people are apt to undermine the prestige and credibility of the Government and deliberately create an image of an incompetent government. And neither can I see how these words and actions contribute to the stability of our society.

Sir, as an ordinary Hong Kong citizen born in Hong Kong, brought up in Hong Kong, and working in Hong Kong, I want to make use of this opportunity to direct these sincere words to the individuals I referred to earlier. You and I grew up just like other members of the public in Hong Kong under the same historical conditions. Do you know that the inflammatory and sensational comments and over enthusiastic and radical actions publicised through media coverage create in the minds of international investors a new image for Hong Kong? That is, Hong Kong is in a chaotic situation and the people are in a constant state of anxiety. Do you know that on the international front the destructive impact brought by you on the interests of Hong Kong and the citizens of Hong Kong far exceeds the benefits that you claim will come to these people in your fight for direct elections in 1988? Please, on behalf of those who will be staying in Hong Kong, think over the matter again. In fighting for a better future for Hong Kong, you may have destroyed the future of Hong Kong. In that case I will have to regret such an action.

Sir, on the introduction of direct elections or otherwise in 1988, and on the other points in the White Paper, I stand by the comments I made on 16 July and 18 November last year on the Green Paper and the Survey Office report. I do not want to repeat myself here.

But regarding direct elections, I want to bring out just one point. That is, even if direct election is to be introduced in 1988 or 1991, it will not have any influence on the political pattern after 1997. As to the pace of development in Hong Kong now, how will it be regarded as ideal or perfect? I do not think that there is any absolute answer. I believe that any timetable for reform is just a concept or a plan and all plans must be adjusted in the light of prevailing circumstances. Before 1985 there were no elected seats in the Legislative Council. Starting from 1985, there were 24 indirectly elected seats and before 1991 there will not be directly elected seats in the Legislative Council. Starting from 1991 there will at least be 10 directly elected seats. These are two unprecedented changes. Some people may feel that this is already considerable progress but others may think that the progress is too slow. In my opinion, these disputes arise because we do not have absolute objective standards to measure this progress and there are no precedents. Both parties will have to rely on subjective views and intuition. Therefore, if we spend too much time on arguing about the timetable for political reform, it will not be of great value. What is more important is that, if both parties agree that the existing system should move forward they should join hands to create a new system that will operate successfully and lay a good foundation for future development.

Sir, I understand that on the point of direct elections, however diverse the views in the community are and however heated the arguments are, the Government finally must come to a decision. This decision may not please everybody but if just because there is opposition from some people and no decision is made, then the Government cannot function at all. This will adversely affect the political situation and the overall economic interests of Hong Kong. This is something that the public would certainly not like to see.

Sir, I support the views of Miss Lydia DUNN. We should unite and work together so that we can create a new scenario for Hong Kong. Sir, I support the cautious decisions made by the Government after it has weighed the pros and cons. I also support the spirit of the White Paper.

With these remarks, Sir, I support the motion.

MR. PANG (in Cantonese): Sir, the White Paper: The Development of Representative Government: The Way Forward, is a publication ingenuously written, a product of long and careful planning, showing great political wisdom and craft. If you look at the background and the development in the White Paper, you will find that it is like an intriguing finale in a long novel and resembles a play staged before all citizens in Hong Kong which is close to its curtain call.

We should clearly remember the many debates both within and outside the Legislative Council and also comments coming from outside Hong Kong on various subjects. For example, the amendment to the British Nationality Act, the Sino-British negotiations, the representative government, the draft agreement, and whether there should be direct elections in 1988. All these comments and debates show one thing very clearly, and that is, the majority of Hong Kong's citizens hope that the representative system will lead us towards a truly democratic Government. As such, the White Paper now published is really disappointing.

Our society needs harmony and stability. Our economy needs prosperity. This is what all of us want and we have already reached consensus on this. But stability and prosperity should really go hand in hand with liberalisation and democratisation of our political system. They are in fact not mutually exclusive. This has already been proven in a lot of democratic countries and remains an indisputable fact.

Sir, the White Paper has introduced the background and it has indicated to us that we should abide by a general objective. A lot of reasons have been given in the White Paper and I am indeed very sympathetic to the playwrights and the government officials who have taken such painstaking cautiousness in drafting the White Paper. This is because they must lead us towards convergence and accommodation with the Basic Law which has not yet been finalised and which is still unclear.

The White Paper has rejected the introduction of direct election into the Legislative Council in 1988 using divergence of views as an excuse. The White Paper mentioned nothing about the membership of our future Executive Council. Also, the White Paper has already decided that in our district board and in our two municipal councils, one third of the seats will still be filled by appointments. Direct elections will be postponed until 1991 and the electoral college will be abolished. In its place will be 10 directly elected seats coming from 10 geographical districts. There will be 14 seats coming from functional constituencies, and among them the two municipal councils will have two and the Appointed Members will be as many as 20. In addition, we will still have 10 official seats. In other words, the Government will still be able to control the majority in the Legislative Council until 1994. This is no gradual progress, this is utter stagnation.

Sir, I regret that we have such a motion and I object to the White Paper which is drafted really for accommodating the Basic Law in future.

MR. POON CHI-FAI (in Cantonese): Sir, the conclusions on whether the direction of a certain political system is right or wrong, just like the conclusions on the pros and cons of any issue, will certainly be very varied if we look at them from different points of view. That is why sometimes it is indeed very difficult for us to judge who is right and who is wrong. In fact, if we look at the ancient history of

China, we will be able to see that a lot of policies were not popular but were proven by history to be policies which were indeed to the best interests of the nation then and afterwards. Let us take two examples in ancient China. The construction of the Great Wall and the plantation of Chinese nationals to the borderland. At that time, nobody were willing to construct the Great Wall which was so far away from their home towns or to be resettled in the frontiers. How many people were willing to support or accept such policies? But history has proven to us that such policies which were unpopular at that time had precisely protected our country from foreign invasion and enabled our nation to survive and grow. One ancient scholar said: 'The people can share your joy over the country's accomplishment but not your considerations when the work has to be started'.

Hon. Members, I cite these examples not to prove that we should not respect public opinion or that we should negate all public opinion but I think when we consider public opinion we should not follow them blindly or unscrupulously mislead or abuse public opinion. In a time of great changes, it is important for us to enforce training in civic education. We should enhance the quality and standard of public opinion and guide public opinion onto a right track. This will be much, much better than just empty talks on democracy and freedom, and this will be more to the benefit of society. We all know that careless thoughts will always lead to regrets, so when we guide public opinion and analyse public opinion we must be cautious and farsighted and we must really put our collective interests before all else, especially when there is a serious divergence of views. I think that a cautious and a gradual political development will be more to the interest of Hong Kong.

Sir, all along we have stressed the importance of free debate. We would like to collect views from everybody and we have tried to concentrate on issues and not on personal grudges. Unfortunately we have not always succeeded. In the past two years we have had endless heated debates on the question of direct elections in 1988. To a certain extent, this has already brought about confrontation and emotional disputes. If we go on like this, not only will this bring about more divergence, but will also lead to extreme division and confrontation and in the end we will have greater chaos. This will certainly affect the confidence of foreign investors. Moreover, it will create fear among the public and affect their confidence in our stability and prosperity. I sincerely believe that this will do Hong Kong no good and no Hong Kong citizen would like to see this. We cannot negate one fact: the glorious accomplishments of Hong Kong in the past have, to a very great extent, relied on mutual respect and unity of purpose. This is really very different from the chaos that we have to worry about.

After the publication of the White Paper, direct election in 1991 has already become a fait accompli. So I think we should end our debate on whether there should be direct election in 1988 although the decision has disappointed certain members of the public. However, the decision has allayed the worries of certain citizens who are afraid that we may not have direct elections at all before or

after 1997. This decision has already met the requirements of the people who would like to have gradual developments. It has also marked an important step in the development of a political system. At this day and age, I think that we should be pragmatic. We should face reality, abandon our prejudices and co-operate to work for a better Hong Kong. In fact, we need to solve a lot of problems, and political development is only part of the problems. If we go on debating on direct elections regardless of other more important issues, then we will indeed not be doing any good for Hong Kong. I think we should really concentrate our efforts on improvement of the livelihood of the people. I think Hong Kong citizens will welcome this.

Sir, the White Paper has decided on the abolition of the electoral college. This has stimulated great concern among Councillors, some of them are for the option but others are worried that this will break the link between the central government and the district boards, and it will be more difficult for councillors to reflect the interests of the districts. In order to allay such worries, the Government should really step up the link with the district boards; more senior officials should be sent to the district board meetings and meetings of the subcommittees and the Government should try its best to help the district boards to solve their problems. At the same time, arrangements should be made to maintain a direct link between the district boards and the Legislative Council. In this respect, whatever the decision concerning the drawing up of new constituency boundaries is, the Government should make sure that Legislative Councillors directly elected from the districts will also be ex officio district board members of their districts. They will become the bridge between the Legislative Council and the district boards.

Sir, the Government has made a resolute decision in the publication of the White Paper. It has already set down a clear direction for future political development. This is indeed very wise. This is much better than indecisiveness and letting debates go on endlessly.

Sir, with these remarks, I support the motion.

PROF. POON: Sir, I am pleased to see that the White Paper has covered both the points I addressed during the motion debates on the Green Paper and on the Survey Office report and adopted a cautious approach in effecting changes. On the whole I find the White Paper acceptable.

I strongly support what has been said under the general objective of the White Paper, that a system of Government has to evolve as Hong Kong society develops so as to ensure that the Government continues to have the support of the community and be responsive and effective. It is indeed true that Hong Kong's stability and prosperity owe much to consistent policies and prudent development. Reform needs to evolve gradually from the unique system that has been serving Hong Kong so well. The pace of reform should not be forced at the expense of Hong Kong's stability and prosperity. I am delighted to see that direct elections to the legislature will be introduced in 1991.

I am glad that several opinion polls conducted soon after the publication of the White Paper showed a clear majority support for this move. To those people who are not totally satisfied with the White Paper, I would submit to you, Sir, the fact that no political move can satisfy everybody and that we should all pursue democracy by accepting the principle of majority rule. Noise does not necessarily represent the voice of the silent majority.

I welcome the introduction of direct elections in 1991 on the basis of directly elected seats filled from 10 geographical constituencies replacing the seats currently filled by the electoral college. These decisions coincide closely with the views I expressed during the Green Paper debate held in July last year. The replacement of the seats currently filled by the electoral college is a sound idea as there really is no need to have both directly elected and indirectly elected Legislative Councillors coming from the same district or geographical constituency. However, after we have a chance to review and reflect the outcome of the Basic Law, I would like to see the number of directly elected seats gradually increase as we move towards 1997.

I am glad that the number of Legislative Council Members elected by functional constituencies will be increased from 12 to 14 and accountants will become a functional constituency. These decisions, together with the creation of seats in the Urban Council for representatives elected by district boards, meet adequately the points I raised in the July debate.

While on functional constituencies I wish to add that Heung Yee Kuk as a body has played a fairly significant and perhaps unique role in Hong Kong. Their continuous involvement in shaping the future of Hong Kong is desirable. I have my reservations on whether it is proper to provide the Kuk with a seat in this Council by classifying it as a functional constituency. However, it is reasonable to have the Kuk represented in the Council and I would recommend that the Government further study and reconsider this matter.

In the July debate I suggested that 10 should be the minimum number of Official Members required to maintain an efficient conduct of big business in the Legislative Council. I am pleased that the White Paper has determined to the same effect. I do agree that in order to facilitate business in Council, the Governor may from time to time appoint different officials to the Council according to the business to be conducted during the session and the policy expertise required. I think by allowing this flexibility the system can better serve its purpose.

The White Paper as presented has given us a clear picture of how a representative government will be gradually developed. It is not perfect. It cannot be. However, I consider it pragmatic, cautious and feasible; given the situation we have in our hands. It therefore deserves support. Likewise we should not be too impractical and too aggressive in demanding the change to setting and colour of a given picture. Instead, we should concentrate on how to more effectively involve ourselves in the picture so as to give it a better chance

to succeed. It is high time to start building more politically conscious and politically mature voters by strengthening our civic education. It is also high time to start developing more political leaders by preparing those interested members of the public for the direct election in 1991.

