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Local Autonomy in Action: Beijing's Hong Kong and Macau Policies

Bill CHOU

Abstract: This paper investigates how Beijing governs its two special administrative regions (SARs) of Hong Kong and Macau through leverages on their local autonomy. First, a conceptual analysis of local autonomy will be provided. Local autonomy is more than a zero-sum game between the central and local authorities over how much power should be granted or taken from the local authorities; it also concerns the space for cultural expression and the use of local customs in public administration. Second, the degree of local autonomy in Hong Kong and Macau will be critically examined. On paper, both SAR governments are able to freely make decisions on a wide range of policies. In practice, however, Beijing has the absolute authority to override the decisions of Hong Kong and Macau. It is argued that the autonomy in cultural expression can compensate for the institutional constraints on the two SARs' decision-making power and is thus able to alleviate public discontent – as long as the constraints do not conflict with the people's core values and ways of life.

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Keywords: Hong Kong, Macau, local autonomy, China's borderlands

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Introduction

The essence of the "one-country, two-system" policy is to confer a high degree of autonomy to Hong Kong and Macau. The current paper evaluates the local autonomy of China's two special administrative regions (SARs) using a framework based on the concepts of initiation, immunity, and cultural autonomy. It is argued that local autonomy is more than a zero-sum game between the central and local authorities over how much power should be granted or taken from local authorities. It also concerns the space for cultural expression and the use of local customs in public administration. While the Hong Kong SAR and Macau SAR governments have the power to initiate policies, Beijing has the absolute authority to override their decisions and thus undercuts their power of immunity. Nevertheless, Hong Kong and Macau enjoy a high degree of autonomy with respect to cultural expression. As long as Beijing continues to permit a high degree of cultural autonomy, refrains from infringing on local autonomy and identities, and minimises the negative impact of its economic integration policies, the people of the two SARs will be content to embrace the regime.

Local Autonomy: A Conceptual Analysis

Local autonomy is widely used to address the problems of territorial disintegration and administrative unresponsiveness. Spain, for instance, uses an increasingly federalist institution to settle central-peripheral disputes (Moreno 2001; Agranoff 1996). It is believed that delegating more power to lower-tier governments increases government's responsiveness by moving the foci of policymaking closer to the public (Gray and Jenkins 1995; Lake 1994). Local autonomy is central to Beijing's Hong Kong and Macau policies, which are framed by the "one country, two system" formula. The Basic Laws of Hong Kong and Macau (which consist of the SARs' mini-constitutions and the implementation plan of the "one country, two system" formula) state that the two SARs enjoy a high degree of autonomy over internal affairs; however, Beijing is charged with their foreign affairs and national defence. The "one country, two system" policy is exclusively applied to Hong Kong and Macau.

This paper borrows two approaches from the political geography literature to conceptualise local autonomy. The first is a top-down, traditional static approach, which sees local autonomy as referring to the power granted by the higher tiers of the state. The central concerns of the researchers using this definition are how much and what kind of autonomy should be allocated to local governments (Wolman 2008; Pickerill 2007; Wolman and Goldsmith 1990; Clark and Dear 1984). Clark (1984) constructed a typology of two variables to operationalise the traditional static concept of local autonomy. The first variable, initiation, is the ability of local government to decide on and carry out its own actions. The second variable, immunity, refers to the power of local authorities to resist higher authorities' attempts to overturn their decisions. This power is institutionalised by constitutional arrangements that divide the power between the federal/ central authorities and state/ local authorities and a court system that decides the extent of both parties' power when disputes arise.

A weakness of Clark's theory of local autonomy is its failure to acknowledge the relative (not absolute) character of the concepts of initiation and immunity. In the post-Westphalian era, sovereign states exercise their autonomy under the constraints of international organisations, bilateral and multilateral agreements, foreign countries, and the mobility of capital and multinational corporations. With the sovereignty of states being eroded, it is unrealistic to expect that central authorities, let alone local authorities, are able to enjoy absolute initiation and/ or immunity (Clark 1984). In view of these weaknesses, this paper proposes that the two factors should be conceived as relative concepts based on a continuum between extremely broad and narrow autonomy. Figure 1 illustrates this modification of Clark's theory of local autonomy.

Figure 1: Clark's Theory of Local Autonomy Modified

		Initiation		
		Broad	Narrow	
Immunity	Broad	Type 1	Туре 3	
Im	Narrow	Type 2	Туре 4	

Source: Adapted from Clark 1984.

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The second approach, a bottom-up approach, defines local autonomy as a relational construct developed and expressed in a series of social interactions that define the localities within the broader political and social context (Richardson 2011; Auerbach 2011; Lake 1994). Local autonomy is not only considered an object transferable between central and local governments, but also a power relation between them. This power relation includes the capacity for expressing, developing and using local identity, as well as the freedom of using local ways to refine national policies, deliver public programmes, and deal with daily encounters. For instance, local customs are used in dispute arbitration, while local dialects are used as official languages in public administration. Following this approach, this research paper attempts to identify the reasons for the differences in local autonomy by examining the political and social processes in central-local relations. This paper will use these two approaches to evaluate the local autonomy of Hong Kong and Macau.

