

### WHERE IS MY HOME ?

The suggestion, made recently, that the President of the Government of the People's Republic of China (PRC), Mr Jiang Ze Min, has the official power to guide the PRC Judiciary, must send shivers down the backs of all reasonable men.

It means that, right or wrong, such a person may perpetrate any, and all manner of, act in the name of the State, whether or not that act is legally, and/or morally, correct.

Of course, the definition of what is to be considered morally correct may be open to interpretation, especially in totalitarian-controlled countries, such as the People's Republic of China, but if it is held that that which is morally correct is that which conforms to right or just behaviour, as in the behaviour of man, measured against prevailing, accepted standards of rectitude, then, for a president of a country to dictate, directly or indirectly, to the Judiciary of the country, where he holds the highest post, one may safely say that such an act is morally wrong.

One cannot help but recall the words of the American author and humourist, Samuel Langhorne Clemens (also known as Mark Twain), when considering the matter of what is to be considered right, what is wrong, and what are the standards of public morality: *'The fact that man knows right from wrong proves his intellectual superiority to the other creatures; but the fact that he can do wrong proves his moral inferiority to any creature that cannot.'*

The accepted concept of penology, at least, in the free world, is that rehabilitation of criminals is the ultimate aim of society: It is generally accepted that one does not stamp out crime by shooting all the criminals, for, like a rock in any field, there are insects under that boulder yet untouched.

The sentencing to death of a former Vice Governor of Jiangxi Province, Mr Hu Chang Qing, for corruptly taking about \$HK4.65 million in bribes is, in itself, a horrendous sentence.

Such an act would, no doubt, have been punished, most severely, in any part of the free world, but death for stealing such a small amount of money conjures up visions of the 19<sup>th</sup> Century author, Alexandre Dumas, and his famous story, The Count of Monte Cristo.

In this story, Jean Valjean was imprisoned for 19 years for stealing a loaf of bread.

His story unfolds after his release as the reader learns of the things that he does to reposition himself in his country, of the people that he meets, of the good, of the righteous, and of the wronged.

It has been said of this novel, 138 years ago, that so long as there shall exist, by reason of law and custom, a social condemnation, which, in the face of civilisation, artificially creates Hells on earth, and complicates a destiny that is divine, with human fatality; so long as the three problems of the age – the degradation of man by poverty, the ruin of woman by starvation, and the dwarfing of childhood by physical and spiritual night – are not solved; as long as, in certain regions, social asphyxia shall be possible; in other words, and from a yet more extended point of view, so long as ignorance and misery remain on earth, books like this cannot be useless.

Notwithstanding the fact that one may not hold with deterrent sentencing of such draconian measures as the firing squad for stealing loaf of bread or a little money, the more important point about the matter of President of the PRC, guiding the affairs of the PRC Judiciary, is that there is no separation in the PRC of the Judicial Branch of Government from the Executive Branch of Government.

Of that, there can be no question.

Since the PRC Judiciary is not independent, the whim of any PRC Government official with a high-enough status, may, it must be presumed, guide any judicial determination that strikes his fancy.

Which is monstrous!

In all totalitarian governments, history has proved that this is more the accepted standard rather than the exceptional standard.

When the late Comrade Chairman Mao Ze Dong held the PRC Government reins of power, he exercised immense power; and, often impressed his will on the PRC Judiciary, according to his prejudices.

All manner of inhumane acts must have been perpetrated on the people of the PRC, between 1949 and 1976, during his tenure of office; and, always these acts were perpetrated in the name of the State, and for the benefit of the State.

The acts were never perpetrated for the people of the State, in the name of the people, for the benefit of the people.

Between 1941 and 1953, when Joseph Stalin controlled the totalitarian government of the then Union of Soviet Socialist Republics (USSR), it is well documented that the law of the land was the law of the Great Leader and Father, Joseph Stalin.

Estimates of the number of people that Joseph Stalin had killed are in the tens of millions.

### **The Housing Survey**

In a recent survey, conducted in the Hongkong Special Administrative Region (HKSAR), it was discovered that less than 20 percent of the families, residing within the HKSAR, were planning to purchase their own homes, during the next decade.

According to a certain English daily, published in South China, the results of this survey are a blow to the home-ownership scheme of the HKSAR Chief Executive, Mr Tung Chee Hwa.

What utter rubbish!

What the survey may prove is that the HKSAR has become a way station for many people, wanting to find a permanent home – away from the HKSAR and the PRC.

If the HKSAR is, now, a way station, a way station to where?

The one thing that every family, anywhere in the world, wants is the security of a place, which may, rightfully, be called, home.

Families will take calculated risks with their savings in order to say, proudly, to friends and relatives: *'This is my house/flat/condominium'*.

The key word, here, is *'pride'*, for to live in a housing unit without its residents, feeling pride of ownership, is for those residents to adopt the posture of being merely a temporary residents.

And this is how instant slums are created: The residents of an area rebel against their conditions.

If the results of the survey of the HKSAR Government are accurate, then, what the Government of the HKSAR should do, immediately, is to establish a think-tank in order to determine how best to instill a sense of pride and ownership of the near 7 million human population of the HKSAR.

As organised sport can be the social 'glue' of the population of a territory, so must a government bind the people to it in support of it, while the government, simultaneously, adopts the determination that it shall protect the population by drafting and promulgating laws, which are fair, just and morally correct, and that these laws are for the protection of the people, not for the protection of the government.

If anything, the people need protection from the government, which it empowers to rule; it is not the other way round.

Only when the people of a territory have undying and unswerving respect for a political and social system will they want to commit themselves to the risk of saying: 'This is my country.'

This simple concept is not a matter of squillions of dollars in a bank account, but simply a matter of philosophy, an intellectual pursuit which appears to have been forgotten by the Government of the PRC and, perhaps, by Mr Tung Chee Hwa.

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