Aggressive or not, satisfied or not, we are in the same boat. This boat has a full load and the water is not particularly tame. Our primary duty at this time is to keep the boat steady with as many rowers as possible so that it can glide smoothly towards 1997 and give it the elements it will need to move beyond. Let us not scare away rowers by making too much noise. Let us keep the sailing smooth by not rocking the boat.

We heard in this Chamber yesterday that people in France and England asked our hon. Colleagues, Mr. Allen LEE and Mrs. Selina CHOW, whether Hong Kong was still a safe place to invest in and to visit. I have had similar experience and perhaps some of our hon. Colleagues did too. If some politicians continue their out of context, over dramatised criticism, if a very small group of people continue to demonstrate and burn the White Paper, and if some media continue to emphasise the dramatic acts of the 500-odd demonstrators but chose to ignore the silent pursuit for livelihood of 5 million tranquility-loving people, they will be very successful in scaring away foreign investors, traders and visitors. Perhaps we shall be looking at a dying economy long before we even smell the death of democracy. I am most respectful of those who are determined to strive for democracy. I am even sympathetic to their relative impatience. I am saddened, however, that they may be overcome by too much emotion and enthusiasm and unknowingly defeat the purpose of their cause. Sir, I must therefore humbly ask that they also think of the damage they may be causing before they next talk or act for what they think they are achieving. Politics has always been a most insignificant part of Hong Kong people's lives. Please let Hong Kong stay peaceful; please let Hong Kong live.

With these remarks, Sir, I support the motion.

HIS EXCELLENCY THE PRESIDENT: Mr. SZETO Wah, you may wish to move the amendment under your name.

MR. SZETO (In Cantonese): Sir, the motion standing in the name of the Chief Secretary which reads that 'This Council takes note of the plans and intentions contained in the White Paper: 'The Development of Representative Government: The Way Forward' and I wish to add the following—'but regrets the Government's decision to introduce only 10 directly elected members into the Legislative Council in 1991, and to implement it by replacing the 10 seats currently filled by indirect elections from the district board.'

There are two salient points to my amendment motion:

- (1) Only 10 directly elected seats will be introduced in 1991 and that is far too few. If the total number of seats in the Council remains the same in 1991, then directly elected seats will account for less than 18 per cent. The White Paper has not clearly stipulated whether the total number of seats in the Council will increase; if so, the proportion of directly elected seats will be even smaller. Why does the White Paper only give the number of seats filled by direct elections but not make stipulations concerning the number of other categories of seats and the total number of seats? Why is the disparity? Is there already the intention to pave the way for an increase in other types of seats and in the total number of seats, with a view to reducing the proportion of directly elected seats in the Council and weakening their influence?

The legislature as described by the Basic Law contains an element of direct elections; that is absolute public opinion and is irresistible. Is it because of this that Government resorts to the tactic of proportional minimisation? As there are only very few directly elected seats in 1991, will Government then sing the song of gradualism, so that by 1997, there will continue to be very few directly elected seats—an ornament just for the Government to say it is there?

- (2) The 10 directly elected seats should really replace the appointed seats, rather than the indirectly elected seats.

In the three-tier system, the district boards constitute the foundation; they are closest to the grassroots. Abolishing the electoral college not only belittles the social position of district boards but it has dealt a blow to the enthusiasm of the district boards. It has weakened the link between the central government and the people at large, shaking the very foundation of the two upper tiers. It also has a reactionary effect on the enthusiasm with which civic education is promoted and the public's participation in social affairs.

Direct and indirect elections do not duplicate each other; direct elections mean direct accountability to the constituents. Indirect elections by the electoral college through the standing district boards mean indirect accountability to the constituents. District boards are standing monitoring agencies but directly elected seats are not.

If it is said that both types of elected seats are a duplication and that both are geographically based, the former should replace the latter. Why is such a system introduced in the Urban Council? The elected seats in the Urban Council at present are returned by direct election. By abolishing the ex officio membership of Urban Councillors on district boards and by introducing indirect elections into the Urban Council, is the White Paper not introducing contradiction with its decision concerning the Legislative Council?

Some have said that direct elections are an improvement on indirect elections and so favour the change. Yes, direct election is an improvement on indirect election, but the question is—is indirect election not an improvement on

appointment? No one can deny that indirect election is more democratic than appointment and after all, by 1997, all appointed seats will have to go. Why then do directly elected seats not replace appointed seats but electoral college seats?

Among the options in the Basic Law, one very important one comprises indirect elections through an electoral college but the abolition of the electoral college has effectively ruled out that option; that is an intervention, interference with the consultation, discussion and promulgation of the Basic Law. If the Basic Law finally provides for an electoral college, what then will be done? Will that not affect convergence? Why not emphasise the fact that there should be convergence on this point?

To counter calls for direct election in 1988, the White Paper says that introduction in 1988 is too soon, either because it could endanger stability and continuity or because it comes within three years of the last major reorganisation. Indirect elections by electoral college have been practised for less than three years; and one is deprived of it after hardly a taste. Is this not endangering stability and continuity?

Some have said that those who have objected to the electoral college in the past now object to the replacement of electoral college by direct elections. So obviously those people are inciting district board members against the White Paper. Now, that is putting incriminating words into the mouths of others. I have never objected to indirect elections by electoral college. Some may have, only because direct elections is more democratic than indirect elections. If it were not a situation of simple replacement but an addition of directly elected seats in addition to replacement, I am sure they will not object.

There have never been strong views against the electoral college, so on what public opinion is the White Paper based?

After all, electoral college elections do contain an element of democracy and to an extent, reflect equal political rights. Now that direct elections are irresistible, let us abolish the electoral college and suppress and weaken the democratic element in the Legislative Council in another way. That sort of thinking reflects inward weakness, an abhorrence of democracy.

Sir, some have asked me how many Members do I expect to see voting in favour of my amendment motion. Will it pass and if not, why should I move it?

There is a saying—‘Manifest what is righteous, count not its profit. Maintain principles and count not their successes.’ In other words, when something is righteous promote it regardless of the profit or otherwise, where principles are right they should be supported regardless of failure.

If upon self-examination, one is proved wrong, one should listen to the commoner with fear. If upon self-examination, one is proved right, ignore the myriads who oppose and press ahead with courage. In other words, if upon

calm and serious soul-searching, one discovers that one is not right, then even if it is raised by a commoner, one should listen to the commoner with fear. But if one discovers that one is in the right, then one should press ahead with courage, despite opposition by the masses.

This amendment motion is not raised simply for this Council; it is raised also for the benefit of the 5 million odd people in Hong Kong. What I do hope is that the 5 million odd people in Hong Kong will respond and pass it.

Sir, the motion raised by the Chief Secretary, Sir David FORD, reads—‘That this Council takes note of the plans and intentions contained in the White Paper: The Development of Representative Government: The Way Forward’. I have compared the intentions or objectives therein with the White Paper of 1984. The objectives of the 1984 White Paper reads—‘To develop progressively a system of Government, the authority for which is firmly rooted in Hong Kong, which is able to represent authoritatively the views of the people of Hong Kong, and which is more directly accountable to the people of Hong Kong.’ In the present White Paper, the phrases ‘firmly rooted in Hong Kong’, ‘able to represent authoritatively the views of the people of Hong Kong’ and ‘more directly accountable to the people of Hong Kong’ have all gone. What is in the new White Paper that is not in the old White Paper of 1984? In their place, we have ‘prudent and gradual development’, ‘smooth transition’, ‘a high degree of continuity’. I am not saying that prudence and gradualism, a smooth transition and a high degree of continuity are undesirable, but once the quality of a system firmly rooted in Hong Kong, the ability to represent authoritatively the views of the people of Hong Kong and more direct accountability to the people of Hong Kong are castrated, what meaning do the phrases ‘prudence and gradualism’, ‘smooth transition’ and ‘a high degree of continuity’ have? Are they in keeping with a high degree of self-administration from Hong Kong and autonomy for Hong Kong?

Comparing the plans in the two White Papers, the present White Paper makes no mention of the composition of the Executive Council and the relationship between the Executive and Legislative Councils. Is this not a retrogression?

Sir, I have to respond to the speeches made by my hon. Colleagues.

Some have made loud calls for unity and asked everyone to look ahead.

I am in favour of unity and of looking ahead, but unity must be based on the shared principles, or else it would be a betrayal. We cannot trade with principles; to look ahead in unity, there must be the same target or objective, or else we will lose our direction, go astray or go off on a tangent. Some say that we are idealists, although idealism is not a derogatory word. I must return this paper crown. I do not admit I am a pure idealist; every opinion I offer has to do with reality. Forget not the past, for it serves to instruct the future. There are rear mirrors in motor cars. When one drives forward, it is inevitable that one should peer into the mirror to see what is behind. Without rear mirrors we

cannot drive with safety. We cannot, for the sake of looking ahead, wipe out entirely divergence in opinion concerning principles in the past. I cherish warmth, but I certainly will not embrace a carrier of disease.

Some Members have repeatedly called for others to refrain from creating confrontation; people who make such calls often display a high degree of confrontation in their own speeches, or even give rise to new confrontation. Have they never thought of this fact that it takes two opposing sides for confrontation to exist and that they form one side of the two? The present controversy does not adversely affect investment nor administration. In the past two years, has Hong Kong not continued to prosper and has it not been stable? There are hordes of people who are emigrating or are planning to emigrate. What are they afraid of? Are they afraid or frightened by the present controversy or are they really in fear of something else? I believe that if those who have been courageous enough to speak up suddenly fall silent, or they start embracing those who believe in opposite principles, or simply give up and flee and emigrate, will that not affect the confidence of Hong Kong people even more seriously? I am not over-estimating myself when I say that many people pin their hopes on those who are undaunted by repeated setbacks, who work with perseverance and mindless of their own safety. We cannot let their hopes turn into despair. Yesterday, a Member said that direct elections in 1991, though not exactly a goal which those who fight for direct elections in 1988 are fighting for, is at least a fruit of their labour. But had it not been for the Members who had striven in the past few years and had it not been for confrontation, those who support the introduction of direct elections in 1991 will now have nothing to be in favour of. So when an attack is levied on these people, when names are named, please hold your fire.

Some say that we will now have direct elections in 1991; after all, what difference does three years make? Three years makes up one third of the transition; it is not unimportant in the context of gradual and prudent change, but more important, what is the invisible factor that has resulted in the delay for three years, and will the invisible factor continue to exist? Is that against self-administration for Hong Kong? We have heard that some say that the Legislative Council should not debate the Basic Law. Is it again because of that invisible factor that such words are uttered?

I have said in the past, 'Do not be duped by announcements that "here comes the sheep." Something will appear; some animals will appear in 1991; what is it? It will definitely not be sheep!' If Members remember, you will have noticed that I have never used the phrase 'lame duck', because I cannot bear the pain of using that phrase. What will come in 1991?—Not sheep, it will be a mouse shorn of hair, clad with a vest of lamb's wool. In other words, as short-sighted and as timid as a mouse.

Sir, with these remarks I move the amendment

Question proposed.

HIS EXCELLENCY THE PRESIDENT: Does any Member wish to speak to this amendment? (A number of Members put up their hands) A number of Members wish to speak; I will call on Mr. WONG Po-yan, and will the others please keep their hands raised so that the Clerk will have time to take down the names of those who wish to speak?

MR. WONG PO-YAN (In Cantonese): Sir, I seldom speak in the Legislative Council. Sometimes I feel that as a member of the Basic Law Drafting Committee and before the Basic Law has a definite draft, it is not really suitable for us to discuss the matter here. But today I have heard from Mr. SZETO Wah who is also a member of the Basic Law Drafting Committee. He has raised a number of questions, and I feel that I will have to respond.

Mr. SZETO Wah is one of the best known public figures in Hong Kong; he uses a lot of idioms, which carry the message across very effectively. However, I feel that probably they are not very suited to the matter under discussion. Mr. SZETO Wah in his speech said that his motion today is probably not for this Legislative Council, but for the 5 million people in Hong Kong. However, in his speech, he tries to isolate a number of people whose views are different from his and put them into conflicting camps with the 5 million people outside. I do not think this is something that I can accept. I feel that Hong Kong is in a very sensitive and crucial period; after 1997 sovereignty will be reverted to China, and this has been put in black and white. The Chinese Government have the intention to maintain the stability and prosperity of Hong Kong. Mr. SZETO Wah and myself have been holding meetings at different places in China and we do know that China has this will and sincerity. What sort of an attitude are we adopting when we say that, 'You are telling lies, and I do not wish to talk to you any further. I will just go back to Hong Kong and criticise you.' Will we really benefit from such an attitude and what will be the consequences? We will only be creating chaos in Hong Kong and a lot of people will emigrate.