The Autonomy of Hong Kong and Macau: A Critical Evaluation

On the basis of the typology in Figure 1, the local autonomy of Hong Kong and Macau can be classified as Type 2. The power of initiation of both SARs is broader than all other local authorities in China, but institutionally restricted to a certain extent. According to the Basic Law, both SARs have a high degree of autonomy in internal affairs: they are free to keep all their tax and non-tax revenue; exercise full authority over their respective fiscal reserves; and dictate their own economic, cultural and social policies. Though foreign relations and national defence are under the jurisdiction of the central government, both SARs can exercise certain diplomatic functions that are beyond the reach of the local authorities in even the most liberal federalist countries. In the capacity as members of Chinese delegations, both SARs may participate in "international organizations or conferences in appropriate fields limited to states and affecting the Region" (Hong Kong Basic Law Article 152 and Macau Basic Law Article 137). They are authorised to develop economic and cultural relations with foreign countries (Hong Kong Basic Law Article 151 and Macau Basic Law Article 136), issue their own passports (Hong Kong Basic Law Article 154 and Macau Basic Law Article 139), and establish official and semi-official trade and economic missions in foreign countries (Hong Kong Basic Law Article 156 and Macau Basic Law Article 140).

As regards the formation of governments, the chief executives (the heads of the two SAR governments) and the members of the SARs' legislatures are returned through elections. The chief executives of both SARs are elected by an election committee every five years and may serve a maximum of two terms (10 years). Hong Kong's election committee consists of 1,200 members (since 2012), while Macau's comprises 300 members (400 members from 2014). Election committee members come from four occupational and professional sectors which represent the interests of business classes, professional bodies, and pro-Beijing societal associations. As discussed below in greater detail, Beijing maintains a strong degree of leverage over the SARs' electoral processes, deciding both who can run for chief executive and who can win (*The Economist* 2012: 39).

With the economies of Hong Kong and Macau increasingly integrated into China's markets, the prosperity of the two SARs has become more dependent on China. Many election committee members rely heavily on Chinese connections for career development, business opportunities, and political office. Macau is even more dependent on Beijing than Hong Kong, with China supplying Macau with 100 per cent of its fresh water, livestock, and poultry, as well as 70 per cent of its electricity (Jiang 2010: 3). This dependence on China facilitates Beijing's implementation of united front policies. Beijing's agent, the Central Liaison Office (CLO), coordinates and supports different pro-Beijing candidates in the elections in order to win as many pro-Beijing seats as possible. The office calls upon pro-Beijing private businesses and China's state-owned businesses to donate to pro-Beijing political parties' electoral campaigns, grassroots work, advocacy work, and opposition of policies at odds with Beijing's agendas. Pro-Beijing forces have also been suspected of "vote planting" (registering voters to false addresses in order to help pro-Beijing candidates) in elections for the Legislative Council and District Council. Many Hong Kong people were enraged by the Chinese government's meddling in Hong Kong's domestic politics and undermining of its autonomy (Chou 2011; Lo 2008).

Immigration control is another internal affair that Beijing can influence. Article 154 of Hong Kong Basic Law and Article 139 of Macau Basic Law authorise the two SARs to apply immigration controls on entry by persons from foreign states and regions. However, this "author-

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ity" was shown to be nothing more than symbolic following the death of Szeto Wah (Hua Situ) (a leading Hong Kong democrat who masterminded the heroic rescue of the student leaders after the 1989 Tiananmen Square incident) in 2010. Wanting to pay his respects by attending Szeto Wah's funeral, exiled student leader Wang Dan applied for a visa to enter Hong Kong. Amid the speculation about whether the Hong Kong government could exercise full autonomy on the visa application, Wang Guangya, director of the Hong Kong and Macau Affairs Office of the State Council, said he was confident that Hong Kong authorities would "handle the application properly". In the end, no visa was granted to Wang Dan despite his assuring the Hong Kong authorities that he would make no public statements and would leave Hong Kong immediately after the funeral. Political commentator Frank Ching highlighted the role of Beijing on this issue.

In reality, the only reason why Hong Kong would deny such a visit [by Wang Dan to Hong Kong] is fear of Beijing's anger over such a move. So if Beijing had wanted to signal that it had no objection, it could have signaled this by saying something to the effect that "the matter should be managed pragmatically and appropriately". Those were the exact words used by another Chinese official, Wang Yi, when he wanted to show that the mainland was not opposed to Taiwan negotiating the equivalent of free trade agreements with other countries. Beijing knows how to make clear its position on sensitive issues without having to openly declare its consent – or its opposition (Ching 2011).

