

LOVE ME, LOVE MY DOG !
MR LI KA SHING SUPPORTS MR TUNG CHEE HWA !

The Government of the People's Republic of China (PRC) openly supports the Chief Executive of the Hongkong Special Administrative Region (HKSAR) and, only one week ago, senior PRC leaders went on record as saying it, officially.

They, really, had no choice in the matter -- because the PRC Government appointed him in the first place.

Mrs Betty Tung Chiu Hung Ping, the wife of Mr Tung Chee Hwa, supports her husband, too.

She, really, has no choice in the matter -- because she married him and she likes to be known as the First Lady of the HKSAR.

And, now, one of the richest men in the world, Mr Li Ka Shing, has come out in open support of Mr Tung Chee Hwa.

And he, really, has no reason to support him -- because he has so much money that he could be the Chief Executive of the HKSAR at the drop of hat, if he so desired.

So, Chief Executive Tung Chee Hwa must be correct in all of his determinations -- in spite of the fact that tens of thousands of other HKSAR residents disagree with the consensus of those at the top of the political heap and financial pile.

Questions may be asked, however, as to the reason that Mr Li Ka Shing came out in support of Mr Tung Chee Hwa.

Is the Chief Executive his bosom buddy?

Or, does Mr Li Ka Shing admire the Chief Executive so much that he cannot restrain himself from telling the world what a wonderful job Mr Tung Chee Hwa is doing for the Government of the PRC?

Whatever may be the true reason for Mr Li Ka Shing's unprecedented and, seemingly, spontaneous show of support for the embattled Mr Tung Chee Hwa, the question that could be raised, now, is for whom is Mr Li Ka Shing speaking: For himself? For Mr Tung Chee Hwa? For the Government of the PRC?

Mr Li Ka Shing is reported to have stated, just last Wednesday, that the residents of the HKSAR have not lost confidence in the leadership of Mr Tung Chee Hwa.

Well, there appear to be tens of thousands of doctors in the 416 square miles that make up the HKSAR that do not agree.

Also, the Civil Service does not appear to agree with Mr Li Ka Shing because, up until the beginning of this week, members of the Civil Service were planning to march round the HKSAR this weekend in order to demonstrate just how little confidence they have in the leadership of the PRC-appointed Chief Executive.

Mr Tung Chee Hwa has been forced to take tea with members of the Civil Service in order that the wheels of Government do not stop due to a work stoppage or work-to-rule -- which would have been the first action of its kind in the history of the HKSAR, and of the old Hongkong when the British were running the show.

Putting aside the controversial Right of Abode Controversy, for a moment, Chief Executive Tung Chee Hwa's Administration has tried to bring about reforms within Government and, especially, in the Civil Service for the

past year or so.

Mr Li Ka Shing, commenting on this matter, is quoted as stating that it was natural for reforms to be met by opposition; and, that it was easy to criticise but difficult to act, appropriately.

These are interesting statements because the opposition to the Administration's proposed reforms are the first in the recorded history of these 416 square miles: The numerous reforms and honing of the Civil Service by the British Administrations never met with such stiff complaints and/or opposition.

During this past week, the Court of Appeal has come under pressure and has been told, in so many words, that it was to do as it was told by its Beijing masters.

Mr Joseph Fok, SC, for the Director of Immigration of the HKSAR, who was seeking to have the Court of Appeal reverse a lower court ruling, a ruling which states that The Basic Law of the HKSAR gives the right of abode to a 2-year-old infant who was born in the HKSAR, the infant's mother, being in the HKSAR on a 2-way permit from the PRC when she delivered the baby, stated to the Court of Appeal that the final determination in this matter could well fall into the lap of the National People's Congress (NPC).

Whether or not it was a threat, only the learned justices could determine, but, definitely, it was a promise, assuming the Mr Joseph Fok was not talking out of turn.

The learned justices, on hearing Mr Joseph Fok's submissions, remarked that, if that were the case, then it meant that the Justices of the Court of Appeal were subservient to the (lay) members of the NPC; and, that they had to act in accordance with NPC determinations rather than follow statute law, legal precedent, or the correct interpretation of The Basic Law of the HKSAR, as they saw it.

One may conjecture that it would most expedient for the HKSAR Government to go, directly, to the NPC for its decisions on certain legal and procedure matters, thereby sidestepping the HKSAR Courts, completely.

The importance of the submissions of Mr Joseph Fok is that, if it is correct, then it changes the entire complexion, HKSAR style, of English Common Law.

It follows that one of the important '*legs*' upon which, supposedly, the HKSAR was founded on the assumption of sovereignty by the Government of the PRC, based on the status quo, pre-July 1, 1997, has just be chopped off.

There is no reason to doubt that which Mr Joseph Fok uttered in his defense of his position, on behalf of the Tung Chee Hwa Administration, since it is founded on Mr Tung Chee Hwa, asking the NPC to re-interpret The Basic Law with regard to the Right of Abode Controversy more than one year ago.

The NPC's determination was that the Court of Final Appeal of the HKSAR should reverse its determination.

And, the NPC proposes and the Court of Final Appeal disposes, one might be tempted to state, definitively.

Which means, in fact, that the final arbiter for the HKSAR is not the Court of Final Appeal, but the NPC.

Chipping at the rule of law, as is the natural and necessary extension of Mr Joseph Fok's submissions, cannot sit well for reasonable men who like to think of themselves as being equal before the law.

Mr Joseph Fok would have some people be more equal than others, it would appear (thank you Mr George Orwell).

And, yet, Mr Li Ka Shing thinks that Mr Tung Chee Hwa is doing a bang-up job at administering the HKSAR.

One might like to ask the outgoing Legislative Councillor, Mr Ronald Arculli, what he thinks of the situation since it would appear, clearly, that he does not applaud the Chief Executive's efforts as does Mr Li The Cash.

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