This is easy to do, I can do so myself too. However, what will be the life of the 5 million people in Hong Kong be like? A lot of views will be expressed and a lot of discussions will be held. Ever since 1985, we started discussions in Beijing. The procedure for meetings of the Basic Law Drafting Committee differs but they gradually improve. Why do we not realise this and keep our repeating mistakes China previously made, including those in the Cultural Revolution?

Many people are born and brought up here; they go abroad for their studies and then they return. Their understanding of China is very limited and they do not really know much about Chinese history. They do not know that in the past 5 000 years, there were good times and bad times, ups and downs, enlightened despots and also dictators in China. However, times are changing! The Chinese race is not a stupid race; after a period of time they learn from their mistakes. Why can we not believe them? This is the point that I wish to raise. We

will also have to ask, 'What should be our direction and which one is the correct direction for Hong Kong?' Should we burn a lame duck outside this Council or should we debate rationally in this Council in order to effect improvement?

You say that you will not embrace the carriers of virus. Now, who are these people? Are they the people who want to destroy the peace and tranquility? Or are they the people who want to preserve peace and tranquility? We have a mission to accomplish. We have indirectly elected Members in this Council since 1985 and we are progressing. However, during the run up to 1997, when China will take over Hong Kong again, should we adopt an attitude of suspicion towards them? This may produce counter-effects.

Mr. SZETO Wah said a moment ago that in the past years people had continued to invest in Hong Kong. In that case, Mr. Allen LEE and Mrs. Selina CHOW must have been lying. I personally have heard people asking whether Hong Kong is becoming very chaotic. This is a question that investors are asking and this is a fact. You said that in the past two years our economy has not been affected. This is not true. The economy has been good in the past two years because some people who have emigrated have come back. Hong Kong still has a group of people who are down-to-earth and hard-working. In the past two years, world economy is favourable to Hong Kong, and the Hong Kong Government insists on upholding the US dollar link, and that is the reason why we have our existing situation.

Now, if everybody tries to tell ghost stories in the middle of the night, then people will leave. I have heard that in fact. A lot of people are rather ignorant about politics, particularly the professionals. The people who are in the legal field concentrate on legal matters, those who are accountants concentrate on accountancy, and they do not really know too much about politics. When they hear about 1997, and the things to come, then in order to play safe they leave. Why should we tell such ghost stories to frighten people?

Sir, I wish to say these in response to Mr. SZETO Wah. As I spoke my breathing was rather heavy, probably because I am not really that healthy, and at the same time I am also rather agitated. Sir, I wish to say that I am against the amendment.

MR. CHEONG (In Cantonese): Sir, I made the same mistake as Mr. Martin LEE in the past of confusing your office. Sir, now I call you Mr. President. I agreed with Mr. SZETO Wah to the extent that we should work with perseverance, with a sense of what is right for the benefit of the people of Hong Kong and be courageous to say what is right. Some people say that people in Hong Kong are afraid of other factors; why not say China? I can say for certain that some people are afraid of China and are afraid of China taking a retrogressive step, but can that be solved by having direct elections in 1988?

Some people are emigrating because they have no confidence in Hong Kong. It is a matter of confidence. But are people emigrating because of not having elections here in 1988? Or they emigrate because of China? What shall we do? We should try to get China to understand us, to understand how this place works, how this place differs with China for the past several decades. We are not talking about carriers of disease; we are not carriers of disease. Carriers of disease are those with ulterior motives. I do not agree with what has been said by Mr. SZETO Wah.

Yesterday many spoke with sincerity, with enthusiasm, with a hope that Hong Kong will unite, but what do we get? Yesterday at 9 pm there were calls of 'Out with Sir David WILSON', 'Burn the White Paper' and 'Burn the lame duck!'. If that is not sensationalism, what is? I beg your pardon, Sir, I am very agitated but I am very sincere. Yesterday I said that I would not leave although there are opportunities open to me. Sir, I am against the amendment.

MR. CHEUNG (In Cantonese): Sir, I fully support what Mr. WONG Po-yan has just said. I am a district board member of the North District Board. The Government has decided that in 1991, there should be 10 directly elected seats to the Legislative Council which will replace the indirectly elected seats from the district boards now, in order to avoid double representation. I support the decision of the Government.

Yesterday I have already expressed my views on this subject to you, Mr. President, so I will not repeat those points. I would just like to say that I cannot accept the amendment proposed by Mr. SZETO Wah.

DR. IP: Sir, I stand to speak against the amendment on the grounds that (1) the phrasing of the original motion is already wide enough for all Members to express their differing views on the White Paper, and (2) such amendment unnecessarily highlights one section of the White Paper, when all aspects of it are of equal importance. And lastly, any proposals for amendments and in particular, debates on them, are wasting valuable time of the Legislative Council sitting, and delaying other Members to express their views on the White Paper, which is why we are here in the first place. I would therefore vote against any further proposals for amendments.

MRS. CHOW: Sir, for reasons stated in my speech on the main motion yesterday, I made it clear that I am indeed in support of the proposal in the White Paper, to replace the 10 indirectly Elected Members from the district boards by 10 directly Elected Members in 1991. Therefore I must oppose the amendment proposed by Mr. SZETO Wah.

As early as 1984, political activists called with one voice for the adoption of direct elections in favour of the electoral college of the district boards, as proposed by the then Green Paper. Mr. SZETO Wah himself was very much a

leader of that school of thought, and his statement in forwarding that view is now public record. Subsequent to the actual introduction of the electoral college system in 1985, considerable criticism was levelled against it.

In the first half of 1986, and up to July in the same year, a number of the most vocal political groups in Hong Kong including 'Meeting Point' and the Hong Kong Affairs Society, issued public statements advocating the total abolition of the electoral college in 1988. The former proposed a Legislative Council composition table for 1988, 1991 and 1994, in which it proposed the electoral college to be completely replaced by directly elected members, while half of the Appointed Members were, they suggested, to be retained. The latter made a suggestion for the SAR Legislative Council which had no place whatsoever for the electoral college.

Now that the Government has decided to adopt this proposition, the very same bodies and individuals have not only come out strongly in opposition to this move, but have led a movement to reject the White Paper on the basis that the electoral college is to be abolished in 1991. What is the logic for this U-turn? What happened to their strongly-felt sentiment in 1986 that the electoral college must be replaced by direct elections because the former was, they argued, divisive and therefore harmful to the harmony and usefulness of the district boards. What happened to their original accusation that the electoral college was not truly democratic because it was unrepresentative, and therefore unaccountable to the public?

Sir, I stand opposed to Mr. SZETO Wah's proposed amendment because it lacks logic, and because I believe it is motivated by political strategy rather than by will. Sir, before I sit down may I say I deplore the language used by Mr. SZETO in his speech just now; one can always hide behind a shield of the freedom of speech and freedom of expression, but how low can you stoop?

Sir, I stand opposed to the amendment.

MR. CHAN YING-LUN (in Cantonese): Sir, I oppose the proposed amendment by Mr. SZETO. The present debate is unlike the debate on the BNO. The in-house meeting of the Legislative Council agreed that we should support the motion on the BNO so that we could pass on the message to the British Government. But political reform is an item that is controversial and therefore we agree to have a neutral motion so that we can speak our minds on the White Paper.

After listening to the speech by Mr. SZETO, I believe that we hold different views. I cannot accept his amendment because he did not express the ideas I have in mind. If Mr. SZETO considers amalgamating Mr. Martin LEE's amendment with his own saying that they regret the non-introduction of direct elections in 1988 and that they feel that the introduction of 10 elected seats in 1991 is too late and too few, then I will give them my support. My reasons have been given yesterday.

MRS. FAN: Sir, Mr. SZETO's amendment is divided into two parts. I shall comment on them one by one. The first part, it regrets that the number of directly elected members is only 10. In July last year I suggested in this Council that the directly elected element should constitute about 15 to 18 per cent of the legislature when it was to be introduced. Ten directly elected members in a council of 56, assuming it will be 56, is about 18 per cent. This is a first step; in my view, it is just about right.

As for the second point, I have explained in my speech yesterday and in July 1987, the reason why I support the replacement of district board based indirectly elected seats by directly elected seats. I do not intend to repeat this here, partly because I do not wish to waste Members' time and partly because I feel that even if I repeat it, it will probably fall on deaf ears in some quarters. However, I do support the point made by my hon. Friend, Mr. CHUNG and Mr. POON Chi-fai, and that is, it is necessary to consider ways and means of maintaining links between the district boards and this Council. This, I believe, is certainly something the Administration should put their minds to.

Turning now to what Mr. SZETO has said in his speech. Mr. SZETO says that if he has thought carefully and decided that something is right, then even if there are thousands of people opposing him, he will go forward. I wonder how my hon. Friend decides that he is right. Surely, the wise policy maker or ruler must consider the objective circumstances, the views of people from all walks of life, and then decide on the right course because he is aware, and he is mindful, that his decision affects millions of people for whom he is responsible and who have put their trust in him for their future and their daily living.

I fully agree with my hon. Friend, Mrs. Rosanna TAM, when she referred to the sense of responsibility and the sense of realism in her speech. To force one's own conviction upon others and glorify such autocratic acts as holding fast to one's principles, and at the same time discarding all other views without giving them the justification of due consideration, as well as discrediting others by insinuation is probably the most undemocratic act I have ever witnessed in this Council.

Sir, I will vote against the amendment moved by Mr. SZETO.

MRS. NG (in Cantonese): Sir, for the two reasons I now give, I am opposed to the amendment proposed by MR. SZETO Wah.

First, I have participated in three different district board elections. I fully support direct elections, that is, a vote for each resident. I am glad to hear that the Government will introduce 10 directly elected seats in 1991 to replace indirect election. This is a progressive step. Political development should not be retrogressive. In 1991, residents will have the power to vote and to elect their own spokesmen. There is no reason why we should keep the indirect election

system, which is a transitional method. Moreover, if we have both directly elected and indirectly elected members in the same Council, it would lead to double representation problem and the consequences would be very serious.

Second, for the first direct election to the Legislative Council, 10 seats would be quite sufficient.

I want to repeat one point. Political changes should be evolutionary and should not be too fast in pace.

DR. LAM (in Cantonese): Sir, I support the proposed amendment moved by Mr. SZETO Wah because I think that if we replace indirectly elected seats with directly elected seats, it will reduce the distance between the Legislative Council and district boards and would damage the image of district board. Moreover, it would also reduce the voter turn-out rate in the future. Directly Elected Members should replace the Appointed Members.

Just now we have seen some confrontational comments and they are getting worse. Within this Chamber, we are all well educated and we have very good personalities. If we cannot sit down calmly to discuss our differences, how can we set a good example to lead Hong Kong residents to unite and fight for the prosperity and stability of Hong Kong. So, I call upon all my colleagues to keep calm and to stay calm to discuss our difference.

MR. MARTIN LEE: May it please you, Sir, I do not deplore the conduct of any of my hon. Colleagues about 10 minutes ago because one advantage of opening our meetings to the television camera is that all our behaviour is for everybody to see. But let me remind my hon. Colleagues that when confrontational tactics are used in this Chamber, we should ask ourselves who are to blame. And if we were to believe that direct elections will frighten people away, then I venture to suggest that such confrontational behaviour, not from the prodemocracy lobby, I hasten to add, might indeed bring about the same result.