Macau's power of initiation in internal affairs (enshrined in Basic Law) is also little more than symbolic. Article 118, for example, states that "the Macau Special Administrative Region shall, on its own, make policies on tourism and recreation in the light of its overall interests". However, in April 2008, the chief executive, Edmund Ho, announced that Beijing had instructed the Macau SAR government to temporarily halt new casino construction projects. Beijing's intervention was aimed at alleviating the overspill effects of Macau's casinos into China, such as money laundering and the embezzlement of public funds. Furthermore, Chinese leaders repeatedly call upon Macau to stem the region's over-dependence on the gambling industry through "appropriate economic diversification". In response, the Macau government formulated policies to develop the convention, exhibition, and logistics industries, despite the fact it did not

fit with the casino-based economy plagued by a shortage of both low-skilled and well-educated labour (Lo 2009; *Pingguo Ribao* 2008: A2).

Although the power of immunity of the two SARs is also broader than other localities in China, Beijing still maintains political leverage to ensure that the decisions of the SAR governments do not conflict with its interests. According to the Basic Law, only the SARs' respective Courts of Final Appeal (CFAs) are vested with the authority to interpret Basic Law. The role of the Standing Committee of the National People's Congress (SCNPC) in interpreting Basic Law is defined in Article 158 as follows:

if the courts of the Region, in adjudicating cases, need to interpret the provisions of this Law concerning affairs which are the responsibility of the Central People's Government, or concerning the relationship between the Central Authorities and the Region, and if such interpretation will affect the judgments on the cases, the courts of the Region shall, before making their final judgments which are not appealable, seek an interpretation of the relevant provisions from the Standing Committee of the National People's Congress through the Court of Final Appeal of the Region [emphasis added by the author] (The Basic Law).

This implies the following:

- The SCNPC may only interpret Basic Law before the CFA has made its final judgement. Once the CFA makes its final judgement, the SCNPC is unable to legally interpret Basic Law.
- The SCNPC may only interpret Basic Law with the consent of the CFA. There is no institutional instrument for the SCNPC to pressure the CFA to give the SCNPC permission to do so.

Nonetheless, the stipulations of Article 158 are not always adhered to by Beijing, which is able to overthrow CFA decisions. In January 1999, the Hong Kong CFA ruled that the right of abode should be given to the children of parents whose right of abode in Hong Kong was obtained before or after the birth of their children. The estimated number of these children ranged from 300,000 to 1.67 million – figures that caused territory-wide concern that such an increase to Hong Kong's population would put a strain on public facilities and social services (Ghai 2001). In response to the CFA's decision, the Hong Kong government requested that the State Council ask the SCNPC to reinterpret Articles 22 and 24 of the Basic Law. In June 1999, the SCNPC decided that no children born outside Hong Kong were eligible for the right of abode in Hong

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Kong unless at least one of their parents had obtained the right of abode before their birth. This decision meant that most of the people who had been granted the right of abode in Hong Kong by the previous CFA decision had now lost this right. This event shows that the decisions of the CFAs in the both SARs are not final.

The power of immunity is further eroded by Beijing's flexible use of the power to interpret Basic Law. According to Basic Law, the final power to interpret Basic Laws rests with the SCNPC, which shall delegate the Hong Kong and Macau CFAs with the interpretative power to make all decisions on all court hearings with two exceptions: (1) cases that involve Beijing–SARs relations and (2) cases under Beijing's jurisdiction.

Because these two exceptions are never clearly defined, Beijing can stretch their definitions to include the two SARs' political reforms. This saw the SCNPC rule out the use of universal suffrage in the elections of the Hong Kong chief executive and the Legislative Council in 2007 and 2008, effectively blocking Hong Kong democrats' calls for the introduction of universal suffrage. In 2005, former chief executive Tung Cheehwa (Dong Jianhua) resigned in the face of low popularity. There was no consensus on the length of the term of office his successor, Donald Tsang (Zeng Yinquan), should serve. Many legal professionals argued strictly according to the Basic Law, saving that Tsang's first term of office should be five years. However, Beijing's local supporters contended that the first term for the successor to a chief executive who has resigned before completing the 5-year term should be limited to the unfinished term; in the case of Donald Tsang that was two years. The SCNPC settled the dispute by interpreting the Hong Kong Basic Law and defining the terms of office in favour of its supporters (Lo 2008: 81–108).

On one occasion, Beijing also interpreted Macau Basic Law without considering the opinions of the CFA. In 2011, chief executive Chui Sai On (Cui Shi'an) proposed to reform Macau's political system – a move believed to have been instigated by Beijing as the Macau public had never seriously demanded political reform. Afterwards, he requested Beijing interpret the two articles in Basic Law to clarify whether Macau or Beijing had the power to initiate political reform. In December 2011, the SCNPC ruled that the initiative power of Macau's political reform rested with Beijing (National People's Congress 2011).

