

**WELCOME, ONE AND ALL,  
TO THE CHOSEN LAND:  
THE MIDDLE KINGDOM**

One cannot help but wonder whether or not, when there was a Caucasian Governor in control of Hongkong, an Oriental resident of these 416 square miles would have had the courage to complain to him about the fact that the Chinese resident had been refused entry into England, or any other Commonwealth country.

Further, one cannot help but wonder whether or not, if a Chinese resident of Hongkong had had the courage to complain to the Caucasian Governor of Hongkong, he would have expected the Governor to demand an explanation, or a clarification, either from the Queen, the Prime Minister, or the Immigration Department of United Kingdom, or any other country where entry was refused.

The English Crown has, always, maintained that there existed a one-country, two systems form of Government for the British Crown Colony of Hongkong, throughout its history, reaching back about 156 years to 1841, even though it was never spelt out in that manner.

It was maintained and fully accepted and endorsed that Hongkong was a territory, belonging to the Crown, and, as such, all Hongkong land belonged to the Crown, and, therefore, it could only be leased from the Crown at the Crown's pleasure.

Also, British Laws would apply in the Crown Colony of Hongkong, but there would be differences between the laws, as drafted and practised in England, Scotland, Wales and parts of Ireland, and the laws, as they are drafted and implemented in Hongkong.

Some of the most important changes to the laws of the (old) Hongkong, compared with other British territories, included a very low corporate tax system -- the envy of many a British territory -- no income tax system, no tax on dividends received, no capital gains tax, and a laissez faire economic philosophy which was, and still is, the envy of most parts of the world.

The adoption of the concept of an entrepot for Hongkong was another British innovation, which helped to cause these 416 square miles to prosper since the end of World War II.

So that the Deng Xiao Ping model, of one country, two systems (of Government) for the Hongkong Special Administrative Region (HKSAR) of the People's Republic of China (PRC), is hardly a novel idea.

The legal residents of Hongkong, up until the PRC Government assumed sovereignty over this territory, on July 1, 1997, never had an inalienable right of entry to England or any part of the United Kingdom, for that matter, although a visa was never required to travel to any part of the UK, with the exception of the Republic of India.

But that did not give a Chinese resident of Hongkong an inalienable right to land on British soil because that prerogative was at the discretion of the Immigration Department of the territory to which the Hongkong-Chinese resident desired to visit.

In addition, it was, always, made abundantly clear that no Oriental resident of Hongkong had the right of abode in England -- unless that resident was the holder of a valid United Kingdom passport.

When Ms Margaret Ng Ngoi Yee, a holder of a valid British passport, tried to visit Beijing in order to attend a law conference and was refused entry, what right had she to demand that Chief Executive Tung Chee Hwa seek clarification of the matter of her proscription from entering the Promised Land?

The Government of the PRC has every right to refuse entry to anybody whom it considers undesirable.

And the Government of the PRC need not give a reason for its determination.

From the reports that were made public, of late, it appears that the Chief Secretary for the Administration, Mrs Anson Chan Fang On Sang, got into the act; and, she went so far as to state that she had talked, directly, to the Chief Executive, who told her that he would pursue the case '*at the first opportunity*'.

One has to ask the question: For what reason did the Chief Secretary waste her time on this trivia?

For what reason is there a Civil Service in the HKSAR if not to handle such matters?

If the Chief Secretary were forced to deal with every complaint, regardless of how important it may be, she would have little time left to deal with the important matters of assisting her boss, the Chief Executive, in managing the affairs of what is, now, nearly 7 million inhabitants of these 416 square miles.

It was, then, reported that the Chief Executive, busy making preparations for numerous meetings, the most important of which, probably, was his upcoming trip to Beijing and the speech that he was required to make in The Great Hall of the People, marking the 50<sup>th</sup> Anniversary of the birth of Communism in the PRC, could not find the time to take tea with Legislative Councillor Margaret Ng.

In addition, hard on the heels of the celebrations in Beijing, there was that Policy Speech that he would be required to present to the HKSAR on October 6.

Then, just last Thursday, it was reported that the Chief Executive, having been made cruelly aware that a group of HKSAR lawyers were about to apply pressure on the Chief Executive to intercede in the matter, or, at least, to allay fears of political retaliation from politicians of the PRC Government, decided that he could find time, after all, from his busy schedule to have a cup of tea with Legislative Councillor Margaret Ng.

Would the last white Governor of Hongkong, Mr Chris Patten, have broken his schedule to take tea with Legislative Councillor Margaret Ng if she had had an immigration problem at Heathrow Airport?

Would the former Chief Secretary, Mr Phillip Haddon-Cave, have made time in his busy schedule to look into such a matter?

Would Legislative Councillor Margaret Ng have had the courage, and felt that she had had the right, to bother high officials of a British Administration of Hongkong with her personal problems?

Legislative Councillor Margaret Ng was quoted as saying, publicly, probably more out of pique than anything else, that the Chief Executive '*was too tired and too busy to see me.*'

Ms Margaret Ng represents the legal profession in the Legislature and she, obviously, felt that she had the right to protest to Beijing, through the good offices of Mr Tung Chee Hwa, about Beijing's refusal to allow her to travel to the capital city of the PRC.

In addition, she is demanding to know the rationale behind the PRC Government's refusal to allow her to visit Beijing.

It appears that Ms Margaret Ng has written no less than twice to the Chief Executive about this matter.

One must assume that, according to the thinking of this remarkable and intelligent lady, when a Legislative Councillor of the HKSAR pens a letter to the head of Government of the HKSAR, he is forced to respond to the content of that letter.

Chief Executive Tung Chee Hwa has a mandate to rule the HKSAR, in accordance with the interpretation of The Basic Law of the HKSAR, plus the various Ordinances of the HKSAR, plus any lawful order, issued by the Seat

of Government in Beijing.

Chief Executive Tung Chee Hwa administers the HKSAR, but he has no mandate to dictate to his superiors in Beijing.

Similarly, Beijing does not answer to its '*servant*', Mr Tung Chee Hwa.

There may have been a promise of one country, two systems, carved, so to speak, in stone by the late Paramount Leader of the PRC Government, Mr Deng Xiao Ping, but the HKSAR, when all is said and done, is, still, the sovereign territory of the People's Republic of China.

In addition, since there exists the concept of one country, two systems, it means that the Government of the PRC has the legal right to refuse entry to the PRC to anybody whom it deems to be undesirable -- and that must include legal residents of the HKSAR.

It is strictly a matter of policy, as far as the PRC Government is concerned, to ban certain parties from entering the PRC '*proper*'.

It has that right.

The US Government has employed such a system for many a decade, much to the consternation of tens of thousands of Italians, all of whom have been denied the right to enter the United States due to their being considered undesirable aliens.

The US Government rarely gives a reason for denying an alien the right to land on US soil: It need not do so because it has an inalienable right to proscribe anybody, who is not a US citizen, from stepping onto US territories.

It is a matter of law, not moral turpitude, that caused the PRC Government to make a decision not to allow Legislative Councillor Margaret Ng to board a Dragonair flight to Beijing on Sunday, September 12, in order that she attend a legal seminar.

The law was on the side of the PRC Government, to be sure.

Perhaps Legislative Councillor Margaret Ng's knickers are too tight around her bottom so that she thinks that she is too big for them?

She is at liberty, one would suppose, to change her knickers.

Legislative Councillor Margaret Ng claims that she is not requesting the Chief Executive to intervene on her behalf, but she is asking for a clarification.

But she, already, has a clarification: She is not welcome in the PRC.

That is it.

End of story.

Question: Who is welcome in the PRC?

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