Sir, let me now answer the questions from Mrs. Selina CHOW. Why would people who were originally against indirect elections from the district boards now support it? Why are they being so illogical? Why would they change their minds? I wonder if hon. Members have been following the development of the drafting of the Basic Law closely enough, because there is now on foot a rather dangerous concept which found its way into the Green Paper and has been kept in the White Paper, called the grand electoral college. Every time this topic came up for discussion no matter where, both inside China in a number of locations referred to by my hon. Friend, Mr. WONG Po-yan and in Hong Kong, I asked: How do you select this grand electoral college? I am afraid there has never been an answer to it, which compels me to fear that at the end of the day, this august body called 'grand electoral college' may turn out to be nothing more than a grand appointment college. If the chief executive were to say: 'I wish Mr. WONG to sit in the Legislative Council'. People would say this is an appointment. If the

chief executive were to say: 'Let me and my wife and my young child elect Mr. WONG into the Council', people would say: 'Come, come, you cannot keep it in your own family.' If the chief executive were to say: 'All right, let me give you 600 people, all respectable people, but let me make sure that I can control at least half of them.' What is the difference, I fondly ask?

Sir, that is the trouble. Some people are now considering this idea of grand electoral college which is nothing more and nothing less than the perpetration of the appointment system. And that is why prodemocracy lobbies in Hong Kong have changed their minds; and that is why they say: 'Well, given the choice between directly Elected Members and indirectly Elected Members via the district boards, of course we go for the former.' But if the choice is between indirectly Elected Members via the district boards and these Appointed Members via the grand electoral college, then we say: 'Well, let us keep the district boards.' It is for that logical reason that there has been this change of mind.

Now, Sir, there are two points highlighted in the hon. Mr. SZETO Wah's motion. The first is that there are only 10 directly Elected Members in 1991; and the other is that these directly Elected Members should replace the 10 seats currently filled by indirect elections from the district board, and not the Appointed Members. Sir, the key objection, as far as I am concerned, to this part of the policy decision in the White Paper, is that, globally, as a unit, the Legislative Council is unlikely to change, so that even by the summer of 1994 no less than 30 Members will still be appointed by the Governor.

Paragraph 29 of the White Paper is indicative of the thinking behind this decision. It says: 'The Government believes that direct elections are best carried out on the basis of single-seat geographical constituencies. This raises the question of what happens to the present geographically-based electoral college seats. It is difficult to see any advantage in having two parallel systems of geographical representation in the Legislative Council, operating both directly and through district boards. That would mean having Members elected on a geographical basis by both direct and indirect methods. In addition, having two types of geographically elected Members would involve substantial increase in the size of the Legislative Council and upsetting its overall balance.'

So, Sir, herein lies the answer. It is, of course, the intention of the Government to keep the majority of Appointed Members until the summer of 1994. The question is: What do we do with these hon. Appointed Members, because by 1997, we must have a fully elected legislature whether they like it or not? I have nothing against my hon. Appointed Colleagues except that there is no place for them, unfortunately, in the future SAR legislature. Sir, we talk about gradual change, step by step, and so on. Surely, there is no reason to keep so many of the Appointed Colleagues in this Council until the summer of 1994; because within two months elections would be held and all Appointed Members must be

phased out. By then, because the elections in September 1994 would be the last elections held in Hong Kong under the British administration, and we must make sure that we would have a fully elected legislature by then.

That is why, if you look at the overall composition of the Legislative Council, this decision of introducing 10 directly Elected Members to replace the indirectly Elected Members and not the Appointed Members is not acceptable.

Sir, the other point about the White Paper which I do not find acceptable is that it does not provide any direction for the future. It says: the way forward, but leading to where? And that is why the shadow Foreign Minister in the British Parliament, Mr. Gerald KAUFMAN had rightly summarised it thus: 'For the most part it does little more than tinker with the status quo.'

Sir, as for the White Paper's proposal to introduce only 10 directly elected seats in 1991, the Times in London has this to say in its editorial on 11 February this year: 'The document falls short of political aspirations in the Colony.' Sir, even according to the MDR Poll conducted immediately after the publication of the White Paper, which was referred to by some of my hon. Colleagues in this Chamber as authority to show public support for the White Paper, it indicated that 40 per cent of the respondents thought that 10 seats in 1991 were simply not enough, and 60 per cent of the people polled thought that the number of Elected Members should be more than, or at least equal to, that of the Appointed Members in 1991.

Sir, the Government has decided that the electoral college system of elections via the district boards should be abolished. This type of election, Sir, as I said, has its limitations. But up to date, it is more representative than anything else that we have, including the route whereby I have been elected into this Council, because each Member here coming from that route will know more or less what is happening within his own constituency consisting of about 500 000 people. Some of my colleagues in fact come from much larger constituencies. So, whatever may happen in Hong Kong or Kowloon or the New Territories, there is always one Member in this Council who knows very well about that particular matter. Certainly under the present system, my indirectly Elected Colleagues provide a useful constitutional link between the district boards and the Legislative Council; and the system has worked well in the past three years. But if I be wrong and it be thought that that system is not working well, why is it that there is no suggestion to improve it?

Sir, the reason set out in the White Paper for abolishing this route which I already read out is totally unconvincing. The main point is that of overlapping. But if overlapping causes any difficulty, why do we not make the constituencies for direct elections larger? Why do we not have four or five large constituencies for the entire territory, each returning two or three Members to this Council? We could, for example, have one constituency for the Hong Kong Island and two for Kowloon—Kowloon East and Kowloon West—and may be one or two for the New Territories.

Sir, even if we were to maintain the present geographical constituencies intact, there is still an important difference between the two systems and that is a point which has not been talked of often. Under the present system, the members elected via the electoral college from the district boards are themselves district board members and as district board members, each of my colleagues—as a district board member—would have been elected from a very small constituency, of at most 25 000 people, not voters, but people. Then these members in the district board would elect among themselves one representative into this Council. So they are basically men of the district. But if we were to have direct elections covering the same geographical constituencies, each member, directly elected, will represent at least 500 000 people, and they are more likely to be representatives of Hong Kong rather than the districts.

Therefore I submit, Sir, even if we were to maintain the same geographical constituencies for the two types of election, there are still important differences which would justify their joint existence; and both, with respect, will be of benefit to the Legislative Council. And, of course, the appointed seats would have to go first under the Joint Declaration, and that is why I see no reason at all why the directly Elected Members should not replace the Appointed Members so that we really go forward, step by step, towards a fully elected legislature.

Sir, I will only repeat a small part of my earlier speech because it is pertinent to the topic: and that is the fact that in one of the options currently under consideration by the Basic Law Drafting Committee and which is in the tentative draft, there is an option which still allows for the existence of this present type of electoral college by the district boards.

I now come to, if I may, the Survey Office report, a document which is heavily relied upon by the Government in justifying its policies in the White Paper. Sir, this Survey Office report shows that more people were in support of the retention of the present electoral college system than abolishing it. There is indeed an overwhelming majority of submissions received by the Survey Office concerning electoral college and they were in favour of its retention, for which please refer to paragraph 13.38 of the report. And indeed members of various councils at all levels, had spoken for the retention or even expansion of the electoral college.

The two surveys conducted by AGB McNair is found that there were more people in favour of, rather than against, the retention of the electoral college. So, public opinion is clear on this head, and yet our Government still decides to go against the public sentiment. Why? Does it not demonstrate that the Government is not being consistent in its application of public opinion? The Government denies direct elections to us this year by saying that: 'Well, because public opinion was divided on this issue.' And yet we find the same Government deciding to ignore public opinion even though it is not divided at all on this issue. So how can we then support the White Paper when the Government has chosen to use double standard in relation to public opinion?

Another point I find very difficult to understand is why do we get rid of the 10 indirectly elected seats from the district boards and yet keeping the two from the municipal councils? Why do we have a totally different system of elections just for two members?

Sir, I therefore find myself in the greatest difficulty in understanding this part of the White Paper, and I have no hesitation, Sir, in supporting the amendment standing in the name of Mr. SZETO Wah.

9.04 pm

HIS EXCELLENCY THE PRESIDENT: I still have the names of five Members who wish to speak on the amendment and seven who wish to speak on the main motion. I suggest that the Council would benefit from another short break at this point.

9.17 pm

HIS EXCELLENCY THE PRESIDENT: Council will now resume and we will continue with the debate on the amendment proposed by Mr. SZETO Wah.

MR. DESMOND LEE (in Cantonese): Sir, I support the amendments proposed by Mr. SZETO Wah.

I feel that to introduce only 10 directly elected seats in 1991 is too few. If these 10 seats are to replace certain existing seats we should replace the existing appointed seats. As to whether there should be direct elections in 1988, views are very divided and I do not wish to continue with the debate. As for the number of seats, it is considered that the percentage should be 20 to 25 per cent. At the same time it has been delayed until 1991. If we take the percentage of 20 to 25, the number of directly elected seats should be 12 to 15. The Joint Declaration stipulates that the legislature should be constituted by election and that means that the appointed seats will all be abolished. In the Basic Law there will be no appointed seats. If we follow the Joint Declaration, any new directly elected seats should take the place of appointed seats because the Joint Declaration does not rule out functional constituencies or electoral college. It will probably accommodate such election methods. The only thing that should be replaced should be appointed seats and therefore our line of development is that any new seats should take the place of appointed seats.

Of course, I do agree that there are certain shortcomings in the existing electoral college. The most obvious one is that the numbers are much too few and it will lead to a monopoly and at the same time create clique politics and also favours and grudges. However, these shortcomings can be overcome by changing the way of voting. I have suggested to the Survey Office that the existing electoral college, made up by the 10 district boards, should be changed

into a nominating body; and every five members of the nominating body can nominate one candidate and the candidates should be divided into 10 groups and voting should be done by all district board members—a total of 405. Each one should pick one candidate from the 10 groups, then there should be a simple majority and the person with the highest number of votes will be elected. There will be two advantages: there will be no monopoly and there will be no clique politics. At the same time, the candidate and the voter will not be on too familiar terms and there will not be friendship votes. It will therefore be more objective. I hope that the Government will consider these and implement it in this year's electoral college elections.

Sir, with these remarks, I support the amendment.

MR. CHEONG-LEEN: Sir, like Mr. SZETO Wah and Mr. Martin LEE, I firmly support the principle of the electoral college system. I have said it consistently and I still say so. I found it rather confusing as to what could be the future of the electoral college system in the White Paper. We know what will happen to the district boards electoral college. Members have already spoken in detail about that and we know what is proposed for the municipal councils. But that is all that is said in the White Paper on the electoral college. We do not know what could be the future as we move towards 1997. There was some reference to the concept of a grand electoral college in the Green Paper; but in the polls it seemed that it did not arouse any great interest but it seemed to have been enough for the Governor to think that the concept could be explored even further. However, as has been said by Mr. Martin LEE and other speakers, there has been some discussion going on in the Basic Law Drafting Committee and the Consultative Committee that some seem to be in favour of a grand electoral college; some very much against. I think since the White Paper has proposed that the district boards should have 10 elected seats in the Urban Council, the question does arise as to whether district boards should also have elected seats in the Legislative Council. Perhaps it does seem to me that there is the unstated intention on the part of the Government to review the whole concept of the electoral system, in which direction should it be heading for, especially since the two municipal councils will still be having a seat in 1991. Should, for example, the manner in which district boards have previously elected representatives to this Council—that is, on a geographic basis, still continue? I think there is a need to define the manner in which representatives are elected to the Council under the electoral college system. But this is something which has to be debated over the next few years especially since between now and 1990 the idea of a grand electoral college seems to have caught on very much in the Basic Law Drafting Committee. Perhaps during the next year or two, there may be certain points of agreement between those who are studying the draft Basic Law and those who are studying the development of representative government during the transition period. It seems to me we do need some time, Sir, to review the whole basis on which the electoral college system should continue to exist.

As I said, I am very firmly in favour of retaining the electoral college system because I have always said that as we move towards 1997, I would hope that there should be a balanced form of representation in this legislative body, that is, one third directly elected, one third functional constituency, and one third on an electoral college system.

So, for that reason I think that it is inappropriate at this time to have this amendment. I think if it is not premature, it does require more careful examination, and for that reason I shall vote against the amendment.

PROF. POON (in Cantonese): Sir, Mr. WONG Po-yan said a moment ago that he seldom speaks and this time he is extremely sincere in what he has said, and I would wish to show my appreciation.

In July last year, when we debated the Green Paper, I made a suggestion that some directly elected seats should be introduced into the Legislative Council in 1991 or 1992. I also said that in so doing we should at the same time replace the indirectly elected seats by the electoral college. Now I believe this even more firmly. Therefore, I am against the amendment proposed by Mr. SZETO Wah.