From a bottom-up perspective, the two SARs enjoy a high degree of local autonomy, which is evidenced by the free use of local ways in pub-

lic administration and cultural expression. For example, English (in Hong Kong) and Portuguese (in Macau) were the official languages during colonial rules and have remained so following the handovers. Mandarin and simplified Chinese characters have not replaced Cantonese (a southern Chinese dialect spoken in Hong Kong and Macau) or traditional Chinese characters as the working language. Moreover, only SARs permanent residents are eligible to serve as chief executive, legislators and principal officials. This is significant in that it contrasts with the personnel system favoured in China to prevent localism – a tendency of local leaders to form factions and resist higher authorities' instructions for protecting local interests (Goodman 2000; Li and Bachman 1989). To prevent the formation of local factions, local leaders at various administrative levels are usually posted from other counties, cities, or provinces depending on the local leaders' administrative levels (Chou 2009: 80–104).

A high degree of religious freedom is allowed in the two SARs, where there have been no reports of forced religious conversion or societal abuses based on religious affiliation. Public figures such as Donald Tsang (former Hong Kong chief executive) and Florinda da Rosa Silva Chan (secretary for administration and justice – the number two of the Macau SAR government) are both Catholics. This is substantially different from the restrictions on religious freedom in mainland China, where Christian churches are seen as potential unifying points for various social strata and thus a threat to the communist regime. Subsequently, churches are subject to occasional harassment by the authorities. In Xinjiang and Tibet, where the Chinese government is worried about territorial disintegration, religions are suspected of being exploited for inciting subversion. The mere display of religious symbols and preaching amongst teenagers may lead to persecution (U.S. Department of State 2010).

With regard to the issues of nationality and the legal system, Macau enjoys even broader cultural autonomy than Hong Kong. Under China's Nationality Law, dual nationalities imply loyalty to more than one regime and are therefore prohibited. Senior posts in the administration and most seats of the Legislative Council are reserved for Hong Kong permanent residents without the right of abode in foreign countries. However, Macau's period of Portuguese colonial administration saw about one fourth of the population given Portuguese passports – the holders of which include many businesspeople, professionals, judges, politicians, and senior civil servants indispensable to the successful implementation of the

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"one country, two system" policy. Therefore, China has had to make concessions; namely, Beijing silently consents to dual nationalities for all officials excluding the chief executive (Ghai 2000: 193–194).

Additionally, all Macau and Portuguese laws continue to be valid after the handover. Before 1976, Macau did not have its own legislative authority; all Portuguese laws were automatically extended to Macau, while all judges were recruited from Portugal. There is evidence that Macau's legal system has become gradually localised since the late 1980s, and its links with the Portuguese legal system have been weakened. Laws have been translated from Portuguese into Chinese, while Chinese legal workers have been provided with Portuguese language training to take up government posts as lawyers, prosecutors, and judges (Ghai 2000: 193). Portuguese remains the de facto official language in court proceedings. Language barriers deter many law school graduates trained in both mainland China and Macau from practising law. Judges have still to be recruited from Portugal, while the Macau Lawyers' Association (which oversees lawyer registration) continues to be dominated by Portuguese speaking lawyers.

Hong Kong has been more successful in localising the public administration and legal system, which - ironically - negatively affects Hong Kong's autonomy. The chief executive, principal officials, and 80 per cent of Legislative Council members are not prohibited from holding foreign passports. The difference between Hong Kong and Macau on these issues may be traced to the localisation of the Hong Kong civil service. The senior posts in public administration used to be dominated by non-Cantonese-speaking British officials. In the wake of the 1966 and 1967 riots, the Hong Kong government stepped up the localisation of public administration to improve its communication with the public. During the last days of colonial rule, the highest positions of public administration were occupied by local Chinese officials, with the exception of the attorney general (who headed the Legal Department). This contrasts with their Chinese counterparts in Macau, who only took up the highest offices once Portuguese rule had ended. Because of the opportunities to obtain experience under the last governor's guidance, the Hong Kong Chinese principal officials had more time to learn how to steer the administrative apparatus (Lo 2001: 85-122; Burns 1988). This also means there are enough qualified Chinese in Hong Kong's public administration to ensure that foreign passport holders are excluded from the upper echelons of the administration.