MR. SOHMEN: Sir, I was brought up to believe that speeches should be like mini-skirts: long enough to cover the essentials, short enough to remain interesting. I am afraid some of our colleagues have today opted for the dinner dress. I would also like to congratulate you on your tolerance in letting Mr. Martin LEE speak about the alleged flaws of the opinion surveys whilst speaking on Mr. SZETO's amendment motion. On the other hand, I was gratified to hear from Mr. SZETO Wah that indirect elections also contain an element of democracy. I think everybody should remember that, and also remember the vehement attacks against my proposed system of indirect elections. for the reason that they were not democratic at all.

Sir, I shall vote against Mr. SZETO's amendment and my reasons are simple. Thirty-six Members of this Council have spoken already on this debate on the original motion and the majority have accepted the proposals contained in the White Paper. What purpose does it serve to produce yet another and more limited scope for the motion by restricting the vote on it to the specific questions of the number of members to be directly elected, and the proposal to replace the electoral college members by the directly elected members? Those Members who have already accepted the White Paper have implicitly or expressly accepted these specific facts, and those who did not accept them—like myself—have had occasion to voice their objections. And now that Mr. Martin LEE has finished listening to his own voice, perhaps our other colleagues will be able to explain their views on the matter.

The amended motion is also badly phrased in that those who vote against the motion do then not regret the Government's decision to have only 10 directly elected members introduced and so forth, while those who vote for the motion could be

seen to have accepted the rest of the White Paper, while only objecting to those specific provisions highlighted by the amendment, thus not leaving any room whatsoever to those Members who are unhappy with the other aspects of the White Paper, to express their opposition by voting against. Sir, I refuse to accept such an illogical result as I refused to accept the proclaimed righteousness—or perhaps we should call it self-righteousness—and the bona fides of those who in the face of overwhelming evidence to the contrary, persist in emotional outbursts, or seek subterfuge in petty formality, or use obtruse or legalistic arguments to deny the obvious political reality. Those who so fervently preach democracy should really learn finally to practise it.

Sir, I am getting somewhat tired of people who seem to believe that the urge to destroy is a creative urge, and particularly here in Hong Kong we can well do without people whom yesterday I called—perhaps a little bit too charitably—‘naive idealists’.

MR. ANDREW WONG (in Cantonese): Sir, I agree almost entirely with the reasons given by Mr. SZETO and Mr. Martin LEE on the amendment but I am afraid I cannot agree with the implications made in the latter half of Mr. SZETO's speech. Actually I think the decision on this point on the part of the Government is a wrong decision. If the district boards are to remain consultative then we will need to have indirectly elected representatives from the district boards. These members will not give rise to double representation. These indirectly Elected Members will represent district level; they will not represent those people who are elected directly or those people who are representing the collective sentiments of the territory.

As for the concept of double representation, I think we can avoid this totally by drawing the constituency boundaries again. Mr. Martin LEE suggests that we can have three seats for the Hong Kong island, four for Kowloon, and two for New Territories, and nobody will say that these indirectly elected seats will be overlapping with the directly elected seats, so I do not think we can support such a reason. Some other people say that this will increase the number of Legislative Councillors; I do not think this is the case. In 1991, I think there should be about seven appointed seats which will be replaced by other seats. I think these should be replaced by directly elected seats and even if we add in three more seats, this will not vastly increase the number of seats in the Legislative Council.

I think the most important reason is that the question of direct election and indirect election really hinges on whether we should have functional constituency, electoral colleges, or rather universal suffrage, but this has nothing really to do with the political concept of democracy.

We can look at other countries, whether it be central administration or local administration. Sir, basically, a legislature should be composed of Members returned from a universal election or a district-based election. If the 10 in-

directly elected seats now coming from the electoral college are to be replaced by directly elected seats, then it will be similar to an ancient story in China. There was someone who had a monkey in his house but was getting poor. He had to reduce the food given to his monkey. He told his monkey: 'Would it be possible if I give you three of the fruits in the morning and four of the fruits at night time?' The monkey was not happy so he said: 'Well, what if I give you four in the morning and three in the evening?'. The monkey became very happy. So I think we really should concentrate on how the legislature is to be formed. If you think we should not have any directly elected seats in 1997 we should at least note that since Appointed Members are to be replaced, what seats should replace them? If we have functional constituencies, I do not think you can satisfy the needs of everyone in Hong Kong and every trade in Hong Kong.

Just this morning, I received a letter from the Association of the Institute of Chartered Secretaries and Administrators in Hong Kong. They said that they would also like to have a seat in the Legislative Council. So you can see that there will be increasing demands from the professions that have been excluded. I have said in a public forum that functional constituency is really a very nebulous concept. Actually I have not use 'nefarious', as reported by a newspaper, because that is close to the meaning of immoral. So I would like to clarify this.

Mr. SOHMEN has said he is happy to hear that Mr. SZETO saying that indirectly elected seats may be regarded as democracy. That will really depend on one thing. This is because at least indirectly elected people will be able to represent some portion of the community. So when I talk about this, I really do not agree with Mr. SOHMEN's idea in the past that we should have more functional constituency seats. I think that during the transitional period and even after 1997, we may still need functional constituency seats but really because of very, very special reasons. For example, we would like to keep some talents or we would like to have special interests or groups to be represented, in particular, if these groups are concerned about certain rights. Now if we do not have full representation of these groups, if their interests are neglected, this will do our society no good. So I regret that we have not defined the concept of functional constituency again in the White Paper resulting in not treating Heung Yee Kuk as a functional constituency.

Sir, I would like to support Mr. SZETO's amendment but I am afraid whether I am against or for it I will become an virus carrier. I do not know what I should do. When I talked about the first amendment, I already said that there was divergence in the Legislative Council. I think we only have divergence and not division, so I still maintain that we should have a rational debate. I support the amendment.

CHIEF SECRETARY: Sir, in speaking against the amendment proposed by Mr. LEE, I have remarked on the undesirability of amendment motions having the effect of focusing on particular aspects of the White Paper, when the general

debate gives the opportunity for everyone to talk about everything. I must therefore oppose the amendment proposed by Mr. SZETO on the same grounds.

Sir, the replacement in 1991 of district-based electoral college seats by directly elected seats should not be looked at in isolation, but should be viewed in the context of the overall and progressive development of a more representative system of government, and in the context of the rationalisation of the three-tier structure. As I explained yesterday when introducing this debate, the change from the system of indirect to direct elections based on geographical constituencies, is a natural and progressive development. The change is also entirely consistent with the rationalisation we are seeking to bring about to the three-tier structure of our system of representative government. To have two parallel systems of geographical representation in the central council of government, with members elected by both direct and indirect methods, is not only unnecessary but also likely to be problematic. It could well, for instance, give rise to invidious comparisons between the representative status of the two groups of members; both are supposed to represent the residents of their respective constituencies but each will probably claim to be more representative than the other.

Mr. LEE has suggested, rather ingeniously, that there will be two different constituencies for people coming from the same district. He overlooks two salient points. Firstly, Sir, the district boards may elect to their constituencies members who are not members of a district board. And, secondly, although Mr. LEE has suggested that direct elections in the constituencies are likely to attract, what he described as, 'Hong Kong Members'—may be with an element of wishful thinking—nevertheless, they will need to seek their vote from the district constituency in which they stand, and that will be their electorate.

Mr. SZETO's amendment also expressed regret that only 10 directly elected seats will be introduced in 1991. Sir, a theme which has emerged from this debate so far is that the development of representative government should not, and will not, stop in 1991. The final chapter of the White Paper makes it absolutely clear that there will be further development between 1991 and 1997. The draft of the Basic Law contains a number of options for the composition of the future Hong Kong SAR legislature. All of them provide for at least 25 per cent of the members of the legislature to be directly elected. So there will, therefore, obviously be room to increase the directly elected element in this Council between 1991 and 1997.

Sir, I oppose the amendment proposed by Mr. SZETO.

Question on amendment put and negatived.

MR. CHUNG: Sir, may it be recorded that I abstain.

HIS EXCELLENCY THE PRESIDENT: May I look into the procedure of whether you can record an abstention on a voice vote. If you can, that will be done.

MR. CHUNG: Yes, thank you.

Question on original motion proposed again.

MR. TAI: Sir, the White Paper on The Development of Representative Government is, in my opinion, a very mild dosage of political change. Instead of taking a large step forward, the Government has opted for a small step in dealing with the necessary political changes.

If one is to concede political change, then one should also include the Executive Council: its composition, power and its relationship, with the Legislative Council. Too much emphasis and attention has been focused recently on the introduction of direct elections in 1988 and the composition of the Legislative Council in 1988 and 1991, without any mention of the structure and possible changes in the composition of the Executive Council, which is the power centre of Hong Kong politics.

If there is a lack of certainty and continuity in our executive system, I fear this could, in the long run up to 1997, adversely affect the political stability of Hong Kong. We should all recognise that very significant progress has been achieved over the past three years and the recent excessive focusing of attention on direct elections has clouded these achievements. The emergence of confrontational politics is not conducive to the continued stability of Hong Kong and distracts the attention of the community away from the importance of having a stable political framework and what Hong Kong has achieved over the past years.

From the contents of the White Paper, we can see that both the British and the Chinese Governments have already achieved significant progress in the mutual understanding of the future political system of Hong Kong. In political reality, the Chinese factor is one of the major considerations in deciding Hong Kong's political, economic and social changes. By adopting a confrontational approach in dealing with political changes, rather than seeking mutual understanding and trust, we could seriously jeopardise the present stability of Hong Kong.

As far as I am concerned, the introduction of direct elections in 1991 is a political breakthrough which demonstrates the trust and understanding between the Hong Kong, Chinese and British Governments. As regards the White Paper's proposal to introduce direct elections in 1991, although the district board election to the Legislative Council did cause some frictions and embarrassment, the value of their contributions far outweighed these minor shortcomings. Potentially, it would be of greater benefit if district boards could nominate suitable candidates for election to the Legislative Council. This would ensure continuity in the present effectiveness of the district boards, both through district administration and in the Legislative Council.

The disappointing turn-out in the recent local elections, in my opinion, is largely due to a feeling amongst voters that the district boards still lack effective

power and influence in the implementation of government policies. Our present efforts to promote civic education and the system of selected district board members taking part in the area committees and management committees, so that they can have a chance to participate and understand the implementation of various government policies affecting the district, can do much to remedy this shortcoming.

May I, Sir, say a few words on the question of Heung Yee Kuk and, in particular, on some of the statements put forth by Professor POON. Sir, the Heung Yee Kuk and I had, on a number of occasions, presented their views and case to you and to the Administration. Never, as in the White Paper or, for that matter, in the Green Paper, at any time has the Government made any statement that the Heung Yee Kuk does not fulfil the criteria as laid down in the Green or White Papers, to qualify as a functional constituency. Nevertheless, the Government has indicated that, because the Kuk is not a trade or professional organisation or body of a territorial-wide nature, their appeal to be included as a functional constituency has been denied. I doubt Professor POON's knowledge about New Territories affairs and his participation in New Territories matters, apart from pig-waste legislation. I am disappointed that the Governor has not recognised the strength of the Kuk's case for a functional constituency seat, especially in the light of the past and present valuable contributions they have made which, I feel, truly deserve recognition by the Government. In the light of the many bodies and organisations asking to be considered as a functional constituency, I feel I should take this opportunity to urge that it would be helpful for the Government to specifically lay down the total number of seats in this Council in the coming years which should, in future, be allocated functional constituency status.

Sir, I agree with the objectives as set out in chapter I, paragraph 5, of the White Paper, in respect of the system of representative government and also the fact that any change should take time to evolve and adapt to our changing political scene. However, I am disappointed at the way the White Paper has failed to give any indication as to whether there is to be any change to the future structure of our Executive Council and, in this context, how best to deal with the question of convergence. A note of caution is that any change to the Executive Council must be gradual and prudent and it must command the trust, respect and support of our community. The Executive Council must also be able to ensure a high degree of effectiveness, as well as having the capability of maintaining the high level of Hong Kong's economic performance.

Sir, during this transitional period, any serious fault or weakness in our economic performance could adversely affect our living standard, thereby creating an increasing atmosphere of dissatisfaction against our Government. This would then encourage much greater pressure for more drastic and far-reaching change to our present system of government. Uncertainty and pessimism could certainly follow, which would adversely affect the present stability and continuity of an effective administration.