In Hong Kong's legal sectors, the once expatriate-dominated judiciary has been gradually localised. The laws originally written in English have been translated into Chinese, while bilingual legislation has been carried out (Chan 1997). With more local judges and lawyers recruited by the judiciary and the Legal Department, Cantonese was used in court proceedings. Acts of the UK Parliament were not considered necessary to maintain the credentials of the legal system and ceased to be valid after 1997. Beijing also pressured for more local judges in the CFA, stipulating a ratio of four to one between local and expatriate judges from other common law jurisdictions. Some members from the Legislative Council and legal sector demanded more flexibility in the ratio. The debate on the ratio centred on the belief that local judges were more susceptible to Beijing influence, whereas expatriate judges who had not built their careers in Hong Kong and China were seen to be better positioned to insulate themselves from Chinese influence and, ultimately, safeguard the impartiality of the legal system. In the end, Beijing's opinions on the ratio were adopted and codified (Lo 2000).

Public Response to Beijing's Hong Kong and Macau Policies

Hong Kong civil society and Macau civil society vary in their attitudes to Beijing's leverages on their power of initiation and immunity. The debates on local autonomy and judicial independence never stop in Hong Kong, where civil society places high emphasis on maintaining its lifestyle and takes the Basic Law's provisions on autonomy at face value. It disputes Beijing on political reform, Chinese officials' encroachment of Hong Kong's autonomy and freedom, and China's human rights record. The right of abode controversy discussed above and pan-democracy legislators' protests against Beijing's intervention in local elections illustrate civil society's enthusiasm in asserting Hong Kong's autonomy. The call for autonomy is powerful enough to bring the Hong Kong government to its knees. Desperate to win Beijing's trust, Hong Kong chief executive Tung Chee-hwa tried to enact the highly unpopular and liberty-threatening National Security Bill in 2003. Aggrieved by this attempted enactment (and in conjunction with the economic setback since the 1997 Asian financial crisis, and the Hong Kong government's mishandling of several controversial issues), half a million Hong Kong people took to the streets on 1 July 2003 - the seventh anniversary of the trans■■■ 40 Bill Chou ■■■

fer of sovereignty and a symbol of Beijing rule. The chairman of the Liberal Party, James Tien (Tian Beijun), resigned from the Executive Council – the chief executive's highest advisory body. Tien's resignation signalled that his party members in the Legislative Council would not support the bill. Tung was forced to withdraw the bill and eventually resigned in 2005. Several principal officials involved in the National Security Bill saga or previous government malfeasance also tendered their resignations (Ma 2005).

In response to Hong Kong civil society's defence of its autonomy, Beijing stepped up its intervention in Hong Kong's domestic affairs by economic inducement. The Individual Visit Scheme was introduced in 2003 to relax mainland China's outbound tourism to Hong Kong. The Mainland and Hong Kong Closer Economic Partnership Agreement was signed in the same year to form a free trade bloc. Hong Kong was also designated as an offshore financial centre for CNY clearing (Cheng 2009). Meanwhile, Beijing's political control has intensified, evidenced by its influence over electoral processes and the continued absence of universal suffrage with regard to chief executive and Legislative Council elections.

Politico-ideological efforts have also been mounted in an attempt to indoctrinate the people of Hong Kong and Macau with a Chinese-defined view of history and the relations between Beijing and the two SARs. According to a work report of the Communist Youth League (CYL), the youth wing of the Communist Party of China (CPC), 84 exchange tour groups and 7,300 people from Hong Kong and Macau had been received in 2011 – a substantial rise from 55 groups and 2,850 individuals in 2010. The work report stated that the CYL had to undertake "thought exchange activities" during these exchange tours. CYL Young Pioneers were also required to step up their work in promoting exchange activities with Hong Kong and Macau youth (*Xiangang Diantai* 2012).

In 2012, the government tried to implement the Moral and National Education Curriculum Guide, an ideological programme aimed at school students. A major problem with the curriculum guide was its underemphasis on developing students with critical and analytical thinking, but its overemphasis on offering factual knowledge and cultivating a sense of responsibility and identification with China – making it akin to propaganda. In 2012, a government-commissioned teaching manual, *China Model National Conditions Teaching Manual*, was published by the pro-Beijing National Education Services Centre. Referring to the CPC as an

"advanced, selfless and united ruling group", the manual was accused of being masked with Chinese official ideology. It also highlighted various success stories of the Chinese government, while downplaying Beijing's policy failures, political turmoil and human rights record. The manual was widely condemned for its brainwashing tendencies, which prompted the Hong Kong government to quickly distance itself from the manual, claiming that schools are free to decide whether to use the manual or not (Mingbao Jishi Xinwen Wang 2012).

Suspected Beijing meddling fuelled public resentment. Amidst the controversy, the Global Times published an editorial in August 2012 refuting the claim of brainwashing through national education. The editorial argued that accusations levelled against the national education curriculum reflected the impact of Western ideologies and British colonial rule on the minds of the Hong Kong people. It further claimed that the Hong Kong government would stand firm on the implementation of the national education curriculum (Huangiu Shibao 2012). Several days later, the People's Daily (overseas edition) published a comment on Hong Kong's national education curriculum, claiming it was required because Hong Kong students did not understand the spirit of the May Fourth Movement and China (Wang 2012). In protest against the implementation of the national education curriculum, tens of thousands people took to the streets in July 2012. Hong Kong's largest teachers' union joined the ranks of protesters and threatened to boycott classes. A demonstration outside the government headquarters in September 2012 attracted a crowd of over 130,000 people. Because the Hong Kong government did not want the territory-wide discontent to affect the pro-government candidates' chances in the Legislative Council election in September 2012, it backed down from the national education curriculum.

In view of Beijing's increasing intervention in Hong Kong's internal affairs, the Hong Kong people's identification with China has been changing. During the period from 1997 until 2009, the Hong Kong people came to increasingly identify themselves with China (see Figure 2), revealing a growing receptiveness to Chinese rule. However, this trend of increasing identification reversed once the negative impacts of economic integration, political control, and ideological programmes became more evident. Economic growth saw Hong Kong's property market prices and cost of living soar, although salaries did not follow suit. High rental prices forced many small businesses to close, whereas mega chain stores have become more prominent in the urban landscape. The polluted milk

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powder crisis led mainland day trippers and smugglers to go shopping in Hong Kong, resulting in milk powder being sold out on one occasion; Hong Kong parents were enraged. Many pregnant women from China were heading to Hong Kong to give birth in order to circumvent China's family planning policy and help their babies apply for Hong Kong permanent residence. In 2010, almost half of the babies born in Hong Kong had parents who were Chinese nationals but not Hong Kong residents. As there was no corresponding increase in hospital beds and medical personnel, Hong Kong's medical service was stretched thin (Lin 2011).

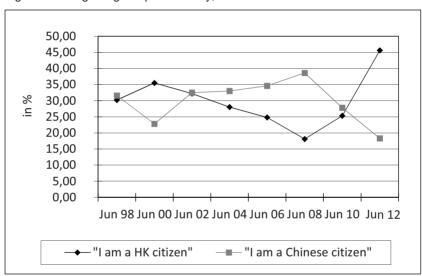


Figure 2: Hong Kong People's Identity, December 1997 – June 2012

Source: HKU POP Site (no date).

Beijing's restrictions on Macau's autonomy did not arouse territory-wide resentment. Disputes between Beijing and Macau are unnoticed, if not absent. Macau's enactment of the National Security Bill in October 2008 was far less dramatic. Although several articles in the bill were controversial and considered a violation of human rights, opposition voices were weak. The Legislative Assembly passed the bill in early January 2009, less than three months after the bill was announced for consultation (*Renmin Ribao* 2009; *The Standard* 2008). The Macau government's three branches of power and the Macau people never fight for more local autonomy.

Former chief executive Edmund Ho's obedience to Beijing saw him follow Beijing's instructions to halt the expansion of casino projects at the expense of local business interests. Ho blamed himself and principal officials' inadequate understanding of Basic Law in his review of the malfeasance and failures of Macau SAR government (Guo 2009: A2). The subservience of Macau to Beijing has been well received by Chinese officials and has contributed to relations more cordial than those between Beijing and Hong Kong. On comparing the political systems of Hong Kong and Macau, deputy director of the Hong Kong and Macau Affairs Office Zhang Xiaoming said, in 2009, that Macau's political system was "more constructive". The executive, legislative, and judiciary branches were more cooperative and better coordinated with each other than their Hong Kong counterparts. Zhao's remark implied that Beijing rebuked any political reform in the two SARs modelled on Western liberal democracies characterised by the separation of the three branches of government - a structure that would have the potential to challenge Beijing's control of the two SARs (Cai and Mo 2009).

There is, nonetheless, discontent amongst many Macau people with regard to the side effects of economic integration: high property prices, illegal migrant workers, and traffic congestion have become major issues of 1 May and 20 December demonstrations. There are also those who are dissatisfied with the lack of autonomy in political reform and democratisation. However, Macau people's identification with China does not decline as quickly as that of Hong Kong people (see Table 1).

Table 1: Identification with China and Macau.

Year	Proud to be Chinese (%)	Proud to be Macau people (%)
1991	66.9	53.6
1999	74.1	38.8
2006	79.5	65.8
2009	77.4	60.7

Source: Yee, Lou and Chan 2011: 62.

The difference in the two SARs' responses to the similar restrictions on local autonomy may be explained by several factors traced back to the post-World War II era. During the Cold War, British Hong Kong was vigilant against the expansion of Communist influence in the Chinese communities. The education curriculum was tightly controlled to depolit-

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icise classroom teaching and curtail Chinese nationalism (Vickers and Kan 2005). After being crushed in a 1967 riot (an overspill of the Cultural Revolution), pro-Beijing social forces in Hong Kong were too weak to spread Communist ideology to the wider community. Besides that, the increasingly affluent society generated demand for local popular culture, which later contributed to the development of a shared sense of community. This resulted in the emergence of a local identity that revolved around economic achievement, a collective memory perpetuated by the mass media, and the rule of law (Ku and Pun 2004; Vickers 2003; Chan 2000: 499–519). Western concepts of the rule of law, civic liberty, and democracy became entrenched by the continual presence of multinational corporations, international media, and Western consulates, which – due to different reasons – have vested interests in these values.