MR. SZETO (In Cantonese): Sir, originally I only wanted to say one thing, that is, even though I take note of the intentions and plans of the White Paper, I do not support this motion because I do not agree with most of the points in the White Paper. I would like to expand on this. The first thing that I wish to say is that I have never doubted the sincerity of other Members of this Council when they speak. However, I do not wish other Members to doubt my sincerity either. Even though I do not keep on saying that when I speak, I am sincere.

The second point that I wish to make is concerning the question what we are afraid of and what we are not afraid of? What do we trust and what do we distrust? Now, what I am afraid of is the lack of a system. What I trust is a system. I wish to fight for a system, a system that will prevent malgovernment or maladministration.

That is all I wish to say. I do not support the motion.

MRS. TAM (In Cantonese): Sir, first of all, Mr. Martin LEE criticised a survey undertaken by the youth group. Now, the report has not yet been printed but, at a luncheon function, I announced the preliminary results. One finding is that more than 60 per cent of the youngsters support the introduction of direct elections in 1991. Now, this survey was not conducted on a representative sample of respondents throughout Hong Kong, but the respondents came from 31 youth centres in Hong Kong, so it is rather representative.

Although, on a previous occasion, the Hong Kong Youth Group also collected views on the Green Paper, that survey showed that 43 per cent of the youngsters supported the introduction of direct elections in 1988. There were more in favour of the introduction of direct elections in 1988 than those who were against their introduction in 1988. Mr. LEE said that the survey was useful and asked for a copy from me. He did not suspect the reliability of that survey but, this time around, the findings may be contrary to what Mr. Martin LEE expected. I was indeed puzzled. Mr. Martin LEE did not have the opportunity of reading the findings of this survey, but he came to the conclusion that this survey would be unreliable. May I ask whether I really need to send a copy to Mr. LEE?

Sir, being well-educated, I do not wish to see Members engaging in irrational arguments, but I understand one point; if I hear some unjust criticisms which are hard to accept, I would deal with it squarely and fairly, to be fair to the public. Councillors have the responsibility to clarify the situation and to express their minds. I firmly believe that, when we debate the subject today, we are all sincere.

Sir, as a person who openly supported direct elections some time ago, today's debate struck a chord in my heart. Now, many people are concerned about the White Paper and also people's response to the White Paper. For some people, if the views are in accordance with the views of the Government, they will immediately criticise, because many Appointed Members are said to be supporters of the Government and they support the Government all the time.

Now, if I do not want to invite these criticisms, then I can criticise the Government severely and reject the whole of the White Paper. But I will not take this course of action because it goes against my conscience. I will speak frankly.

On 15 and 16 July last year, when we debated the Green Paper, I clearly stated that I was in favour of the introduction of direct elections in 1988. I also supported the lowering of the voting age to 18 years. These two stands were rejected in the White Paper this time around. I am naturally disappointed but, even though my hopes were dashed, I know that this is different from rejecting the White Paper. These are two different matters. As I said, the major link is the basis on which the decisions in the White Paper are made. In this debate, many colleagues have said that they agree that the decisions in the White Paper are in accordance with public opinion. I have to admit that, in the light of the findings of the Survey Office report, we know that there are diverse views on whether direct election should be introduced in 1988.

Regarding voting age, many people, once again, have different views. Therefore, though my aspirations will not realise, I do not think that it automatically means that I will have to reject the whole White Paper. And neither will I think that my striving for direct elections in 1988 is a failure. If we did not raise our voice in the past, then I am afraid that even by late 1991, direct elections may not be introduced.

In the past, if we did not demand the lowering of the voting age, the authority might not have taken notice of this matter. Therefore, I do not think that at present we should spend any more time on arguing for the introduction of direct election in 1988. With the publication of the White Paper, development in representative government in Hong Kong has moved into a new stage and a lot of challenges, which we have to face, will emerge.

First, the Green Paper published in the middle of 1984 designated the start of representative government, but the signing of the Joint Declaration in 1985 brought along a new political scenario. Therefore development after 1985 became an undecided problem. In the past few years, because of this issue, the society of Hong Kong was plunged into a state of dispute. People representing different interest racked their brains and pulled out all the stops to strive for the realisation of their wishes. Because of this, there were even tense moments in respect of the relationship between China, Britain and Hong Kong.

The publication of the White Paper shows that this phase in our development has passed. The White Paper has clarified the development in our political future and also the attainable goal of direct elections to be introduced in 1991 has been set out. Therefore, political development in Hong Kong has moved into a new stage.

Second, after the signing of the Joint Declaration, 1997 is now the target for development in political structure in Hong Kong. How far can we go before

1997 depends on what we do in the transitional period. Now, the White Paper suggests that direct elections will be introduced in 1991. That, of course, means that we will be losing three years but, from another angle, the importance of having direct election in 1991 and its implications on political development in Hong Kong will therefore be all the more far-reaching. Our society must therefore be united in making preparations for this.

Third, the White Paper not only brings along a new aim in 1991, it also brings along our concern for our political system for the longer term. Political arrangement in 1991 will dispel our doubts and arguments on whether, in the '90s, the development will tie in with the Basic Law. The new point of concern will be how we can continue the developments beyond 1997. Now, this depends on the arrangements of the Basic Law and also the co-operation of the British and Chinese Governments. But the goal cannot be attained without public confidence and participation in our future political developments. If, after the review of representative government in 1987, the public were silent, then political reforms which involve democratic representation would certainly not see any further long-term developments. Therefore, the challenges in front of us are to make preparations for direct election in 1991, so that we will have the support of the public in 1991 and attain good results.

For the long term, how can we ensure that developments will continue beyond 1997 is also an important question. All these challenges are, I believe, understandable to the public and they will agree to them. I believe that one major item now is how we can consolidate the public's confidence in future political development. In this regard, the Government's determination and sincerity will count. During the review this time around, the integrity and credibility of the Government became a focus of public comment. There were some noises in the community to the effect that the Government did not collect public opinion fairly and squarely, and also there were some doubts as to the consistency of the criteria employed by the Executive Council in coming to their decisions. And also there were others who felt that, with the publication of the White Paper, development had come to a halt. All these speculations show that the public were not sure of the prospects of political development in Hong Kong and the initiative of the Government. Therefore, in future, in the administration of Hong Kong, the Government must show more concern for our prospects and to take up the responsibility for the development of a democratic structure in Hong Kong.

One area in which the Government can work is to nurture the young people and to train political talents so that we can lay a basis for Hong Kong people ruling Hong Kong and a basis for long-term democratic structure. In recent years, civic work or civic education undertaken by the Government and relevant parties, has seen improvement but further improvements can still be made. I believe that we should step up educating the youngsters in the area of political participation. I hope that the Government can do more in this area. For example, regarding local affairs, we can appoint more youngsters to take part in

the management of local affairs, so that they can put into practice they have learned in civic education. Also, the Government should consider, once again, lowering the voting age to 18, so that more people can exercise their right to vote.

Mr. President, generally speaking, the wheels of the history move constantly forward. Not introducing direct elections in 1988 does not mean an end to development in Hong Kong. Being stubborn and continuing with arguments over whether direct elections should be introduced in 1988, at the expense of facing squarely to new challenges, are not in the interests of Hong Kong. Consolidating the confidence of the public in future development, avoiding stirring up once again their mistrust in the Government, and putting in greater efforts to better nurture the political abilities of young people, are heavy responsibilities that the whole community should positively take up now.

Sir, with these remarks, I support the motion.

DR. TSE (in Cantonese): Sir, since the publication of the White Paper, we have heard varied and many comments. If we only look at the headlines in the mass media, maybe we have the impression that many people reject the White Paper and only a few accept it. This impression is related to the attitude of the mass media towards the concept of newsworthiness, for no matter what the topic is, the objecting views are always more exciting and sensational than the consenting views. However, we cannot lightly brush aside the efforts of those who object. Their grassroot organisational work, expression of comments and plans for action, truly reflect their enthusiasm and drive. Moreover, in the face of 1997, their determination to be vocal and not to bow to power has given them heroic characteristics. Therefore, their every act has become the target of analysis by the mass media.

We should also note that the criticisms against the White Paper have become the advocates' main publicity platform, long before the White Paper was published. As a publicity approach to a political campaign, this pre-emptive method is very successful. However, the success in publicity sometimes has adverse effects because, people involved easily become themselves highly gratified with the public opinion they have created. The findings they have got will give them illusions about the actual public response. After the publication of the White Paper, the findings of an independent opinion poll conducted, are good examples. We can see that those who object still strongly criticise that the document is against the majority's wish. However, on 15 February 1988, two local newspapers disclosed that according to public opinion findings on the most controversial topic, that is, timing for direct election to the Legislative Council, 66 per cent of the respondents surprisingly endorsed the White Paper's provisions. I believe that no one will criticise that the two newspapers concerned have tried to manipulate public opinion. I also trust that the survey company has done its best to stick to its objectivity and professional spirit and, therefore, the findings of this opinion poll in reflecting residents' degree of acceptance of

the White Paper should be beyond doubt. This is completely different from the wild guesses by a certain consultant from Britain.

The fact is, no matter from which angle we see it, we must admit that after the publication of the Green Paper, public opinion is sharply divided on the question of when direct election to the Legislative Council should be introduced. I emphasise the word 'sharply', for it is because of this that Government has made such a decision regarding direct elections in the White Paper. We should remember that Government has the important responsibility to maintain smooth social development. Any problem that may lead to social disorganisation must be tackled with very great caution.

We talk about political reforms nowadays, not because Hong Kong is now faced with a rotten Administration, and there is a need for an instant revolution to rescue residents from a desperate situation. The reality is just the opposite. If we can still remember the most popular phrase just a few years ago 'To remain unchanged for 50 years.' That mentality shows that basically our residents are satisfied with their present life-style and the evolutionary political system. It is because our sovereignty must be reverted to China in 1997 that we need to speed up the development of a political system which can converge with the future and guarantee the continuation of the present life-style. In view of this fundamental consideration, if the rulers press on with political changes on which public opinions are sharply divided just because they are afraid of criticisms and attacks from the advocates, this will really run counter to what a responsible administration should do.

Moreover, we are shown that most Hong Kong residents agree to the principle of having directly elected seats in the Legislative Council. The Administration should therefore balance the internal and external situations as well as political factors and make a bold decision on the timing and approach of introducing direct election to the Legislative Council, and to make adjustments to the present political system to cope with future developments. From this angle, the decisions in the White Paper have fundamentally met our demands for a responsible government. Whether the assessment and evaluation done by the Government are correct really depends on the public response to the White Paper. In this regard, as I have pointed out, the public has already expressed its views through the independent opinion poll. Our colleague, the hon. Mrs. Rosanna TAM, has conducted a comprehensive survey in the Hong Kong Federation of Youth Groups. The survey indicates that, even among the more idealistic young people, the majority supports the conclusions of the White Paper and they have confidence in the Government.

Based on these analyses and observations, though the White Paper has been severely discredited by a few, I am glad to endorse the decisions in the White Paper. For the friends who insist on having direct elections in 1988, their disappointment is easily understandable. But I really cannot condone their approach of having endless fiery acts and harsh criticisms. There are those

who are worried that, if there is no direct election in 1988, definitely there will never be direct elections. As the White Paper has confirmed that direct election will be introduced in 1991, I call on them to put aside their different views and work hard during the next three years to strengthen Hong Kong people's knowledge about democratic elections, so that the process and results of the 1991 direct elections can become a good example in this advanced community.

Sir, last autumn, I did not join the debate on the Survey Office report in this Council. I used some of my time to compose a poem using the tune of 'All Red Is The River'. Even though my composition may not be perfect, it can express my hopes and aspirations. Now I will read them out to conclude my speech today:

'The reversion in 1997 weighs on my mind a hundred years of humiliation. Not an ordinary dream: no country to return to, no home to call one's own. Northwards I gaze at the sad skies, overcast with heavy mist. Southwards, I behold the dependent territory basking in the blazing sun; my body is warm but cannot withstand winds from the south nor a thousand cups of sorrow. In constitutional reform, predictions are difficult in the fight for democracy, dangers abound. Let us hope the bridge is secure, the two sides at peace. A foundation is sought in the decade of transition, traditions to be kept through agreement for a century. Be not irresolute. Fritter not away an opportunity, a peaceful return.'