Beijing's bloody political campaigns after 1949 held back the construction of political identification with China. Since the early 1950s, China has imposed many restrictions on emigration; Hong Kong experienced a relatively long period with few immigrants. Many immigrants left mainland China illegally to escape the political disturbances, the ideological struggles, and/ or for economic well-being (Mathews, Ma, and Lui 2008: 40–57). The younger generation (who did not personally experience Communist rule in mainland China) was shocked by the degree of maladministration and poor governance in China, which was symbolised by the brutal crackdown on the Tiananmen Square pro-democracy protests in 1989, the controversial death of human rights activist Li Wangyang, and the imprisonment of Nobel Peace Prize laureate Liu Xiaobo. They were further aggrieved by Beijing blocking democratic development in Hong Kong.

The public's views of Beijing and its policies towards Hong Kong and Macau are influenced by the mass media. In Hong Kong, where the mass media values investigative reporting and operates as the fourth pillar due to its scrutiny of government, negative news reports on China (e.g. the 1989 Tiananmen Square crackdown and the arrest of Ai Wei Wei in 2011) leave many Hong Kong people feeling aggrieved. The Chinese government has responded to the Hong Kong media's actions by denying permits to certain Hong Kong journalists, openly criticising the mass media's unfavourable depiction of the Chinese government, and censoring Hong Kong newspapers and television broadcasts available in China (International Federation of Journalists 2010; Lai 2007). During the 2012 chief executive electoral campaign, Chun-ying Leung (Liang

Zhenying), a candidate suspected of being a CPC member, received negative coverage by some sections of the Hong Kong media, which had alleged that the Central Liaison Office (CLO) was interfering in the electoral campaign and Hong Kong's internal affairs. Hao Tiechuan, propaganda department director of the CLO, reportedly called the secretary of Richard Li (the owner of *Hong Kong Economic Journal*) to express his rage at the media's criticism (*Ming Jing Xinwenwang* 2012). This gesture was widely regarded as a violation of press freedom and created a feeling of animosity amongst the Hong Kong people towards the regime.

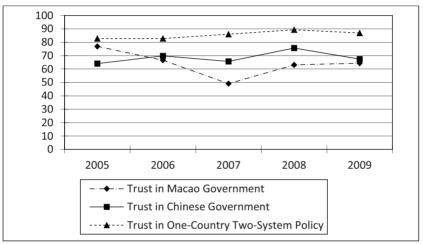
Unlike in Hong Kong, local identity in Macau is not strong. Portuguese colonial rulers lost the will and muscle for effective governance after the 1966 riot (a Cultural Revolution offshoot). Pro-Beijing societal groups successfully expelled the pro-Taiwan elements from Macau and penetrated almost all aspects of the social sphere, education included. Many young people studied in pro-Beijing Chinese schools, received tertiary education in China, or enrolled in Chinese universities' distancelearning programmes in Macau. Beyond the radars of multinational corporations, international media, and (until recently) foreign governments, Macau's civil society has been influenced to a large extent by Beijing's official ideology. Macau's schools at various levels need not follow a government-approved unified curriculum, primarily because the government can hardly bolster an official-sanctioned identity and cultivate a sense of belonging to the city through school education (Chou 2005; Tang and Bray 2000; Tan 1999). Despite Macau's increasing affluence, the development of media and cultural industries has been restricted by the small population size. Macau Chinese rely heavily on the supply of pop culture from Hong Kong. With a weak local identity but a strong presence of pro-Beijing social forces, Macau people (who are mostly ethnic Chinese) naturally seek identification with cultural and political China. They are generally supportive of Beijing's policies, including Beijing's meddling in Macau's internal affairs.

Macau people support Beijing partly due to their higher levels of trust in the Chinese government than in the Macau authorities (see Figure 3). Public trust in the Macau SAR government was greatly undermined by a corruption scandal involving Ao Man Lon (Ou Wenlong), former secretary for transport and public works. Unlike their counterparts in Hong Kong, the mass media in Macau does not scrutinise either the Macau SAR or (in particular) the Chinese government; it is not uncommon for the media to report the governments' official press releases.

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Macau's only terrestrial television channel and the most popular radio channel are owned and funded by the government-run Teledifusão de Macau (TDM): neither are critical of the government. The *Macau Daily* was established in 1958 by Ke Ping, the CPC leader in Macau at that time, and has the largest circulation in the city. It is more like a communist propaganda apparatus than a fourth pillar dedicated to supervising the government.