Sir, with these remarks, I support the motion.

MR. ANDREW WONG (in Cantonese): Sir, I have made known most of my views during the debate on the amendment motions. I do not wish to repeat myself except that I do not agree with Mr. LEE Yu-tai and who say that, if we replace indirect elections with direct elections, we can have the district boards as nominating agencies. We should let everybody have the opportunity to make nominations as in all democratic countries. We do not have to worry that people are not sure of who to elect if there are too many candidates. In the recent election, many people had been elected ipso facto. But, on the whole, some Members feel that the White Paper is not related to the drop in turn-out for the district board elections. I think they are. In 1982, the turn-out rate was rather high because it was new and people had high hopes. In 1985, again they were hopeful because the 1984 White Paper encouraged a lot of participation and because it introduced indirect elections to this Council. And in 1985, Official Members were abolished in district boards. This explained the rather high turn-out. I feel that the lower turn-out rate this time is related to the abolition of the electoral college in the White Paper.

Concerning other parts of the White Paper, I would like to say something out of due respect, but they are certainly points to be considered, that is, the Legislative Council and the Executive Council are completely different organisations; and if you, Sir, as Governor of Hong Kong, are head of both, it

would be rather embarrassing in some cases. So perhaps what we can do is to appoint an Unofficial Member of this Council as your Vice-President—perhaps not exactly in those words, but certainly to deputise you when you are not around.

As to the voting age, I think it should be 18 rather than 21. In the functional constituencies, such as for commerce and industry, a person of 18 can already own a company. Although they cannot be registered as a voter, they can certainly choose somebody as their proxy. So, on that basis, people of 18 can vote in functional constituencies but they cannot in other elections.

So I think we should look at the White Paper rationally. I mentioned in the Green Paper debate that there were two types of approaches to public opinion. One is the qualitative approach, and the other the quantitative approach. If we do not consider the quantitative approach or its significance, then that will give rise to serious consequences. So those who feel that the proposals in the White Paper are not right, they should say so. But the White Paper points a way ahead administratively. It is not something for which we accept or do not accept. It is like a tasteless piece of chicken breast, it is rather a pity to chuck it away but it is tasteless. But the tasteless piece of chicken breast can be cooked in a way that can be tasteful.

We should try to adopt the attitude of continued reform. A very frequently used analogy is painting an oil painting. We only have one piece of canvas, we can cover it with what has already been painted but we cannot chuck away the canvas. We can only paint on top of it but cannot throw it away. It is never a perfect situation.

There is another analogy to which I refer less frequently. A French writer Camou wrote the novel 'The Outsider' in which he portrayed an alien who wrote a very famous story based on Greek mythology. In the story a person was punished by a Greek god, and was required to push a large rock up a slope. But having done that, the rock would roll back to where it originally was. That is how life is in society. once we understand it. But we do not have to be worried that life is absurd in total, because a Greek philosopher said that nobody can step into the same river twice. After all, rivers change and human beings change. But we must have had the experience of doing that. We must be hopeful in the future. I support the motion.

MR. LAU (in Cantonese): Sir, the publication of the White Paper: The Development of Representative Government: The Way Forward has attracted a lot of response in our community. I would like now to express my views.

Last year, there was a debate on the 1987 political review. At that time, I said that I totally agreed that our political development should change with the pace of development in our community and that change must be gradual and develop within the existing framework. This is something which is very important. The above idea has been implemented to a certain extent in the White Paper.

However, what is puzzling is Government's decision to do away with the district board electoral college in 1991 and have it replaced by directly elected seats. This is a typical case of cutting the foot to fit the shoe. We must remember that the district board is the basic tier in our three-tier system. When the Government first decided on the setting up of the district boards, the intention was to allow views from the lower level to channel upwards. The district board electoral college system has been implemented for less than three years and it has not yet been appraised. However, we are now faced with this abrupt abolition, leading to the destruction of the three-tier system. I do not believe that Government can justify itself for so doing. Both district board members and people who participate enthusiastically in serving the grassroots, are quite at a loss. I feel that, on this issue, the White Paper has definitely made a mistake and the decision has not been arrived at after careful thinking.

Separately, the White Paper has not included the Heung Yee Kuk into the functional constituencies. This decision has led to great dissatisfaction in the Heung Yee Kuk and villagers who live in the New Territories. The Heung Yee Kuk has been in existence for more than six decades and its contribution to the Hong Kong society is there for all to see. The Chief Secretary said very specifically in his speech yesterday, that the Heung Yee Kuk acts as a bridge between the indigenous population of the New Territories and the Government. The contribution it has made and continues to make towards the development of the New Territories is very significant. However, in relation to the Heung Yee Kuk's request to be included in the functional constituencies, he said: 'Because functional constituencies are designed to represent professional and occupational groups with a territory-wide significance, it is considered inappropriate to fit the Kuk into this category.' However, I cannot agree with such an explanation because the 1984 White Paper, said: 'functional constituencies should be developed into a formal representative system for the election of one or more representatives from each functional constituency to serve on the Legislative Council.', 'to identify functional constituencies with the object of ensuring that those major sectors of the community having common social, economic and occupational interests are represented.' At the same time, in paragraph 89 of the 1987 Green Paper, four guidelines are listed, and functional constituencies are not limited to professions or occupations. However, in this White Paper, the Government insists that functional constituencies should be narrowly confined to professional and occupational groups; and groups performing social functions have been excluded. I feel that this is not in line with the principle and spirit of the setting up of functional constituencies.

The Heung Yee Kuk is the only statutory advisory body in the New Territories. According to the Heung Yee Kuk Ordinance, the representativeness and the ambit of the Heung Yee Kuk go beyond the limits of professions and occupations. Its unique social function cannot be replaced by any other organisation. The Heung Yee Kuk, in effect, fully complies with the four guidelines set down in paragraph 89 of the 1987 Green Paper on political review.

With the development of representative government, the advisory roles of the different sectors and organisations have changed and they directly participate in decision-making and in reflecting the interests of the groups that they represent. Therefore, I think that the request of the Heung Yee Kuk to join the functional constituencies is perfectly justified.

The Heung Yee Kuk and myself have always actively supported the spirit of representative government. Now that the White Paper has failed to include the Heung Yee Kuk as a functional constituency, the reaction of the villagers is therefore perfectly understandable.

The Heung Yee Kuk, in fighting to be included as a functional constituency, is not trying to enhance individual political interest, neither is it trying to gain privileges. It is merely requesting equal political rights. The Heung Yee Kuk hopes that, just like other functional constituencies, the interests of the group can be directly represented so that it can perform the unique social function of the Heung Yee Kuk. The inclusion of the Kuk as a functional constituency would not only be to the advantage of the New Territories indigenous villagers, it would also benefit the economic and social development of Hong Kong as a whole, and the Legislative Council can be more representative and its deliberations more comprehensive.

I am very happy to hear that the Chief Secretary, Sir David FORD, reiterated in his speech yesterday that the interests of the New Territories indigenous villagers will be properly represented in the Legislative Council. At the present stage of political development, in order to maintain Hong Kong's stability and prosperity, especially during the transitional period, neither the Heung Yee Kuk nor myself wish to see a deterioration of the situation. Therefore, I hope that the Government will keep its promise and during the period between 1988 and 1991, suitable arrangements will be made for the representative of the Heung Yee Kuk to be made a Member of the Legislative Council. However, this is only an expedient approach. The more important thing is that, before 1991, the Government should review the situation and make appropriate arrangements, so that there will be specific ways for the Heung Yee Kuk to be represented in the Legislative Council and to speak on matters regarding the livelihood of people in the New Territories and also matters of territory-wide concern.

There are two issues in the White Paper that I do not support, namely, the status of the Heung Yee Kuk and the district board electoral college. But, apart from such reservations, I support the motion.

MR. EDWARD HO: Sir, as the last Member to speak and as it is now 10.30 pm, I have naturally considerable pressure to rush through my speech so that Members can retire as early as possible. But since my colleague, Mr. Martin LEE, has spent over an hour over his speeches, I ask your indulgence, Sir, and that of my colleagues, that I can take my time, but not excessively. Nevertheless, I shall not attempt to speak on every aspect of the White Paper but only on those issues that I feel I should particularly offer my views.

Many opinions on the White Paper, often divergent and sometimes conflicting, have been expressed by Members of this Council. This was expected. Members of different professions and callings, come from different sectors of our society. They are a microcosm of our community. Their views reflect generally the sentiments of the people of Hong Kong.

The Green Paper on Representative Government was first debated in this Council on 15 and 16 July last year, before I joined this Council. I have subsequently had the benefit of first following the debate from outside this Chamber as a member of the general public, and then debating on the Survey Office report and now debating on the White Paper as a Member of this Council.

The signing of the Sino-British Joint Declaration in 1984 signified an important change in Hong Kong. On 1 July 1997, Hong Kong will become a Special Administrative Region of China. It is however promised that Hong Kong will enjoy a high degree of autonomy. In order to achieve this, it is essential that a more representative government should be evolved. It is because of this and not because of some structural flaw in our system of government or in its performance that few now disagree that an element of direct elections should be introduced to our legislature.

The timing of the introduction of direct elections, however, has been debated again and again both inside and outside of this Chamber. In particular, the call for the introduction of direct elections in 1988 has become the rallying cry of some members of our society. This single issue has tended to overshadow other more fundamental issues concerning our future system of government. Whichever way one argues, opinions on it can only be described as divided. Both the proponents and the opponents of direct elections in 1988 have informed us of their views. Both deserve to be heard in a dispassionate and objective manner, for we must assume that both have the interests of Hong Kong at heart.

Those who propose the introduction of direct elections in 1988 argued that it was what the majority of people wanted. As the results of the opinion surveys showed the contrary, they questioned the manner in which the opinion polls were conducted; that either it was so incompetently carried out that it was misleading or, as was suggested by some, that improper manipulations had been engineered in the process that the results were a mockery of the declared intentions. In so arguing, they of course assumed that the conclusions in the White Paper were solely or largely based on those particular opinion polls.

Some argued, before the publication of the White Paper, that if no direct elections were introduced in 1988, then direct elections would never be introduced. Some feared that if direct elections were not introduced before the promulgation of the Basic Law, then it would not be in the Basic Law.

Some considered that the only way to maintain confidence in our Government, both before and after 1997, was to have a fully accountable government

consist of an elected legislature, mostly if not fully directly elected. It was considered crucial to start the change in 1988, in order to have sufficient time for the system to develop well before 1997.

On the other hand, Sir, many of those who opposed the introduction of direct elections in 1988 favoured a more gradual evolution of our system of government. They considered that maintenance of stability in our society during this transitional period to be of paramount importance.

Holders of this view believed that one should see the whole before changing the parts. Since the whole, that is, a comprehensive system of government to be enshrined in the Basic Law, had not been determined, they believed that they should adopt a prudent attitude to any change.

The reality, they suggested, was that any development in our system of government could not be taken in isolation from the Basic Law which would govern Hong Kong as a Special Administrative Region of China from 1997 for 50 years.

Although I have stated in public that I do not advocate the introduction of direct elections in 1988, I was prepared to examine the views of my colleagues in this Council, as well as members of the public who opposed or proposed otherwise. After such further examinations, I have no sufficient reason to alter my views on the subject.

I have found that most of these views have been high on the ideals of democracy but low on how the realisation of these ideals, especially on an accelerated programme, can contribute to the stability and prosperity in Hong Kong and to the betterment of the living conditions of the people of Hong Kong.

If their views have been disturbing for the business and industrial community, and if they are the ones who crave for change, I am extremely puzzled why they do not think it was better to open their clenched fists; and be more persuasive, and give the business and industrial community their reasoned views to convince them that their goal is also to achieve a better future for Hong Kong, unless they feel that business and industry can be sacrificed just to achieve the high ideals of democracy. Here I must also object to labelling only those who advocate the introduction of direct election in 1988 to be 'democrats.'

The anguish of people like Mr. WONG Po-yan, Mr. Stephen CHEONG, Mr. NGAI Shiu-kit and Mr. Allen LEE that we witnessed in the past two days is genuine. They come from a business and industrial community. They know how that community feels and they have the interests of Hong Kong at heart. As a professional, I want to associate myself with the views of these gentlemen.