Figure 3: Trust in Macau Government, Chinese Government, and "One Country, Two System" Policy



Note: The maximum rating point is 100. Source: *Macau Studies* (various years).

In fact, press freedom in Macau is under attack. On World Press Freedom Day (3 May) in 2012, the Macau Journalists Association (MJA) issued an open letter that accused the government of abusing its authority and violating the freedom of news coverage. During the consultation period on Macau's political reform in early 2012, the news favourable to the conservative blueprint proposed by the government was over-reported, but those unfavourable were under-reported. The MJA complained that during public consultation meetings, the government hindered journalists' efforts to interview and take pictures of protesters. Moreover, the government was criticised for trying to set up press and broadcasting committees that will be instrumental for the government to infringe on

the media's freedom (*Zheng Bao* 2012). The media's management was also condemned by the MJA for practising self-censorship to curry favour with the Macau SAR government and CLO officials. Although the Portuguese and English media are more critical of the Macau government, their readers are so few that their reports can hardly be influential. Without a vigilant mass media, Macau civil society is generally unaware of the malfeasance by both the Chinese government and the Macau authorities. This is instrumental for cordial Beijing-Macau relations.

The degree of strength of the democratic opposition in the two SARs also impacts upon relations with Beijing. The introduction of a cursory democracy in Macau in the mid-1970s and in Hong Kong in the early 1980s led to the emergence of democrats in domestic politics. Macau democrats only won around 30 per cent of the vote in the posthandover Legislative Assembly elections in 2009 (geographical constituencies) and less than 20 per cent of the seats. None of the motions they have proposed in the Legislative Assembly have been passed. In addition to their lack of resources, skills, and determination, the limited success of Macau democrats in mobilising public support may be partially attributed to the deep penetration of pro-Beijing societal groups in civil society. The general public is loath to support democrats, who are singled out as troublemakers. Most of the highest salaried jobs in Macau are available in civil service; many business opportunities are related to government procurement. It is widely believed that career and/ or business development will be put at risk for anyone standing against the government and the establishment. This environment has given rise to a culture of avoiding confrontation and compromising principles for harmony and particularistic treatments from those in power. Without a powerful democracy camp, there are few disputes able to jeopardise Beijing-Macau relations (Chou 2007).

Democrats in Hong Kong, however, are more assertive. Not only are they the staunchest critics of the two SAR governments, they have also censured China for its human rights record and provided support to Chinese political dissidents. Hong Kong democrats have constantly won over 50 per cent of the vote in the post-handover Legislative Council elections based on geographical constituencies and over one-third of the seats. They have called for universal suffrage for the election of the chief executive and the Legislative Council – a demand that may weaken Beijing's political control over Hong Kong. Also, because democrats have placed a bigger emphasis on Hong Kong's core values and interests over

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allegiance to Beijing, Hong Kong civil society is more resistant to Beijing's encroachment of its autonomy; this is demonstrated by various large-scale demonstrations and public uproar whenever Beijing attempts to assert its control over Hong Kong or criticises Hong Kong's pluralistic politics (Chou 2007).

Conclusion

This paper has used an analytical framework to examine the local autonomy of Hong Kong SAR and Macau SAR. Local autonomy can be conceptualised as the degree of power of initiation and immunity and the degree of cultural autonomy. While the two SARs enjoy a high degree of freedom in expressing and developing their own culture, their power of initiation and immunity is restricted by Beijing's constitutional and political means.

Two lessons can be drawn from the cases of Hong Kong and Macau when it comes to governing localities and deciding the extent of local autonomy. First, granting localities with certain powers of initiation (such as the methods of electing governors at various jurisdictional levels) does not necessarily result in the loss of political control if the central authorities maintain leverages on the localities' power of immunity. The winner of contested elections for the post of chief executives is always a Beijing supporter as the electoral process and nominations of candidates are under Beijing's control. Such influence may not necessarily lead to public resentment, as shown by the high popularity ratings enjoyed by Tung Chee-hwa and Edmund Ho when they took office as the first chief executives of Hong Kong and Macau, respectively.

Second, the opportunities for expressing and developing local identities (such as using Cantonese and Portuguese in public administration) neither weakens identification with the national identity defined by the state nor affects territorial integrity. Even though Beijing–Hong Kong relations are more turbulent than Beijing–Macau relations, Hong Kong's sense of identification with China continued to grow even after Beijing stepped up its intervention in Hong Kong's internal affairs in 2003. The increasing identification with China was reverted not because of the interventions themselves, but rather the conflict of the interventions with Hong Kong people's lifestyles, their values of rule of law and fairness, and their sense of pride. Hong Kong's identification with China would have continued to develop if both the central and local authorities

had effectively contained the negative effects of the economic integration policies launched by Beijing, and if the values and cultures of the two SARs had been respected.

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