In introducing direct elections in 1991, I do not agree that we will lose three years. In fact, the three years will give us the time that we need to adequately prepare for the change and to promote better civic education and political awareness so that more people truly participate in the process of elections.

During the debate on the Survey Office report, I have already commented on the 'silent majority.' It is important to let those people know that in the current state of flux in the political development of Hong Kong, not speaking out does not leave things as they are. If the silent majority does not express what they want, then their way of life will be influenced and governed by the minority who do speak out and who ensure that their views are heard.

I support the substitution of the 10 directly elected seats for the indirectly elected seats of the district board constituencies. I accept the argument that there is no advantage in having two parallel systems of geographical representation in the Legislative Council.

On the make-up of the functional constituencies, some groups will no doubt welcome the two additional seats but many other groups, such as the architects, surveyors and planners that my colleague Mr. H.K. CHENG has mentioned, are dissatisfied that they have not been included.

In order not to upset the balance of the legislature at this stage by adding more seats to take care of the aspiring groups and institutions, I urge that a review should be made prior to 1991.

I cannot see how we can avoid having a review of our proposed system of government once the Basic Law is promulgated which is currently expected to take place before 1991.

From this point of view, although I endorse the concept of introducing the 10 directly elected seats in 1991, I cannot accept that changes should necessarily stop there. By 1991, we should have a comprehensive system of government that can evolve smoothly and progressively towards the government system for the Hong Kong Special Administrative Region.

In the meantime, I support the decisions contained in the White Paper for 1988.

I take this opportunity to urge all the people of Hong Kong to devote their energy and attention to study and to give constructive comments on the first draft of the Basic Law which will be published in the near future.

We must remember that we are now debating matters which are transitional to a date in 1997; but the Basic Law will govern us for 50 years thereafter. In this, we have a great responsibility towards our next generation. We simply cannot afford to remain silent.

In whatever we do, we must never forget that, ultimately, what will guarantee our freedoms and our rights to govern ourselves would be the continuing stability and prosperity of our society. We ourselves, the people of Hong Kong, and nobody else, control our own fate.

For this, we need all those who love Hong Kong and who have the interests of Hong Kong at heart to join hands and work together so that truly we can move on the way forward.

With these remarks, Sir, I support the motion.

CHIEF SECRETARY: Sir, I am sorry to oust Mr. Ho from his position as last speaker. I rather cherish my own position as 'Tail-end Charlie'. Incidentally, please, will the interpreters be very careful with their translation of that; I do not want to get into trouble again!

Sir, I have listened very attentively to all the views expressed in this debate. I am greatly encouraged by the support which so many Members have given to the proposals in the White Paper and to the recognition that the course on which we have embarked in further developing representative government is the right one.

In particular, it is clear that most Members of this Council now accept that it is right to introduce direct elections to the Legislative Council in 1991. And from what I have heard, I am more than ever convinced that the prudent and gradual approach we have adopted, is in the best interest of Hong Kong.

Sir, I have been struck by two broad themes which have emerged in the debate. The first relates to the question of where we go from here. As many Members have said, decisions have been taken and the Government has given a firm and unequivocal commitment to introduce 10 directly elected seats to this Council in 1991. The focus of our attention now should be on planning for those elections.

There are some who seem to feel that the fight for direct elections in 1988 must continue. Sir, I must say that I believe, frankly, that would be rather pointless and unproductive—and I would also ask those who are that way inclined, to consider carefully the consequences of continuing that campaign.

Sir, I do not question the motives of the young people involved but it is a fact that the press pictures of demonstrations outside this Chamber have gone around the world on international wire services, and no one, Sir, inside or outside this Chamber, can know for sure what effect these pictures will have on the image of Hong Kong overseas.

The second theme that has emerged from the debate is that the development of representative government will not stop in 1991. As I have explained, there will be room to increase the directly elected element in this Council between 1991 and 1997. In addition, by 1991, the Basic Law will have been promulgated and the framework for the structure of the Hong Kong SAR Government will be known.

As the White Paper explains, we shall need to take account of the provisions of the Basic Law in further developing our system of government if we are to ensure a smooth transition in 1997. Major issues remain to be resolved, such as the relationship between the Executive and Legislative Councils, and these will need to be considered against the provisions of the Basic Law. Sir, the drafting of the Basic Law is a matter for the Chinese Government, but that Govern-

ment's intention to consult the people of Hong Kong is most welcome and I hope that the public will respond to that invitation with the same enthusiasm with which they have responded to the Green Paper on the Development of Representative Government.

I would now like, Sir, to turn briefly to some points which Members have raised. Sir, Mr. Jackie CHAN, Mr. Martin LEE and others, have accused the Government of betraying the people of Hong Kong by ignoring public opinion and breaking promises. Sir, nothing could be further from the truth. Anyone who has studied the White Paper can see that we have given very careful consideration to public opinion and every promise made in the 1984 White Paper has been honoured. I would repeat that any suggestion that this Government has broken the promises in the 1984 White Paper has no basis in fact.

And on the many other points that Mr. LEE has made at some considerable length, I am afraid it is not so much he has not had the answers, it is simply that he is not prepared to listen to them. It is difficult to regard all these accusations of bad faith which are completely unjustified, as anything more than the last resort of those who fail to get their own way. They certainly do nothing to further the interests of the people of Hong Kong and I strongly refute the accusations.

Sir, Dr. Conrad LAM suggested that the reception of the White Paper within this Council is different from that outside the Council. I cannot agree with that suggestion. It is quite true that there are people outside this Council who are unhappy about the White Paper. It is also true, as I said yesterday, the overall reaction has been positive. Indeed, Sir, from all our contacts with people and bodies outside this Council, my clear impression is that the debate in this Council yesterday and today reflects the feelings of the community. That is to say, some people are satisfied, some are not, but, on the whole, people accept the White Paper as a good basis on which to move forward.

Mr. F. K. HU and others have advised that we should make early preparations for direct elections in 1991. I can assure them that detailed arrangements for elections will be worked out in good time. I have noted the points they have made regarding the conduct of these elections. We must obviously work out arrangements which will strike the right balance between discouraging frivolous candidates and ensuring that the elections will be as open as possible, so that the opportunity is available to all who seriously wish to participate.

Sir, several Members have referred to the increase in emigration. We are, of course, very conscious of this increase and that it is a matter of concern to the community. The situation has arisen due to a number of factors, including external ones, such as countries making it easier for certain categories of people to settle there. A further factor, however, and it would be unrealistic to deny this, is of course concern about the future. Whatever the reasons, we should never forget that freedom of movement is a fundamental right of the people of

Hong Kong, a right which is guaranteed for by the Joint Declaration. What we must do is to build a society in which people are happy to live and work and to which people who have emigrated are attracted to return. At the same time, we must ensure through our education system that Hong Kong has a regular supply of the expertise it needs to continue to prosper.

Sir, this debate has once again demonstrated the interest and, indeed, the strength of feeling there is amongst Members in the development of representative government in Hong Kong. I hope over the months and years ahead we can also achieve a unity of view on the best way forward. This is not to say that I am trying to stifle criticism of the Government or its policies. Freedom of expression is precious to Hong Kong and this Government is committed to preserving it now and in the future. But this debate marks the end of a very long period of public consultation and discussions which started with the publication of the Green Paper nearly a year ago. We now have clearly established policies and plans to take us forward into 1991. There is still much to be done in practical terms to ensure that those policies and plans are carried through to the satisfaction of the community as a whole. That process, too, will involve consultation and discussion. But I hope, Sir, we can put behind us the arguments about the broad thrust of our policies and plans and the timing of them. The commitments in the White Paper are clear. There will be no retreat from them. We believe they have the support of a broad majority within the community and, certainly, a clear majority of Members of this Council would endorse that view.

Sir, Members of this Council have a strong tradition about holding the interests of Hong Kong people. Some people outside this Council have called into question the motivation of its Members. In so doing, they do a grave disservice to the tradition of public service in Hong Kong, a tradition of which we can be truly proud. Like so many aspects of Hong Kong society, it is unique and the envy of many other countries.

Sir, as we move forward to changes in this Council, I sincerely hope that Members, however they come to be here, will work together for the good of Hong Kong. We do need unity of purpose if we are to steer Hong Kong through the years which lie ahead. I hope and trust we can now find that unity in the implementation of the plans contained in the White Paper, *The Development of Representative Government: The Way Forward*.

Question put and agreed to.

Valedictory to Attorney General

HIS EXCELLENCY THE PRESIDENT: Although it is now nearly 11 o'clock, there is one last duty to perform before Members go home to supper or perhaps to bed. It is a sad duty. This is the last sitting in this Council to be attended by Mr.

Michael THOMAS, the Attorney General. I am sure that Members would wish to join me in paying tribute to his work and in thanking him for his outstanding contribution, not only to our work here but also to the people of Hong Kong, as a Member of the Executive and Legislative Councils, as the Government's principal legal adviser, as the prosecuting authority and the head of the Hong Kong Bar.

I doubt if any would wish to deny that the five years since the Attorney General joined this Council have been momentous years but perhaps not many will realise the burden that they have placed on him. In particular, I should like to note that he made a very significant contribution to the negotiations which resulted in the Sino-British Joint Declaration. This required intensive work by day and often by night, over two gruelling years, and the final shape of that document owes much to his tireless energy, incisiveness and intellectual stamina.

The conclusion of the Joint Declaration set in train a formidable programme of work in preparation for the establishment of the Hong Kong Special Administrative Region in 1997. At its heart, this programme has involved important questions of law. So in addition to the normal duties of an Attorney General, Michael THOMAS has also paid a pivotal role in guiding the work of his department and in explaining to this Council what has been done and what needs to be done.

Michael THOMAS has also taken a strong lead in the process of modernising and revising our laws. With the active help of Members of this Council, his term of office has seen substantial advances in almost every field of law, including commercial, criminal and family law. Where he believed that changes were required in the interests of good law and of the community, he has never hesitated to propose them, however difficult, however controversial the issues have been.

No tribute to Michael THOMAS's work would be complete without reference to the way in which he has enriched the proceedings of this Council. He has brought to them a style and a wit which will be greatly missed. I regret that, during these last eight and a half hours, he has not been able to speak but he has provided us with a full measure of his time.

In his maiden speech to the Council, almost five years' ago in June 1983, Michael THOMAS spoke of gale warnings. I do not know how he would rate himself as a weather forecaster, but it is certain that whatever turbulent waters he has faced over the last five years, they have been navigated with dexterity. As befits a skilled maritime lawyer, not only has he kept the legal system afloat, he also leaves it in remarkably shipshape condition. He deserves the thanks of all of us and of the whole community.

MISS DUNN: Sir, Members indeed wish to join you in the warm tribute you have paid to Michael THOMAS. His talent as a public speaker has taken him all over the world and I have no need to remind Members of his eloquence and

quick-wittedness and fast footwork in debate and at question time, and no doubt, some of these qualities have stood him in good stead in the law courts and before the Privy Council. You have already mentioned, Sir, his contribution to the Joint Declaration. We in this Council will particularly remember him for a number of important and far-sighted initiatives, such as the bilingual laws project and his efforts to improve the trial of complex commercial crimes. We shall also remember the numerous reforms he made to our legal and penal system during his term of office. The abolition of the imprisonment of civil debtors, the Rehabilitation of Offenders Ordinance and the Community Service Orders, to name but a few. He has also done much to bring home to the people of Hong Kong the importance of the rule of law and the importance of their legal system as a bulwark of their freedoms and way of life.

In his many contacts with Members, Michael THOMAS has been patient, attentive and courteous. While he has stated his own views with conviction, he has always sought to respond positively to our suggestions and recommendations. We are very glad that Michael THOMAS's many talents will not be lost to Hong Kong, since he intends to live and work here. We wish him every happiness in his future career. (Applause.)

Adjournment and next sitting

HIS EXCELLENCY THE PRESIDENT: Members have had a long day and have shown great forbearance and patience. Now, in accordance with Standing Orders. I adjourn the Council until 2.30 pm on Wednesday, 20 April 1988.

Adjourned accordingly at Eleven o'clock.

(Note: The short titles of the Bills/motions listed in the Hansard have been translated into Chinese for information and guidance only; they do not have authoritative effect in Chinese.)